PARLIAMENTARY DEBATES

(HANSARD)

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HOUSE OF COMMONS

OFFICIAL REPORT

THIRD SESSION OF THE FIFTIETH PARLIAMENT
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AND NORTHERN IRELAND
THIRTY-NINTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 1989-90

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THE PARLIAMENTARY DEBATES

OFFICIAL REPORT

IN THE THIRD SESSION OF THE FIFTIETH PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 25 JUNE 1987]

THIRTY-NINTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 172**

ELEVENTH VOLUME OF SESSION 1989-90

House of Commons

Tuesday 8 May 1990

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

EDUCATION AND SCIENCE

National Curriculum

1. **Mr. Buckley:** To ask the Secretary of State for Education and Science what recent representations he has received regarding the national curriculum; and if he will make a statement.

The Secretary of State for Education and Science (Mr. John MacGregor): I frequently receive correspondence from school governing bodies, teachers, parents and others which expresses substantial support for the national curriculum.

Mr. Buckley: Does the Secretary of State recognise that the national curriculum is becoming centrally prescribed? Does he accept Her Majesty's inspectorate's report that a deterioration in quality and deskilling of teachers may be a consequence of the national curriculum?

Mr. MacGregor: The recent Her Majesty's inspectorate report on the national curriculum shows that good progress is being made in primary schools and I do not accept that it is centrally prescriptive. It is important to have a national curriculum which raises standards to the [illegible]oughout the country, and we have made many efforts to ensure that teachers have plenty of freedom to exercise their professional judgment—the theme of a speech that I made at a recent conference held by the Assistant Masters and Mistresses Association. It is well recognised that we are getting the balance right.

Mr. Evennett: Will my right hon. Friend advise us what is happening with regard to the history working group's report and when we shall hear his decision on that?

Mr. MacGregor: I am consulting more widely because the report attracted wide interest from many different points of view and it is important that those who offer advice on the report should do so only after they have read it. That consultation ends in the middle of June and I shall make an announcement then.

Mr. Straw: In view of the Prime Minister's almost complete U-turn which was announced in the *Sunday Telegraph* on 15 April, and the Secretary of State's different but almost weekly changes to the national curriculum's operation, is the right hon. Gentleman aware that there is an unacceptable confusion about the practice of the national curriculum, which cannot be resolved by a public relations man imposed upon him by his predecessor, the chairman of the Tory party? In view of that serious confusion and the fact that in the interview reported in the *Sunday Telegraph* the Prime Minister raised doubts even about the idea of a core curriculum, is it not time that the Secretary of State produced a White Paper setting out exactly the Government's policy?

Mr. MacGregor: That was a ragbag of holiday straws. The position is clear. As I go round the country, I find that teachers welcome the orderly decisions that I am taking to implement the national curriculum. There is no disagreement on the purposes and objectives of the national curriculum. It was made clear in the original White Paper and the consultative document, which I have reread, that the non-core subjects would have less rigorous standard assessment tasks than the other subjects, and that a variety of decisions had to be taken to implement the national curriculum and will continue to have to be taken. I am taking those decisions in an ordered and manageable

way. I have been particularly concerned not to overburden school curricula or teachers with too much at once. There is considerable support for our recent announcements, all of which are available to teachers, and it simply is not necessary to have a White Paper.

Training Credits

2. **Mr. Stevens:** To ask the Secretary of State for Education and Science what effect he expects the introduction of training credits to have on young people seeking further education and training after they leave school.

The Parliamentary Under-Secretary of State for Education and Science (Mr. Robert Jackson): By motivating young people to seek training and employers to provide it, training credits have the potential to increase radically the number of young people in jobs who receive worthwhile education and training. That is why the Government have announced their intention to run pilot schemes from next April.

Mr. Stevens: I welcome job training credits which will introduce additional flexibility to bring about specific training in the skills that individuals will need, but what role will the education service have in that new scheme?

Mr. Jackson: I believe that the education service will have an important role to play in the new scheme, which will present a considerable opportunity for the service to expand its provision of part-time education and training of young people. It will continue to be the major provider of part-time training and education and to play an essential role in the operation of the credit scheme. In considering applications for pilot schemes, my right hon. Friend the Secretary of State will be careful to identify the local education authorities that have been most closely involved. We have received no fewer than 33 bids for the 10 pilot schemes that we shall be operating, which shows the extent of their popularity.

Mr. Leighton: The principle of training credits has been widely welcomed, but some youngsters should also be encouraged to undergo further education, including that for vocational careers. As one does not want students to make educational decisions mainly on financial grounds, is there not an equally strong case for offering a financial incentive to remain at school, by making training credits available to young people who decide to continue into further education?

Mr. Jackson: I thank the hon. Gentleman for his comments, and for the remarks that he made in response to the original statement by my right hon. and learned Friend the Secretary of State for Employment, when the hon. Gentleman was a very welcome voice from the Opposition Benches. The implications of the part-time training credit scheme for those in full-time education will have to be examined. However, we have no reason to believe that the scheme will constitute a disincentive to remain at school or to enter a further education college full time. However, we shall monitor that aspect in the context of the pilot schemes.

Mr. Worthington: If the Minister believes that pupils will be motivated by the introduction of training credits, does he also believe that they will be demotivated by the withdrawal of funds by the Department of Employment from compacts and training and vocational employment initiatives that will shortly be announced? Does the Minister agree that students will be put off entering further education and training by the renegotiation of the youth training scheme and the cutting of Department of Employment money from that area?

Mr. Jackson: The hon. Gentleman should address those questions to my right hon. and learned Friend the Secretary of State for Employment. The training credit pilot schemes involve expenditure of an extra £12 million in 1991-92 and £25 million in 1992-93, which is a considerable investment. If the schemes are shown to have worked, I hope that we shall see further growth under that heading.

Cedar Special School

3. **Mr. Colvin:** To ask the Secretary of State for Education and Science if he has any plans to launch a four-year research project into the inter-disciplinary team approach used at the Cedar special school for the handicapped near Southampton.

The Parliamentary Under-Secretary of State for Education and Science (Mr. Alan Howarth): We have no plans to launch such a project.

Mr. Colvin: The House will be aware of the wonderful work done by the Peto institute in Hungary in the treatment of handicapped children. Can my hon. Friend explain why the Government see fit to spend £5 million annually on the Peto institute when a more cost-effective alternative method than conductive education, namely the inter-disciplinary team approach, awaits evaluation at the Cedar special school near my constituency, at a cost of only about £250,000? Does my hon. Friend agree that financing that scheme would be a good use of the taxpayers' money, as it would identify whether IDTA or conductive education is the best way forward in the treatment of handicapped children?

Mr. Howarth: We believe that conductive education should be among the options available to British children. It is at an early stage of development in this country. We are planning to contribute £5 million over the next four years to support the international Peto institute, for the purpose of ensuring that places will be available for British children and that British conductors can be trained in Hungary and bring their expertise back to this country. We are undertaking a comparative study of the kind that my hon. Friend commends to me, the results of which will throw light on the benefits of conductive education as developed at the Birmingham institute and the multi-disciplinary approach being used with a different group of children in another part of the country.

Grant-Maintained Status

6. **Mr. Amess:** To ask the Secretary of State for Education and Science how many schools have so far shown interest in obtaining grant-maintained status.

Mr. MacGregor: Ballots about grant-maintained status have been held at 88 schools. Parents at 66 of them have

voted in favour of proceeding with an application. I have approved 37 of the 48 proposals which have reached me for decision.

Mr. Amess: Is my right hon. Friend aware that not all parents, pupils and teachers are satisfied with the arrangements for the reorganisation of sixth forms in the constituency that I represent and in the constituency of my hon. Friend the Member for Billericay (Mrs. Gorman)? Will my right hon. Friend take the opportunity to reaffirm the Government's support for the principle of schools trying to seek grant-maintained status? Will he join me in condemning as utterly irresponsible any local education authority trying to rubbish a ballot of parents, as is happening in a school in Basildon at the moment?

Mr. MacGregor: I am happy to confirm to my hon. Friend that I am a strong supporter of the grant-maintained policy. I believe that it has many advantages, which I frequently talk about, and I am absolutely clear about that. It has the advantage of quick decision taking, the school and the governing body have complete control over their affairs, it has greatly improved morale in schools and, perhaps most important of all, it is popular with parents, as is shown by the large increase in the numbers of pupils going to such schools. It would not be right for me to intervene when a particular ballot is taking place, as the issue may come to me later for a decision.

Mr. Dunn *rose*——

Mr. Skinner: Is the Secretary of State—*[Interruption.]* —The right hon. Gentleman only kept the education job because the Prime Minister did not know where his hon. Friend, the Member for Dartford (Mr. Dunn) was when she wanted him.

Mr. Speaker: Order. The hon. Gentleman has only been called because I saw him.

Mr. Skinner: The hon. Gentleman was off on holiday on an obscure island.

Is the Secretary of State aware that, instead of using the money in the way that he has just described, he would do well to send some money to Derbyshire for nursery school provision especially at Langwith in my constituency?

Mr. MacGregor: I do not know what the hon. Gentleman is talking about, and this is not the first time. There is no extra money for grant-maintained schools. The advantage of the grant-maintained school is its ability to run itself without constant referral back. I suspect that the hon. Gentleman is confusing grant-maintained schools with city technology colleges and, not for the first time, he has not made his point.

Mr. Dunn: Can the Secretary of State confirm that if the Opposition had their way the grant-maintained provisions of the Education Reform Act 1988 would be abolished, as would grammar schools, church schools, sixth forms in schools, sixth form colleges and the independent sector? Under the Opposition's proposals we would be required to have a comprehensive system for 11 to 16-year-olds with tertiary colleges. That is against the majority of opinion in this country.

Mr. MacGregor: My hon. Friend is absolutely right. From all the Opposition have been saying, it is clear that they have learnt nothing and that they have stuck by the policies of the 1960s. My hon. Friend is right to say that a number of the reforms that we are carrying out—I refer to the grant-maintained school reform—are very popular with parents, and I hope that the Opposition will think again about their opposition to those general policies.

Education Provision, Bradford

7. **Mr. Madden:** To ask the Secretary of State for Education and Science what representations he has had concerning education provision in the Bradford education authority area.

The Minister of State, Department of Education and Science (Mrs. Angela Rumbold): My right hon. Friend frequently receives such representations, on a variety of issues.

Mr. Madden: Does the Minister accept that one of the main reasons for the sinking of the Tory flagship in Bradford last week was the crisis in the city's education service, which arises directly from the £276 poll tax set by the Conservative party? Does she understand that more than 100 teachers are facing redundancy as a result of underfunding of the school budgets, that schools are crumbling in Bradford because we have received only a fraction of the £100 million needed to repair and renovate them, and that 50 lecturers are facing redundancy at Bradford and Ilkley college because of deep cuts in their funding? In view of all that, will the Minister arrange for an urgent early meeting with the new Bradford education authority so that the crisis in the city's education service can be resolved?

Mrs. Rumbold: Yes. Ministers are always happy to meet hon. Members with deputations to discuss education matters. But the hon. Gentleman must hurry before the normal practice in Bradford occurs—the Conservatives retaking control.

Teachers (Industrial Action)

8. **Mr. Janman:** To ask the Secretary of State for Education and Science if he will make a statement on the effect of the introduction of the national curriculum of the recent decision by some of the teachers' unions to take strike action.

Mr. MacGregor: I regret any industrial action in our schools. It can only damage children's education, serves no useful purpose and diminishes teachers' standing in the eyes of parents and of the public as a whole. For those reasons many teachers regard such action as undesirable and unacceptable.

Mr. Janman: Does my right hon. Friend agree that the calls for strike action within some teachers' unions are being led by members of Militant and the hard left—a notable example is Miss Anita Dickson, a self-declared supporter of Militant who has been elected to the NUT executive? Does my right hon. Friend consider that it is appropriate for such people to be teaching our children in our state schools?

Mr. MacGregor: I certainly think that the reactions of many parents to the comments and actions of some people in the teaching unions is that they would not wish their children to be taught by such people. The important message for us to get over is that the vast majority of teachers are not like that.

Mrs. Mahon: Will the Minister confirm that he has refused to meet any of the local authorities that have been poll tax capped? Will he tell the House how on earth the national curriculum can be implemented in Calderdale, where the budget has to be reduced by £5 million?

Mr. MacGregor: The reason is that it would be inappropriate for me to do so. Local education authorities that my right hon. Friend the Secretary of State for the Environment is proposing to charge cap have had the opportunity to put forward alternative proposals which he is considering. That is the right way to proceed.

City Technology Colleges

9. **Mr. Anthony Coombs:** To ask the Secretary of State for Education and Science what progress has been made as regards the establishment of city technology colleges.

Mr. MacGregor: The city technology colleges programme continues to make excellent progress. Three colleges are up and running and a further nine are due to open in 1990 and 1991.

Mr. Coombs: Does my right hon. Friend agree that the three CTCs in operation so far have emphatically shown their ability to raise standards, particularly in vocational education, to ensure that local companies continually take an interest in their curriculum, and, possibly most important, to increase the motivation of their pupils and those in surrounding schools? Does he agree that the most obvious demonstration of their popularity is their popularity with parents, and that significant proof of that is at Kingshurst where this year there are no fewer than 730 applications for 150 places, which is a record?

Mr. MacGregor: I entirely agree with my hon. Friend who has put many of the points in favour of the CTCs. I join him in underlining the importance of parents' attitudes towards the CTCs. The applications are well up on the number of places available. In addition, the colleges are clearly attracting other sponsors. Kingshurst, which my hon. Friend mentioned, had two original industrial sponsors and now has 70. That is very good progress.

Mr. Flannery: Why does not the Minister admit that the original plan for city technology colleges has totally collapsed? Does he remember the promises that private industry would finance those colleges? The withdrawal of funds—our funds—from Brighton city technology college is the latest failure. City technology colleges mean that in Nottingham where about £9 million is needed for schools, about £6 million goes to the city technology college and all the other schools—hundreds of them—have to make do with the other £3 million.

Mr. MacGregor: I shall take just one or two of those points. It is absolutely not the case that the CTC programme is a failure—quite the reverse. I have said that 12 will be in operation before long. The programme is also attracting considerable industrial sponsorship—more than £40 million. It is new money and, therefore, apart from all its education advantages, it should be seen as part of the inner urban programme, and in that context it is very successful in raising education standards. In Brighton, the only reason I took the decision that I did was that it became clear that the pledge of the original sponsors could not be fulfilled and we would not get a private sponsorship.

Mr. Pawsey: May I ask my right hon. Friend to disregard the rantings of the Opposition? They are full of sound and fury and signify very little. The comments of the hon. Member for Sheffield, Hillsborough (Mr. Flannery) are nothing more than nit picking. Conservative Members are most anxious to see the policy and programme for city technology colleges advanced far more strongly and far more quickly.

Mr. MacGregor: I agree with my hon. Friend. The Opposition dislike popular schemes conceived by the Conservative party and our schemes are popular. I should also like to move faster. The difficulty sometimes is in putting together sponsors and sites, and getting through the problems of planning permission and building. Those are the main difficulties. I have already given the number of colleges that we have in the pipeline and I hope that there will be others before long.

Mr. Straw: Is not the truth of the city technology programme that financial controls have been so inadequate that Ministers and donors have been able to play fast and loose with public funds? Will the Secretary of State explain how the CTC trust was allowed to authorise a potential donor to the Brighton CTC, Mr. Ivor Revere, to become the front man in the purchase of the land for the CTC for the Catholic diocese in Brighton so that he could hoodwink the diocese into believing that the land was to be used for housing rather than for a school? How was Mr. Revere able to filch £200,000 from public funds as a secret commission on that land deal? Why did that secret commission go undetected for three months until December? Why, above all, did the Secretary of State, well knowing by 8 December the fact of that secret commission, refuse to volunteer the information to Parliament? Why did we have to wait for four months for that information to be wrung out of him?

Mr. MacGregor: A great deal is wrong in all those questions. First, the site was purchased for a CTC and that was clear. Secondly, as soon as it became clear to my Department that commission had been paid, we acted. It was discovered through a normal routine check, we acted immediately and the money was repaid immediately. I made the announcement to Parliament when I was asked, in the normal way. There has been no concealment. A whole series of financial transactions go on every day in government. The key point is that the moment we discovered that money had been paid on commission—and we did not think it should have been—we got it back.

Local Management of Schools

10. **Mr. Brandon-Bravo:** To ask the Secretary of State for Education and Science if he will make a further statement on local management of schools.

Mrs. Rumbold: Local management of schools schemes came into force on 1 April 1990 in 87 local education authorities. My officials are working with the remaining 10 LEAs whose schemes could not be approved to produce acceptable schemes for introduction in April 1991. We shall be monitoring and reviewing all aspects of LMS in the light of experience.

Mr. Brandon-Bravo: Does my hon. Friend share my great concern at the ease with which some education authorities can retain far too many of their resources at the centre, thereby denying proper and adequate funding to the real business of education—the schools and their staff? Is there any mechanism by which my hon. Friend can impose discipline on education authorities?

Mrs. Rumbold: Yes. I can reassure my hon. Friend on that question. It is true that there has been considerable variation among local education authorities about the amount that has been delegated, especially from the discretionary area. However, one of the points that I hope will please my hon. Friend is that many of those authorities have discretion to hold back for one year only. We expect, therefore, that next year, and in ensuing years, more of the discretionary element for the central administration will be delegated back to the schools, where it should be.

Mr. Crowther: Is the Minister aware that poll tax capping will cause immense problems for the implementation of the Government's own scheme for the local management of schools? If the Secretary of State understands the principle of collective responsibility in the Cabinet, how can he justify an arrangement under which the children of his constituents will receive more resources for education than the children of my constituents? Is that not a gross abuse of the power of a Cabinet Minister?

Mrs. Rumbold: The hon. Gentleman is slightly confused. Local education authorities set their budgets on their own terms and according to their means and desires. If local education authorities have done their job properly and the schools are receiving the money under LMS, there is absolutely no reason why the schemes should not continue as planned.

Dame Elaine Kellett-Bowman: Does my hon. Friend accept that many excellent schools in my constituency are hampered by the Labour-controlled Lancashire county council, which intensely dislikes church and village schools? Will she ensure that such councils cannot victimise church and village schools and that they can continue to do the excellent job that they are now doing at both primary and secondary level?

Mrs. Rumbold: I fully share my hon. Friend's enthusiasm for small schools and Church of England and church schools generally. Under its LMS scheme, the local authority has the ability to ensure that small schools are protected. We shall be watching carefully to ensure that small schools receive the protection that is due to them, so that they may continue to do the excellent work that they have always done in the past.

Ms. Armstrong: Does not the Minister realise that there is widespread consternation about the operation of local management of schools? The scheme and the principle that we supported are being completely undermined by the centralised diktat that the formula based on average teaching costs represents. That formula is applied to no other aspect of education. When will the Government wake up to the fact that we have to pay the actual cost of teachers' salaries and not the average cost?

Mrs. Rumbold: It is a great pity that the hon. Lady does not understand the principles that underlie the local management of schools. In the first place, central Government have done nothing other than to set the loosest possible guidelines. The central point about LMS is that it is the pupils who lead the funding. Each local education authority determines how its local management scheme works according to the number of pupils and the age weighting of those pupils.

If we paid historic costs, which is what the hon. Lady would like us to do, we should simply build into the system the failures of the past rather than moving forward to the future, so that parents—voting with their feet and their children—get the best schools, which they deserve.

Mr. Haselhurst: Has my hon. Friend's monitoring of the local management of schools so far revealed many schools for which the variation between last year's and this year's budget is wider than it should be? Is she satisfied that sufficient flexibility is built into the system to ensure that some of the worst gaps can be closed?

Mrs. Rumbold: I am satisfied that some of the worst gaps can be closed by our monitoring of LMS schemes introduced in some authorities. Some authorities made some mistakes in their initial calculations, which have had to be changed, but there is a transitional period during which adjustments can be made. Moreover, minor or major variations can be made with the consent of the Secretary of State. There are adequate safeguards for the future.

International Baccalaureate

12. **Mr. Nicholas Bennett:** To ask the Secretary of State for Education and Science what representations he has received about the provision of the international baccalaureate examination; and if he will make a statement.

Mrs. Rumbold: Two schools have made representations about offering the international baccalaureate.

Mr. Bennett: My hon. Friend will be aware that one of the criticisms made of A-levels is that although they offer good depth, they lack breadth. The international baccalaureate, while providing the same academic standards, provides students with a broader curriculum at 18. Will my hon. Friend consider whether the Government should encourage the adoption of the international baccalaureate, especially as we move towards 1992?

Mrs. Rumbold: I thank my hon. Friend for his question. I acknowledge that the international baccalaureate is set to very high academic standards. I would draw my hon. Friend's attention to the fact that, alongside A-levels, we have now introduced AS-levels, which are intended to do the job of introducing breadth into A-level studies.

Mr. Ian Taylor: Is my hon. Friend aware that, in my constituency, the American community school, on whose board of academic governors I serve, offers the international baccalaureate, and that many British people are now asking whether their children can be admitted to take it because of the international access that it gives them? Will my hon. Friend encourage other British schools to consider the matter seriously?

Mrs. Rumbold: My hon. Friend will know that it is always open to schools to look closely at this matter.

Fourteen schools in this country already offer the international baccalaureate. Some are maintained schools and others are independent.

Local Management of Schools

13. **Mr. Martlew:** To ask the Secretary of State for Education and Science what proposals he has to introduce flexibility for schemes for the local management of schools.

Mrs. Rumbold: The Government's framework for local management of schools gave LEAs ample flexibility to design schemes which reflected local needs and priorities. There are, moreover, simple arrangements which allow local education authorities to make changes to their approved schemes in the light of experience.

Mr. Martlew: Will the Minister agree to meet spokespersons of the Cumbria education committee, which requested such a meeting because of the Secretary of State's unfair criticism of the way in which it has been dealt with LMS? Is it not a fact that the problem with LMS in Cumbria, as in the rest of the country, is not how money is distributed but a lack of money?

Mrs. Rumbold: Local education authorities set their own aggregated schools budgets. They do it exactly the same as they did before. Therefore, if there is a particular small element of the way in which a budget has been disbursed, by all means, if an authority wishes to discuss it, there is no reason why it should not do so.

Mr. Latham: Would my hon. Friend have a look at the proposed averaging across secondary schools and see how it will affect sixth form colleges? Is she aware that the Rutland sixth form college in my constituency is most concerned about the proposals? I understand that other sixth form colleges are concerned as well.

Mrs. Rumbold: I am very happy to look at any particular schemes that are being brought in and to talk to the local education authority about them. It would be appropriate to allow the scheme to run for a year and then look at the effects.

Education Expenditure, Wigan

14. **Mr. Lewis:** To ask the Secretary of State for Education and Science what representations he has received regarding expenditure on education in Wigan; and if he will make a statement.

Mr. Alan Howarth: My right hon. Friend has received in the past month two representations about expenditure on education in Wigan.

Mr. Lewis: Is the Minister aware that the Audit Commission and Her Majesty's inspectorate have given Wigan education a clean bill of health and that the charge capping that has been unfairly placed on Wigan could militate severely against education provision in the town? When will the Secretary of State and his Ministers take responsibility—or is it be shifted along to Marsham street?

Mr. Howarth: Wigan's original budget for 1990-91 for all services is no less than 21 per cent. above its standard spending assessment, which means an extra bill of £151 for each Wigan charge payer. The huge majority of authorities have been able to establish a satisfactory education budget without setting such a high community charge that they run into charge capping. The hon. Gentleman might have a word with his colleagues on Wigan metropolitan district council and suggest that they do the minimum of shouting from the housetops and take advantage of the opportunity that they will shortly have to meet my hon. Friend the Minister for Local Government and Inner Cities and have a quiet talk together.

Mr. Thurnham: Does my hon. Friend agree that education costs can be offset in a number of different ways? Is he aware that Wigan has listed savings of £88,000 for school cleaning costs and £22,000 a month, among other things, by withdrawing from the nuclear-free zone steering group?

Mr. Howarth: As always, my hon. Friend unerringly has his finger on the button.

Education Expenditure, Islington

16. **Mr. Corbyn:** To ask the Secretary of State for Education and Science what representations he has received regarding expenditure on education in Islington; and if he will make a statement.

Mrs. Rumbold: My right hon. Friend has received in the past month one representation about expenditure on education in Islington.

Mr. Corbyn: Will the Minister confirm that among the representations that she has received are a deep concern about the availability of public finance to maintain Islington's education service after 1992, when the transitional arrangements end, and a very deep concern by the local authority, parents and pupils of all our schools about the difficult conditions in which they must work because of the poor state of school buildings and the urgent need for central Government money to be put in to improve the quality of the working environment for teachers and pupils?

Mrs. Rumbold: I think that the hon. Gentleman will find that the transitional money that has been given to inner London education authorities as they take over the responsibility for education will be more than adequate to help and to ease them through the period of changeover. In the discussions that I have had with them, they are confident that the changeover will be most successful. If problems arise in future, obviously that is the time when we should look at them.

Mr. Harry Greenway *rose*——

Hon. Members: Hear, hear.

Mr. Speaker: Order. I remind the House that the question is about Islington.

Mr. Greenway: Does the Minister agree that, if the good people of Islington had shown the same good sense —*[Interruption.]*—as the people of Ealing last Thursday and thrown out the Labour council in Islington in the way we threw out the Labour council in Ealing for ever, they would in future get much better education in Islington, as we shall get in Ealing?

Mrs. Rumbold: I congratulate my hon. Friend on his excellent council and on the excellent result that was

achieved on Thursday. I think it likely that, at the next local elections in London, Islington will follow the example of Ealing.

Schools (Ethnic Composition)

17. **Mrs. Fyfe:** To ask the Secretary of State for Education and Science if parents' rights to choose educational establishments on the grounds of ethnic composition will apply to nursery provision; and if he will make a statement.

Mrs. Rumbold: Admission to nursery education is a matter for local education authorities. In carrying out that duty, they are required to observe the provisions of the Race Relations Act 1976.

Mrs. Fyfe: I thank the Minister for that somewhat obscure answer. Will she explain why educational apartheid is acceptable at age five but not at ages three and four?

Mrs. Rumbold: The age for starting school as a requirement in Britain is five. Any education provided by local authorities before the age of five is a matter for them to decide.

Mr. Holt: My hon. Friend will probably be aware of the recent case in Middlesbrough, where a lady chose to exercise her right to move her child from one school to another because the first school had high ethnic numbers, whereas the second did not. My hon. Friend might like to know that that lady has now exercised her right to move her child to another school, where the proportions are roughly 50:50.

Mrs. Rumbold: My hon. Friend will be aware that the Government are in favour of parents exercising their choice within the law.

Mr. Simon Hughes: Does the Minister realise that the decision of the Secretary of State to allow people to transfer their children on the basis of the ethnic composition of a school is one of the most worrying developments of the last 10 years of education policy? What is the end of the road when the policy starts by saying, in effect, "If you are a white parent and your child is in a school attended by children of other colours, that in itself is a ground for transfer"? Are we not a multi-ethnic and multicultural community?

Mrs. Rumbold: Of course we are a multi-ethnic and multicultural community. The parent in that case chose, within her rights, to send her child to a school of her own choice. The local authority had no reason not to allow that choice. The choice of parents as to where their children shall be educated is of vital importance. Many parents choose schools for the education offered, not because of the composition of those attending them.

Assisted Places Scheme

18. **Mr. Sumberg:** To ask the Secretary of State for Education and Science how many pupils in England and Wales were offered places in the academic year 1989-90 under the assisted places scheme.

Mr. Alan Howarth: About 26,500 pupils held assisted places in England in the academic year 1989-90. The figures for Wales are a matter for the Secretary of State for Wales.

Mr. Sumberg: Does the Minister agree that the assisted places scheme has been a great educational achievement of the Government because it has allowed pupils from modest backgrounds to attend some of our finest schools, such as Manchester grammar school and Bury grammar school? Does he further agree that it is disgraceful that some of the former grammar school boys on the Opposition Benches, some of whom attended those schools, should now seek by abolishing the scheme to deny to others what they enjoyed?

Mr. Howarth: I agree completely with my hon. Friend. The assisted places scheme has enabled schools which had a tradition of providing a distinguished academic education to children from less well-off families to revive and renew that tradition. Members of the last Labour Government, many of whom had been educated at direct grant schools and grammar schools, kicked away that ladder of opportunity for the next generation of children. Now they propose to kick away the assisted places scheme. We, by constrast, are extending the scheme, and I am pleased to say that a further 16 schools have today been accepted into the scheme.

Education Expenditure, Derbyshire

22. **Mr. Skinner:** To ask the Secretary of State for Education and Science what representations he has received regarding expenditure on education in Derbyshire; and if he will make a statement.

Mr. Alan Howarth: My right hon. Friend the Secretary of State has received no recent representations about expenditure on education in Derbyshire.

Mr. Skinner: Well, I am asking him now. Is the Minister aware that the standard spending assessment of Derbyshire was calculated on the basis of a 3·8 per cent. increase for teachers' pay, which was not sufficient and that, as a result of the threatened poll tax capping, large numbers of nursery schools in Derbyshire will not be built? I call on the Secretary of State now in this Chamber to guarantee that the expenditure for every one of those nursery schools in Derbyshire will be allowed, including the one at Langwith in my constituency.

Mr. Howarth: Derbyshire's budget for 1990-91 for all services is a hefty 25 per cent. above its standard spending assessment, an extra burden of £157 per charge payer. Other education authorities throughout the land have established satisfactory budgets for education without burdening the charge payer in the intolerable way that Derbyshire has proposed. There is no reason why Derbyshire should not similarly set its house in order.

PRIME MINISTER

Homelessness (London)

Q1. **Mr. Corbyn:** To ask the Prime Minister what further plans she has to alleviate homelessness in London.

The Prime Minister (Mrs. Margaret Thatcher): My hon. Friend the Minister for Housing and Planning announced on 27 March additional allocations of £88 million to London boroughs in 1990-91 to relieve homelessness, in particular to move homeless families out of unsatisfactory bed and breakfast accommodation. The Housing Corporation has also announced details of £45 million-worth of schemes to help the homeless over a two-year period. This year, we are increasing to £2 million the support that we give to voluntary organisations who help and advise the homeless.

Mr. Corbyn: Will the Prime Minister accept that, 10 years ago, in 1979, there were 2,750 households in temporary accommodation in London, that the current figure is over 25,000 and that a further 2,000 people are sleeping on the streets? When her Government asked the local authorities what resources they required to deal with the homeless problem in London, they asked for at least £480 million. They were given less than one sixth of what they wanted. Does she agree that, when people sleep on the streets of our capital city, when people are charged exorbitant rents and when children are brought up in bed-in-breakfast hotels it is a disgrace to a civilised country?

The Prime Minister: I announced considerable extra expenditure to relieve homelessness. The hon. Gentleman will also be aware that a considerable number of council properties are empty which, if they were brought into use more quickly, could reduce the number of homeless. For example, in Islington, there are 1,162 empty properties. If the properties were turned around much more quickly, that would make a great contribution to relieving homelessness.

Mr. Tony Banks: Four out of five are private.

Mr. Speaker: Order.

Sir George Young: Is my right hon. Friend aware that homelessness in London will be tackled more effectively following the gain by the Conservatives of Ealing council last Thursday, when a Labour majority of 20 was converted into a Tory majority of 10? Does she agree that the cause of homelessness is not served by leaving properties empty for long periods or by allowing squatters to take control of them, and that a Conservative administration is pledged to make the best possible use of the housing stock?

The Prime Minister: Yes. I wholly agree with my hon. Friend. The Conservative administration will manage the housing stock very much more efficiently in the interests of everyone and will manage the whole of the local authority's expenditure more economically and better than the Labour authority of the past.

Engagements

Q2. **Mr. Pike:** To ask the Prime Minister if she will list her official engagements for Tuesday 8 May.

The Prime Minister: This morning I had a meeting with ministerial colleagues and others, including Chancellor Vranitzky of Austria, and received a delegation representing the Eisenhower centennial committee, led by Vice-President Quayle of the United States of America. In addition to my duties in the House, I shall be having further meetings later today. This evening, I hope to have an audience of Her Majesty the Queen.

Mr. Pike: Does the Prime Minister now recognise that, due to the poll tax's failure to take into account ability to pay, and despite the rebate system, many people cannot afford to pay the poll tax? They could not afford to pay it even if the unrealistic and unattainable targets set by the Government had been attained. What does she propose to do to help people who cannot pay the poll tax now?

The Prime Minister: Those who have the lowest incomes get the most generous rebates—far better than, and a great improvement on, the rebates under the old rating system. We now realise that a number of people do not know that they are entitled to rebates if they did not receive them under the old rating system. The hon. Gentleman will have noticed that, since the elections, there have been advertisements telling people that they can apply for rebates, and should do so before 27 May. I hope that they will.

As for ability to pay at the top end, only 30 per cent. in England, and 20 per cent. in Scotland, of local expenditure is met by community charge. The other is met by the taxpayer and business. With regard to income tax, people pay heavily, and the richer therefore pay heavily, towards local services.

The hon. Gentleman will recall the figure from "Social Trends"—the top 10 per cent. of income earners pay 40 per cent. income tax and those on the bottom half of incomes pay only 15 per cent. of the yield of income tax.

Q3. **Mr. Stanbrook:** To ask the Prime Minister if she will list her official engagements for Tuesday 8 May.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Stanbrook: I have been reflecting on the impressive performance of my right hon. Friend—

Mr. Speaker: Order. Make it a question, please.

Mr. Stanbrook: —last week, when she defended British sovereignty against ideas of political union, but bearing in mind that a united Europe is Churchillian in conception, and chauvinistic France is able to take the lead in promoting political integration in Europe, is there a danger that my right hon. Friend's attitude to Europe might lead to a Europe united against us, which is what British statesmen have always attempted to prevent? Would not that be a bad thing for Britain?

The Prime Minister: Winston Churchill was absolutely staunch that we should all be united in defence of freedom, and that is the North Atlantic Treaty Organisation. It is NATO which has kept our freedom. We are a prominent member of the European Community and leading the field in bringing about the single market in Europe. Our voice

is well heard, and most of the other members take similar views to us on the question of retaining their own sovereignty and accountability to their own Parliament.

Mr. Kinnock *rose*——

Hon. Members: Hear, hear.

Other Hon. Members: Ealing.

Mr. Speaker: Order.

Mr. Kinnock: Can the Prime Minister tell us why, under her Government, the inflation rate in Britain is 40 per cent. higher than the European average?

The Prime Minister: The right hon. Gentleman is aware that our top responsibility is to get down inflation. The way to do so is to increase the price of money, which is why the interest rate is 15 per cent. One reason, of which I am sure he will approve, that inflation is higher than it should be is that we were fearful of having a very bad recession after the stock exchange crash of 1987. Therefore, we got the growth going a little too fast, which is why we have to reduce and squeeze out inflation.

Mr. Kinnock: Is not the Prime Minister yet aware that the major danger of recession comes directly from her policy of maintaining the highest interest and mortgage rates anywhere in the developed world? Will not she at last acknowledge that the major single reason for inflation is her policy of high interest rates, and that she is the inflation-maker in chief? When will she start fighting inflation and getting interest rates down?

The Prime Minister: Is the right hon. Gentleman suggesting that we reduce inflation by reducing interest rates and increasing growth? At the moment, that would take inflation to the levels that we saw under his Labour Government.

Mr. Kinnock: Is that not the final confession of failure by the right hon. Lady? She has got the highest inflation and the lowest growth rate in Europe, and the only way she knows to rescue her economy is somehow to plunge us into recession. Why does not she acknowledge that failure, change policies, sponsor growth and get out of the threat of recession and inflation?

The Prime Minister: I do not think that the right hon. Gentleman understood what I said to him last time. If he were to pursue those policies, he would have inflation back to Labour levels of 26 per cent.

Q4. **Mr. Oppenheim:** To ask the Prime Minister if she will list her official engagements for Tuesday 8 May.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Oppenheim: Does the Prime Minister agree that in the real business of being a good European, the rhetoric of some of our European partners does not match reality? Will she confirm that Britain is in the lead in the implementation of single market directives? Would it not behove countries such as Germany and France to clean up their act on the single market before preaching to us about airy-fairy concepts such as political and economic union?

The Prime Minister: Yes, we are in the lead in implementing the directives which the European Community has agreed; it is acknowledged that we are in the lead. We were in the lead in policies to get down the agricultural surpluses; that succeeded. We were in the lead in getting a sensible budget in Europe. We have played a formidable part, and we are very good Europeans.

Q5. **Mr. Hoyle:** To ask the Prime Minister if she will list her official engagements for Tuesday 8 May.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Hoyle: Does the Prime Minister agree with the remarks of her honourable but courageous Friend the hon. Member for Wirral, South (Mr. Porter) that the time has come for her, like Len Hutton, to take her bat and ball home, like Stan Matthews, to hang up her boots, to vacate, 10 Downing street and to retire to her large house in Dulwich? Or is she, despite the lack of confidence shown in her even by Conservative Members, determined to carry on and on and on?

The Prime Minister: If the hon. Member wishes me to go, it can only be because he thinks that my going would be to the advantage of the Labour party.

Q6. **Mr. Hannam:** To ask the Prime Minister if she will list her official engagements for Tuesday 8 May.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Hannam: Is my right hon. Friend aware that in Exeter the Labour-controlled council has caused great distress to many elderly and low-income people by sending out community charge bills without the proper rebate deductions? Will she take the necessary steps to ensure that the generous Government rebate scheme is properly applied by all local authorities?

The Prime Minister: Yes, Mr. Speaker: where someone has been receiving a rebate under the old rating system, the local authority should be very well aware and should be able to take it off the community charge amount to be paid. Where a person is entitled to transitional relief, the council should also know how much that relief is and should deduct it from the total community charge.

There are a few cases in which the local authority will not know, because the rebate scheme under the community charge is more generous than it was under rates. Those people must inquire and make their own applications. Others must check that the right figures have been put in their demands. I hope that they will do so as soon as possible.

Most well-run authorities have already deducted the rebate and the transitional relief. Where that has not happened, I hope that people will apply. They will see advertisements to that effect in local newspapers, bringing it to their attention.

Q7. **Mr. Dunnachie:** To ask the Prime Minister if she will list her official engagements for Tuesday 8 May.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Dunnachie: During a busy day, will the Prime Minister spare a thought for the people of Kashmir who are being murdered, raped and illegally imprisoned by the Indian army? As the titular Head of the Commonwealth, would you bring all pressure to bear upon India—*[Laughter.]*

Mr. Speaker: Order.

Mr. Dunnachie: As the Prime Minister of Great Britain, will the right hon. Lady force India to withdraw her army from Kashmir and allow the Kashmiri people the freedom for which they have fought for so long?

The Prime Minister: The hon. Gentleman knows that that the Head of the Commonwealth does not require, nor are we entitled, to give any advice in the discharge of those duties. With regard to our own responsibility, naturally we are in touch with both India and Pakistan, but we hope that this very difficult situation with regard to Kashmir will be solved peaceably and by discussion between the Ministers of the two countries.

Football Violence (Bournemouth)

3.30 pm

Mr. David Atkinson (Bournemouth, East) *(by private notice):* To ask the Secretary of State for the Home Department whether he will make a statement on the violence and destruction which took place in Bournemouth on the occasion of last Saturday's football match between AFC Bournemouth and Leeds United.

The Secretary of State for the Home Department (Mr. David Waddington): Last Saturday a second division football match took place at Dean Court, Boscombe, between Bournemouth and Leeds United. I understand from the chief constable of Dorset, whom I have asked for a full report, that there was serious disorder in the town over the entire weekend, mainly involving Leeds supporters. To date, 104 arrests have been made and criminal damage totalling around £40,000 has been reported. Many police officers were hurt, and 12 received serious injuries.

The scenes of violent disorder witnessed in Bournemouth were absolutely disgraceful. I extend my sympathy to all those police officers who were injured and to all the law-abiding people who suffered as a consequence of the behaviour of vicious hooligans. Once again, the police had to bear the brunt of a ferocious attack, and conducted themselves with great courage and professionalism. In other towns also, they had to cope with hooligan behaviour.

Serious disorder was anticipated by the police at Bournemouth and repeated requests were made to the football authorities to reschedule the fixture, the first such request being made as long ago as last June. It is for the football authorities to explain why they did not respond positively to those requests. I have called in both the Football League and the Football Association to discuss the matter, and I will be seeing the league later today, and possibly a representative of the Football Association. It is high time that the football authorities heeded rather than ignored sensible advice.

In the past few years, new powers have been given to the courts to deal with hooliganism. The courts are certainly not without the means to deal with people who behave as so many apparently did over the weekend. Severe penalties are available for crimes of violence and additional sanctions are provided in the Public Order Act 1986 and the Football Spectators Act 1989. The chief constable of Dorset has asked the Association of Chief Police Officers to raise the question of a police veto on particular fixtures where, in the police view, there is a high risk of disorder. Consideration there must be, but any new powers would take time to put in place. I think that the whole House will agree that the football authorities must be made to face up to their responsibilities right now to prevent any repetition of the deplorable scenes of this bank holiday weekend.

Mr. Atkinson: I thank my right hon. and learned Friend for that reply. Does he accept that holding that match during the bank holiday weekend was a clear recipe for the disaster, destruction and violence that took place? The police are to be commended on avoiding any further disaster. Does my right hon. and learned Friend accept that, in the light of the irresponsible refusal to respond to several requests by Dorset police to reschedule the match, the local police authority must now have the clear and final say on whether such matches take place? Was there not a clear case for the application of the alcohol-free zones with which the Department is currently experimenting?

When my right hon. and learned Friend meets representatives of the Football League later today, will he ask them who will pay for the destruction of property and businesses in my constituency, and for the increased community charge that will result from the costs of the extra policing to deal with ticketless fans outside the ground?

Mr. Waddington: The police are certainly to be commended. They should not have to put up with this, any more than they should have to put up with what happened in Trafalgar square. I find it hard to understand why the Football League did not heed the advice of the chief constable. I shall say to representatives of the Football League that it is high time they worked out a sensible arrangement with the chief constables and heeded their advice. I hear what my hon. Friend the Member for Bournemouth, East (Mr. Atkinson) has said about the experimental byelaws. The reports that I have received so far suggest that the experimental byelaws have been popular with the people living in those towns where the experiments are taking place. I shall report to the House later on the results of the various experiments.

As for the damage that has been done, the law provides that the county council or the police authority must pay for any damage if the Riot (Damages) Act 1886 applies. The question is whether there was a riot within the meaning of the Public Order Act 1986 at the time when the damage was done.

Mr. Merlyn Rees (Morley and Leeds, South): The serious disorder in Bournemouth is to the shame of all of us in the city of Leeds, and there are no possible excuses for it. Would the Home Secretary consider publishing in the city of Leeds the names of the 104 people charged or sentenced? If he does so, it will be found that many of those people are not from Leeds, but come from a much wider area. Of course the Football League made a big mistake, but the matter goes deeper than that. I do not know the answer, but I hope that we will not pussyfoot about. What happened in Bournemouth is to our eternal disgrace, and something should be done. It is not just a question of the football authorities banning matches; there is something fundamentally wrong that we should all consider.

Mr. Waddington: I am glad that the right hon. Gentleman acknowledges that a serious mistake was made by the Football League. There can be no excuse for hooligan behaviour of that kind. I have not the slightest doubt that the local Bournemouth press will not hesitate for a moment to publish the names of all concerned, and I am sure that in due course those names will be publicised loudly in Leeds: so they should be.

Mr. John Butterfill (Bournemouth, West): On behalf of my constituents in Bournemouth, West, may I associate myself with the questions of my hon. Friend the Member for Bournemouth, East (Mr. Atkinson)?

What powers presently exist under the law to prevent a match from taking place if it is expected that this type of disturbance will occur? Will my right hon. and learned

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Friend join me in calling on the local magistracy to impose the most severe penalties available to them on the convicted hooligans, to act as a future deterrent?

Mr. Waddington: It is up to the courts to decide on the appropriate penalty in a particular case; my hon. Friend would not expect me to say more now than that the court has adequate powers to deal severely with people who indulge in this sort of behaviour. The Public Order Act gives chief constables power to impose conditions on an assembly as to the number of people who can attend and the time at which it can take place, but there is no power in law to ban an assembly. That power was considered by the House during the passage of the Public Order Bill and it was not thought necessary.

Mr. Tom Pendry (Stalybridge and Hyde): Does the Home Secretary accept that many genuine football supporters on both sides of the House share his disgust at what was done at Bournemouth on Saturday by mindless idiots who are no friends of soccer, against whom I hope that the courts will take action? Bearing in mind that this has been our best season on the hooligan front for many a season past and that during the weekend there were hooligan acts in five European countries, all of which will be participating in the European competition, will the Home Secretary resist a knee-jerk reaction?

Can the Home Secretary confirm press reports that many travelled from Leeds with tee shirts bearing the words "Invasion Bournemouth 90" and with forged tickets? If so, what action is he taking to locate the manufacturers of those tickets and shirts, and will he take action under the Forgery and Counterfeiting Act 1981 and the Public Order Act 1986?

Mr. Waddington: I doubt whether it would be proper to take powers of the sort that the hon. Gentleman mentioned in the latter part of his question, but I am grateful to him for his expression of disgust. All right-minded people should be disgusted at what happened.

I do not agree with the hon. Gentleman when he talks about a knee-jerk reaction, because that gives the impression that all has gone reasonably well during the past season and that there is nothing much to worry about. The fact remains that there was disorder in a number of places during the bank holiday weekend, which caused a great deal of trouble to the police, led to police injuries and spoiled the holidays for many people. It is time that the Football League addressed itself to its responsibilities in these matters. It is as simple as that. *[Interruption.]*

Mr. Speaker: Order. The background noise is intolerable. The Home Secretary is answering a serious question.

Mr. Waddington: The fixture would never have taken place, and the trouble would never have arisen, if the Football League had heeded the advice given by the chief constable as long ago as last June and repeated twice last month.

Mr. Michael Shersby (Uxbridge): Is my right hon. and learned Friend aware that, despite three requests to postpone or defer the match based on hard evidence from west Yorkshire, no action was taken by the football authorities? In the light of that, and because of the need for positive action, will he give serious consideration to the chief constable's request for new police powers to ban a match in such circumstances? Will he also consider making it a criminal offence to attempt to enter an all-ticket match without a ticket?

Mr. Waddington: I am not sure that that last suggestion has a great deal of bearing on the incident, but I am awaiting a full report on the matter. The chief constable of Dorset has asked the Association of Chief Police Officers to consider whether it should ask the Home Office for new powers. We must make the Football League address itself to its responsibilities now. Even if one were to decide that new legislation was necessary, it would take some time to get it on the statute book. The question still remains, why does not a responsible Football League heed the advice that it is given by people who know about the situation? Why did not the Football League heed what the chief constable of Dorset had to say? Any sensible body of men would have done so.

Mr. John Battle (Leeds, West): I add my voice to that of my right hon. Friend the Member for Morley and Leeds, South (Mr. Rees) in stressing that not only the people of Leeds but Leeds United's players and supporters themselves are deeply outraged at the events that caused such distress in Bournemouth, and would wish to express their regret and sympathies to the hon. Member for Bournemouth, West (Mr. Butterfill) and to his constituents.

Will the Home Secretary confirm that the actions of a few who hitch a ride on the back of Leeds United football club are not those of its true supporters? I hope that not just the names of those found guilty of offences will be published but their addresses as well. The city of Leeds, Leeds United, and the club's genuine supporters should not be associated in the public's mind with the events that occurred over the weekend.

Is the Home Secretary aware that the club pleaded with its genuine fans, via the local media, television and radio, not to travel to Bournemouth, and that 5,000 of them remained behind in Leeds to watch the event on cinema screens at venues throughout the city? The genuine fans without tickets remained behind. It is others, who have hitched a ride on the club's good name this season, who have brought ignominy on the city of Leeds, which should not bear that shame.

Mr. Waddington: I hear what the hon. Gentleman says, but the fact remains that Leeds United fans have acquired for themselves a very bad reputation and that people are most fearful of what will happen next season unless something serious is done.

Mr. Spencer Batiste (Elmet): I join other right hon. and hon. Members in expressing shame and dismay at the events of last weekend, perpetrated by those who hang on to the backs of our football clubs rather than by genuine fans. It is clear that those who planned the rioting in Bournemouth had the time and opportunity to do so because the fixture was arranged for the bank holiday weekend. The only way forward must be to follow the judgments of local chief constables if they want fixtures rearranged. I say to my right hon. and learned Friend that,

whatever action is necessary, it will not be satisfactory to delay implementing changes in the law that are necessary to give force to the views of chief constables.

Mr. Waddington: One hopes that, even at this late stage, the Football League will recognise the common sense in what my hon. Friend has said. I do not see how anyone can quarrel with his analysis. What responsible body would continue to approve the holding of a fixture when the chief constable on the ground has said that it will lead to disorder?

Mr. Menzies Campbell (Fife, North-East): I am pleased to hear that the Home Secretary intends to meet the football authorities so soon. When he does, will he discuss the experience in Scotland? Although football hooliganism has not been entirely eliminated there, it has been substantially reduced. Will the right hon. and learned Gentleman give some consideration to whether measures that have proved successful in Scotland may have a place in England and Wales?

Does the Home Secretary agree that the unfortunate consequence of the unhappy events last weekend is that the much-required and much-wanted return of English football clubs to Europe may yet again be delayed by the irresponsible actions of a minority who profess to be lovers of football but who clearly are not?

Mr. Waddington: It is not for me to comment on what may now happen to our application to re-enter European football. To put it mildly, these events have made the task of my hon. Friend the Minister for Sport, who is in Rome now, even more difficult than it otherwise might have been. I was interested to hear the hon. and learned Gentleman's comments on the measures taken in Scotland, and I shall certainly talk to my right hon. and learned Friend the Secretary of State for Scotland about them. I invite the hon. and learned Gentleman to see me if he would like to educate me about what goes on north of the border.

Mr. Richard Tracey (Surbiton): I am sure that my right hon. and learned Friend will agree that, first and foremost, it is the protection of the public and property which must exercise his mind. He will meet the football authorities this afternoon. Will he investigate in some detail by whom and how the decision was taken to ignore the clear and realistic advice of the chief constable of Dorset? Many people think that football hooligans, who are a minority of supporters, have had too many reprieves, and that some measures must be taken to deal with such events.

Mr. Waddington: I am grateful to my hon. Friend for what he has said. When the request was made last June, the police in Dorset got what one of my officials described today as "the brush-off". There was no reasoned argument in support of the decision not to heed the advice given.

Mr. Denis Howell (Birmingham, Small Heath): I associate myself with what the Home Secretary said about the disgraceful nature of events in Bournemouth, and I express my appreciation for the role of the police and my sympathy for the citizens. May I also say that some sympathy is due to the citizens of Leeds United who also abhor the trouble but who are now being set up as the fall guys. No decent Leeds United supporter had a ticket or travelled to Bournemouth without being a member of the membership scheme and of the Leeds United travel scheme. They were properly stewarded.

That begins to put the matter into perspective. It proves that the House spent one year on the Football Spectators Act 1989 and, from the 10 answers that the Home Secretary has so far given today, he has confirmed that that Act has been totally ineffective, as we predicted. This is a matter—*[Interruption.]*—of criminality and public order, as we have frequently said, and responsibility for criminal behaviour lies with the Home Office.

I agree that the Football League has to accept its responsibility and I suggest—I hope that the Home Secretary will endorse this suggestion—that we cannot wait until the last day of the season, when promotion and relegation have to be decided, and when matches have to kick off at the same time, for obvious reasons—[HON. MEMBERS: "Why?"] Because it would give clubs an advantage or a disadvantage. It might be more sensible to ask the Association of Chief Police Officers and the Football League to meet at the beginning of the season before fixtures are published to make necessary changes then rather than wait until trouble is imminent. I hope that the Home Secretary will endorse that suggestion.

What has happened to the football intelligence unit set up by the Home Office? Can we be told what intelligence was gathered about the likely violence—which turned out unfortunately to be true? What use was made of the intelligence? Since the leaders who organised and perpetrated the violence are well known, why was no action taken against them before Saturday?

Is it true that the Crown prosecution service has applied for hardly any bans on travelling to Italy for the World Cup for any of the thugs convicted in recent years? If that is the truth, what responsibility do the Government consider that they have in the matter?

Finally, will the Home Secretary ask the Minister for Sport, as I understand he is meeting UEFA this week, to draw attention to the fact that there has been similar violence in Holland, Germany, Italy and other countries, and to convey it to him that we insist that UEFA deals with the violence in all those countries, instead of being anti-English and anti-English football in the way in which they operate?

Mr. Waddington: I am not very impressed by the right hon. Gentleman's last point. Whatever happens in any other country, I am sure that he will agree with me that the scenes that have taken place over the years in our towns have brought great disgrace to Britain, and that we should be bearing that in mind continually instead of trying to find excuses in bad behaviour in other countries.

I am grateful to the right hon. Gentleman for his expressions of sympathy for the police and the citizens of Bournemouth. I have not the slightest doubt that many people who travelled to Bournemouth were decent people wanting only to watch a good match, but the fact remains that people who claimed to be Leeds supporters caused the trouble.

As for the Football Spectators Act 1989, it has to be borne in mind that my right hon. Friends tried to do something about the problem of football hooliganism. It has been noteworthy that Opposition Members have never tried to do anything. The right hon. Gentleman will remember what a fool the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) made of himself when I made the statement about the Taylor report. It then turned out that the Labour party certainly did not want a football membership scheme, but wanted

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nothing else instead. Labour Members did not even want to accept the principal recommendation of the Taylor report for all-seater grounds.

The right hon. Gentleman made a somewhat obscure and strange remark about the need for the Association of Chief Police Officers and the Football League to have a meeting at the beginning of the season. I am quite sure that he will agree that the Dorset police wrote to the league well before the beginning of the season—in June 1989. The right hon. Gentleman still has not answered the all-important question—why on earth did not the league act on the advice which it was given then by the chief constable?

The right hon. Gentleman asked another rather obscure question—why action was not taken before Saturday against the leaders of the trouble at Bournemouth. I do not know what powers of preventive detention the right hon. Gentleman had in mind, but if he has any information about those people, I should be grateful if he would give it to me.

The right hon. Gentleman is right to say that the courts now have the power to make restriction orders, but it is not for me to lecture them on when they should make restriction orders and when they should not. It is for the Home Office to make it clear to the courts that they have those powers. It is for the courts fearlessly and independently to decide whether they should use those powers.

Explosives (Clyde)

3.54 pm

Mr. George Foulkes (Carrick, Cumnock and Doon Valley) *(by private notice)*: To ask the Secretary of State for Scotland whether he will make a statement on the dumping by ICI of explosives in the Firth of Clyde.

The Minister of State, Scottish Office (Mr. Ian Lang): Fishermen working in the Firth of Clyde have recovered explosive material and detonators in their nets. It is believed that these items may be associated with the dump site at Birch Point used until last year by ICI's Nobel Division for the disposal of explosive waste. The fishermen claim that the material was recovered outwith the limits of the dump site. The Department of Agriculture and Fisheries for Scotland has advised fishermen of the steps to be taken should they find explosive material in their nets and has instructed them to report the precise location of the incident so that further investigations can be made. A DAFS research vessel will reach the area as soon as possible to establish the situation through underwater surveys. Until these surveys are completed, it is not possible to offer an informed opinion on how the material has come to be located outwith the dump site.

The dump site has been used for many years. It is clearly identified on Admiralty navigation charts as an explosive dump site. Fishermen are well aware of its existence and position and know that it has to be avoided. Disposal operations at the site have been strictly controlled and monitored by DAFS since 1974 under the Dumping at Sea Act and, more recently, under the Food and Environment Protection Act 1985. Regular surveys have been carried out by DAFS to establish the accuracy of dumping and the effects on the marine environment. Since 1985, all dumping operations have been carried out in the presence of a representative of DAFS, the Department of Transport or the Health and Safety Executive. For the past three operations, the dumping vessel was fitting with a marine position recorder.

ICI's Nobel Division was the only holder of a licence to dispose of industrial waste at sea in Scotland. Its licence expired in August 1989 and was not renewed. This was in line with the decision of the second North sea conference in 1987 to terminate the dumping of industrial waste at sea by the end of 1989. The disposal of detonators at sea has been prohibited by DAFS since 1984.

The Clyde Fishermen's Association and the Scottish Fishermen's Federation have been advised of the situation. The advice given to fishermen by DAFS is that any explosive material found in nets should be returned immediately to the sea and that the position should be marked with a buoy for further investigation and recovery, as necessary, by the relevant authorities. Fishermen have been instructed to report the location of all incidents to DAFS and the coastguard immediately. This information will greatly assist the ongoing investigations.

Mr. Foulkes: I am grateful to the Minister for his statement, especially as he also has a constituency interest in the matter. Is he aware, as I understand today from Patrick Stewart, the secretary of the Clyde Fishermen's Association, that the extent of the explosives on the surface of the Firth of Clyde is far greater than originally understood, and that the explosives are covering hundreds of square miles and going as far north as Tarbert? Is the

hon. Gentleman also aware that yesterday and today the coastguard has been broadcasting a warning on channel 16 instructing vessels to steer clear of the material? As it covers such a wide area, does it not inhibit the movement of many vessels up and down the Firth of Clyde?

Will the Minister institute a full-scale inquiry into how this dumping took place, whether the explosives were dumped in the appropriate place, and whether they were dumped in proper containers? It appears that they were in hessian sacks. If that was so, it was irresponsible. Will the hon. Gentleman also give an assurance today that all the material will be cleaned up, that the Firth of Clyde will be made safe for all navigation and that the cost of cleaning up will be borne by ICI if it is clear that it has been responsible for the dumping?

Will the Minister give a guarantee that there will be no more dumping of such material—or of any explosives or other dangerous material—in the Firth of Clyde? The firth is used not only by fishermen, but by submarines, by ferries and, as I know myself, by pleasure craft throughout the whole year. Is it not irresponsible and dangerous to continue dumping such material in the Firth of Clyde? Will the Minister guarantee that there will be no more licences and that dumping will stop forthwith?

Mr. Lang: The hon. Gentleman referred to my constituency interest. That is a different matter as the material found in my constituency is believed to be white phosphorus and the distance is such that it seems unlikely to derive from the ICI site.

Initial reports suggest that some of the material has been lifted up to 18 miles from the dump, although the dump itself is only about half a mile in radius and is very deep—75 fathoms, which is about twice the depth of the surrounding sea bed. Fishermen were advised on 5 May, after the first incident, to keep clear of that area. I can assure the hon. Gentleman that we are inquiring closely into the matter to establish the exact circumstances. The Department of Agriculture and Fisheries for Scotland is in close touch with the Clyde Fishermen's Association and with ICI, which has been extremely co-operative.

Disposal in hessian sacks was one of the tightening up procedures introduced in 1985 under the Food and Environment Protection Act of that year because it was felt that such packaging would allow material to leach into the water and disperse, which would be a desirable development.

The hon. Gentleman asked for a guarantee that there would be no more industrial dumping. I am happy to give him such a guarantee. The licence was terminated last year under the commitments that we gave in the North sea conference and we have made it clear that such licences will not be renewed.

Mrs. Ray Michie (Argyll and Bute): Is the Minister aware of the deep alarm and worry that my constituents who fish out of the ports of Campbeltown and Tarbert and their families feel at the disclosures made over the weekend? Can he say how it will be possible to clear the area of this noxious material so that the Clyde becomes clean and safe for all those who use it, including fishermen, and for the nuclear submarines that exercise up and down it?

If fishing is restricted, will the fishermen, who are already under considerable pressure, be properly compensated?

Mr. Lang: I fully understand the anxiety felt by fishermen in the hon. Lady's constituency and elsewhere. If they find such material, they should report the matter at once to DAFS, the local fisheries officer and the coastguard. They should at once return any explosive material to the sea, mark the position carefully, and report the incident.

The hon. Lady asked about clearing the site. As I have said, the site is a narrow one—about half a mile in radius—and it is twice the depth of the surrounding water. It has been used for some 50 years, but will no longer be used, for industrial dumping. Some dumping of sledging spoil continues to take place, although that has the effect of reducing the exposure of other dumped material.

Mr. David Marshall (Glasgow, Shettleston): As we approach the holiday season on the Clyde coast, can the Minister guarantee that Glaswegians will still be able to indulge in one of their favourite pastimes and go doon the watter in complete safety?

Will he answer the question asked by my hon. Friend the Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) about who will pay for the mess to be cleared up?

Mr. Lang: I see no reason why anybody who is keen to go doon the watter should not do so with the same confidence as they have done in previous years.

The hon. Gentleman asked about the cost of clearing up. That matter will have to be assessed in the light of the clearing up operations that may be necessary.

Mr. John McFall (Dumbarton): The Minister does not paint a reassuring picture of the Clyde: he says that we have white phosphorus in the south and explosives in the north. Submarines, both conventional and nuclear, go up and down the Clyde in my constituency. Has the Ministry of Defence been consulted about this matter? What is the Minister's opinion with regard to the MOD and safety?

Finally, on the environment, great steps have been taken in cleaning up the Clyde. Will the Minister give us an assurance here today that he will personally charge ICI with cleaning up the mess so that we may restore the Clyde to its former beauty?

Mr. Lang: There is no evidence that nuclear submarines have been adversely affected by the incident. The dump is some 75 fathoms deep and there is no reason why it should pose a problem to nuclear submarines or why the submarines should pose a problem to the dump.

A number of measures have been taken to tighten up the control of dumping in recent years, particularly under the Food and Environment Protection Act, and industrial dumping has now been discontinued.

The question of liability is not a matter for me and it is too soon to assess the clearing up costs.

Mr. Tam Dalyell (Linlithgow): Does the Minister accept that those of us who have had constituency relations with ICI in Scotland have found it to be a most careful, competent and responsible company? Will he ascertain whether there has been any evidence of infringement of the agreement to stop dumping since last autumn? Will he make a rather different inquiry to ascertain whether it is possible that the new trawling equipment operated by many deep trawlers, which ravages the marine environment and the sea bed, has raked up the explosives far away from the area in which they were dumped? Before jumping to the conclusion that ICI is at

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fault, will he look at what the fishermen themselves might have done also and look at other circumstances during the inquiry?

Mr. Lang: I am happy to endorse the hon. Gentleman's comments about ICI. It has been extremely responsible in its approach to the matter.

In recent years, dumping has been subject to much more stringent requirements than before. For example, dumping has been monitored, there have been regular surveys of the dump, and a position recorder has been used in the past three dumpings to isolate specifically the position of the vessel doing the dumping. There is no evidence of any infringement of the dumping regulations. The detonators that have been found must have been dumped before 1984, since which time they have been banned.

On new trawling equipment or practices, any fishermen trawling in the Arran trench itself, where the dump is located, must know that they are in that area because of the substantially increased depth. They know that it is marked as a hazard on Admiralty charts and that it is not an area where they are advised to go.

Mrs. Margaret Ewing (Moray): The Minister says that the site has been used for the dumping of waste for about 50 years. How many of those years have seen the dumping of the material about which we are now speaking? Has the Minister of State any estimate of the exact amount of explosives and detonators that have been dumped there?

Mr. Lang: I have no evidence as to how much was dumped before 1974, when, under the Dumping at Sea Act, the licensing procedure began. Of course, as I explained to the House earlier, equipment such as detonators has been prevented from being dumped since 1984. I believe that ICI had a licence last year to dump up to 250 tonnes, although I understand that it dumped only about 100 tonnes.

Mr. William McKelvey (Kilmarnock and Loudoun): I am glad that the Minister has taken on board his responsibility to ensure that there will be a full inquiry into how the material was uplifted from the sea bed, apparently from an area in which it should not have been in the first place. As dangerous and frightening as this matter is, does not the Minister consider it more frightening that beaches on the Clyde coast are polluted with human refuse? None of those beaches comes up to European standards. When the Minister is investigating the explosives matter, will he look also at the pollution that is happening daily on the coastline of Ayrshire?

Mr. Lang: Beaches are a matter for the district council, not for me. However, I know that continuous efforts are being made to upgrade the quality of our beaches. A certain amount of dumping of sewage will continue off the Garroch Head until 1998, but that is a substantial way from any beach and has been used satisfactorily for some time.

Mr. Donald Dewar (Glasgow, Garscadden): I welcome the fact that the Minister of State clearly accepts that this is a serious incident that has given rise to widespread public concern. As he has made it clear that in recent years dumping in the designated area has been closely monitored and that officials have been present while it is taking place, does that amount to a guarantee that there has been no unauthorised dumping at least by major firms in the area?

However, will the Minister of State accept that one of the most alarming factors is that large amounts of detonators and explosive material—people have been talking of up to one and a half tonnes being recovered by four boats—have been appearing several miles from the designated area? However deep the water may be there, it raises the question of the effect of tides and other circumstances in spreading the material and the possibility that, if there is a lot there for historic reasons, it may continue to be a menace for a considerable time to come. Will the Minister of State look carefully at what has happened and at the likely future storage in the designated area, which may spread, and consider what guarantees can be given that this will be prevented and that potential threat dealt with?

I unreservedly welcome the fact that the Minister of State has stated not only that ICI is no longer dumping explosives at sea and has no licence to do so but that no future licences will be granted and that the designated area is no longer active in that sense. The Minister said that it is clear that inquiries will be made. Will he give an undertaking that, to reassure public opinion, particularly about the possibility of volatile material drifting in the way that I have described, the report will be published and its findings made public so that there can be full discussion of the matter?

Mr. Lang: I share the hon. Gentleman's view that this is a serious matter. I cannot give him the guarantee for which he asks, that no unauthorised dumping has taken place, but that is a point that I am as keen as he is to establish. Large amounts have allegedly been picked up by fishing boats in the past few days. One fishing boat picked up the original amount after which a warning was given to fishing boats to keep well clear of the area. Thereafter, four fishing vessels picked up explosive matter in the area.

We have diverted a Department of Agriculture and Fisheries for Scotland research vessel to the area. It intends to carry out an underwater survey, and until the information resulting from that survey is available I cannot answer the hon. Gentleman's other questions in more detail. I am happy to assure him that we shall publish the findings of our inquiry in due course.

Mr. Max Madden (Bradford, West): On a point of order, Mr. Speaker.

Mr. Speaker: I will take points of order after the statement.

European Fighter Aircraft (Radar)

4.16 pm

The Secretary of State for Defence (Mr. Tom King): With permission, Mr. Speaker, I wish to make a statement about the selection of the radar for the European fighter aircraft.

The House will be aware that the great majority of contracts for the development of this aircraft, including those for the engine and the airframe, have already been let, and good progress is being made in those. However, the decision on the choice of the radar has remained outstanding. The radar is the key element of the aircraft's weapon system as it governs EFA's ability to detect and identify airborne targets beyond visual range and to engage those that are hostile, and to achieve this in a very difficult electronic environment. The radar is thus required to meet a most demanding specification, and it has required the most rigorous scrutiny of the alternative proposals to establish whether they meet the necessary criteria.

Against that background, the NATO EFA management agency proposed the selection of the ECR90 radar offered by the consortium led by Ferranti. There were, however, concerns about the possible technical, commercial and financial risks involved in pursuing that choice.

Those concerns have now been resolved and I can inform the House that the four EFA partner nations—Germany, Italy, Spain and the United Kingdom—have selected an international consortium, known as Euroradar, led by GEC Ferranti Defence Systems Limited, to develop the ECR90 radar for EFA. Accordingly, Eurofighter, the EFA airframe prime contractor, is today awarding the radar sub-contract to them. The development contract will be awarded on a firm price basis and will be of six years' duration.

I am pleased to be able to make this announcement today, and I express my gratitude to my ministerial colleagues in our partner nations and their officials for their constructive and helpful approach. I also pay tribute to my hon. Friend the Minister for Defence Procurement and the officials of the Procurement Executive for their considerable efforts in bringing matters to such a satisfactory conclusion in what the House will recall were exceptionally difficult circumstances.

My statement today represents a major milestone for British airborne radar technology in this most important multinational development project, and I commend it to the House.

Mr. Martin O'Neill (Clackmannan): I welcome the Secretary of State's understandably long delayed statement on the award of the EFA radar contract to the ECR90 consortium led by Ferranti Defence Systems. This will provide the job security guarantees for which the workers in Edinburgh and throughout the United Kingdom have waited for so long.

Can the Secretary of State comment on the employment consequences for other GEC employees at present working for Marconi Radar? Now that the Ferranti Defence Systems financial base has been re-established, may I ask him to explain the means by which the technical, commercial and financial risks to which he referred have been resolved? In particular, can he dispel the rumours mentioned in *Jane's Defence Weekly* of 17 March 1990 that the British Government had signed a memorandum of understanding with the West German Government covering indemnification by Britain in the event of cost overruns in the development budget? Has consideration been given by the parties involved to the suggestion by the Luftwaffe that a more defensive role could be sought for the aircraft?

Again, I express my congratulations and those of my right hon. and hon. Friends to all those who have been involved in winning this contract, which we hope will remove the last obstacle from the realisation of the project, which is so important for the defence of Europe and the cutting edge of British technology.

Mr. King: I am grateful to the hon. Gentleman for what I take to be a clear welcome for the Government's efforts in this respect. Perhaps he would prefer to forget his earlier comments when he suggested that there had been some kind of dirty dealing. He is right in saying that there has been a major effort to achieve this important contract, which will be of great benefit, not least to those who work in the old Ferranti radar division and who are a key part of GEC Ferranti Defence Systems. While I cannot answer the point that he raised about Marconi, I am authorised by GEC to say that it expects that 95 per cent. of the British share of the work will be done in Edinburgh. That assurance is important because it implies recognition that the technical contribution of Ferranti workers is important.

There is not a memorandum of understanding because a memorandum of understanding exists between all member countries in the consortium. However, the British Government have given a side letter to the German Government, of which the House was notified in a departmental minute. It gives assurances about any extra costs that might be incurred by the German company responsible for the integration of the radar. That side letter is backed by a back-to-back indemnity from GEC, the parent company of GEC Ferranti Defence Systems. Therefore, there is no risk to public money and the commercial risks have been properly backed by a properly resourced defence contractor. That is an important element, the achievement of which was a key ingredient in securing this important contract.

Mr. Michael Jack (Fylde): This news will be of great relief to and will be warmly welcomed by my constituents in Fylde who work on the prototypes of the aircraft. I congratulate my right hon. Friend and his hon. Friends on their efforts.

Will my right hon. Friend confirm that the announcement could not have been made if the four partner countries were not fully committed to the project all the way through the development to the production phase? Can he assure me that the selection of the radar will present no barriers to export possibilities for the aircraft and that export customers will be fully involved at an early stage in the development to ensure that what orders are available can be executed quickly?

Mr. King: On the latter point, that will certainly be true, subject to the normal controls on the export of military equipment. I can give that assurance, and my hon. Friend understands that well.

I thank my hon. Friend for his welcome. I am aware that this has been a worrying period for many people involved in the project. The House does not need me to

[Mr. King]

rehearse the exceptionally difficult commercial developments that occurred and the previous difficulties of Ferranti, which threatened to jeopardise the whole project. It has been a matter of some encouragement that we have found other companies that were prepared to become involved in the way that they have. It is encouraging for the future of British industry that the project has gone ahead in the way that it has.

Mr. Menzies Campbell (Fife, North-East): The Secretary of State will be aware that his announcement will be met with unanimous approval throughout the United Kingdom, not least because it removes an economic and military uncertainty.

On the point raised by the hon. Member for Clackmannan (Mr. O'Neill), did I understand the right hon. Gentleman to say that there is no risk to the United Kingdom Government in financial terms in the event of any cost overruns on the project? He will be aware that this year general elections are planned in Germany and that a body of opinion is not wholly in favour of continuing German participation in the EFA project. As Secretary of State for Defence, what consideration has he given to the possible consequences for United Kingdom defence policy if Germany reduces or even withdraws from its agreed participation in the EFA programme?

Mr. King: The hon. Gentleman's understanding is correct in that the undertaking in the side letter given by the British Government of entering into a contingent guarantee, which has been reported to the House, is backed by a back-to-back indemnity—a total indemnity —against any such costs arising from GEC. Therefore, the answer to the hon. and learned Gentleman's point about whether costs fall to the British Government is no.

The hon. and learned Gentleman asked what cognisance we took of a possible change of Government in the Federal Republic of Germany. I do not know what cognisance the German Government thought of taking of any possible change in this country. I do not know what the project's future or the prospects of workers in Ferranti Defence Systems would be were the appalling prospect of a change in the Government here to come about. Our purpose is to deal with the position as it is and work in this country's best interests. I am sure that all our efforts and those of the workers in GEC Ferranti Defence Systems will ensure that there is no such change of policy.

Mr. Keith Mans (Wyre): I welcome my right hon. Friend's statement. Does he agree that his announcement ensures that this country and Europe will remain at the forefront of airborne radar development into the foreseeable future, which is important?

Mr. King: I am grateful to my hon. Friend. I think that this is recognised by those with a far greater expertise than me to be a significant development in radar that will give a significant capability to EFA. As I made clear in my statement, that is the key element in the aircraft's capability. We believe that we have now achieved the best radar for the purpose and the alliance—one that will give it a fine aircraft. I hope that the prospects for the aircraft with the radar will be extremely good.

Mr. Gavin Strang (Edinburgh, East): Is the right hon. Gentleman aware that he has been absolutely right to stand firm in support of the ECR90 system because of its enormous importance in relation to the development of indigenous European technology and British industry but, above all, because he has a responsibility to the pilots who will eventually fly the planes? In standing firm, he has ensured that they will have the best radar system available. Does he accept that by confirming the GEC Ferranti Edinburgh operation as world leaders in airborne radar he is providing the basis for probably thousands of jobs in the next century, radar systems that will go into the European fighter aircraft and systems that will be sold for other planes and, hopefully, other civil uses?

Mr. King: I am grateful to the hon. Member. I am aware of the close interest that he takes, and has done for a considerable period, in this matter. That is understandable because of his constituency interests. I note his comments, which I presume to take as a measure of the confidence of his constituents who work for the company in their prospects, provided the contract can be achieved. I take great encouragement from that.

Mr. Jonathan Sayeed (Bristol, East): I congratulate my right hon. Friend and his fellow Ministers in the Ministry of Defence on standing firm on this contract. The contract is excellent news. Does he agree that, despite the commercial difficulties that Ferranti has had, the decision to take the ECR90 is a ringing endorsement of the technical expertise of the GEC Ferranti company, not just by us, but by other countries, some of which were trying to promote their own radars?

Mr. King: I am grateful to my hon. Friend. I think that there is wide recognition of the technical skills and capability of those involved, particularly in the original Ferranti company. Financial resource is required as well as technical skill on a project with the length of life that this one is likely to have. That is why the development of GEC Ferranti Defence Systems was a key element in the successful achievement of the contract.

Dr. John Reid (Motherwell, North): This is good news for Britain, British technology and particularly for Scotland and Scottish workers in GEC Ferranti, including those in my constituency. Will the Secretary of State make it plain that, whatever discussions took place during Ferranti's troubled period, today's decision had nothing to do with political pressure but was taken on the merits of the case? Is that not a vindication of the importance that was placed on Ferranti throughout that troubled period by hon. Members on both sides of the House? Will he join me in congratulating all involved in Ferranti on their efforts, as I congratulate him—it would be less than generous not to do so—for his efforts and sterling work to ensure that the contract eventually came to where it should, Britain?

Mr. King: I am grateful to the hon. Gentleman. I hope he did not think that I was churlish. I have sought to pay tribute to the technical competence and capability of those who worked in the original radar side of Ferranti. Clearly technical merit, confidence in management capability, and the resources available in support of the project have been key elements in the achievement. While it has been the responsibility of the companies to demonstrate their commercial and technical capability, I hope it is also seen that the Government have fully backed and supported their efforts.

Mr. Hugh Dykes (Harrow, East): Does my right hon. Friend agree that this welcome announcement once again vindicates the strength and purpose of European-wide collaboration which can work successfully if properly handled? Does he also agree that it vindicates that an acquisition carried out in circumstances of rescue can create a strong, combined defence equipment entity which can compete in international markets? Does he agree, therefore, that the merger was justified?

Mr. Speaker: Briefly.

Mr. Dykes: Can my right hon. Friend say specifically what the effect will be on executives and employees of GEC Marconi in Stanmore, Middlesex?

Mr. King: The latter point is interesting. Looking to the future, with perhaps some changes in procurement and in response to the changing defence scene, it is difficult to see how much work there would have been for two companies in airborne radar. I think that the strengthened grouping could have exciting prospects. Obviously the benefits of a European collaborative approach can be seen. We look at these matters on a case-by-case basis. There are other cases where we have not thought it so profitable or advantageous to proceed. We consider the cases in a genuinely pragmatic sense.

Mr. Alexander Eadie (Midlothian): The Minister will be aware that his announcement will be welcomed by the work force at Ferranti Defence Systems in Edinburgh, among whom are some of my constituents. Perhaps we should not repeat on this favourable announcement what they have been through recently. Can the Minister tell us what will happen to the other factories which were hived off as a consequence of the GEC Ferranti Defence Systems takeover? For example, I have a Ferranti plant in Midlothian. Can the Minister tell us whether, as a consequence of his announcement, there will be a spin-off in work for people employed in other factories?

Mr. King: I am afraid that I cannot comment on that. I do not know the details of the plant to which the hon. Member refers. If he cares to write to me, I shall see whether I can give him further information.

Mr. Robert Hayward (Kingswood): I welcome my right hon. Friend's announcement. As he will be aware, it is of particular import to thousands of workers in and around Bristol. I may be touching on areas of commercial confidentiality, but can he say whether there have been any discussions with the French Government about their possible involvement in the project in view of the fact that it will go ahead and is clearly a better alternative than the Rafale project which they are putting forward as potential competitors?

Mr. King: I am grateful to my hon. Friend. I know of his constituency interest and of the interest of people in the west country. I am not aware of any change of view since the French decided to go another way. I am not aware of any changed proposal. They have made certain offers to me, but I am not sure that they have been open to offers themselves.

Mr. Tam Dalyell (Linlithgow): Amid the swirl of congratulations, could we spare a word for the electronics and physics departments of universities which have made this triumph possible? In particular, could the Ministry of Defence use its considerable influence in aid of Professor Des Smith and his unit at Heriot-Watt university which, like many other physics and electronics departments, is chronically short of money, particularly for post-graduates? Can the Ministry of Defence talk to universities about the issue?

Mr. King: Obviously one remembers the distinguished work of Heriot-Watt in radar development. I note the point that the hon. Gentleman fairly makes, and I am grateful to him for drawing it to my attention.

Mr. Ian Bruce (Dorset, South): What proportion of the contract will each of the partner countries receive? Does my right hon. Friend welcome what appears to be a defence consensus from all the Opposition parties? They seem to be supporting the idea of the European fighter aircraft, but does he suspect that, while they are interested in the jobs that will go to Scotland, they might well cancel the project if they had the defence of the realm in their hands?

Mr. King: We estimate that the development contract is worth about £300 million and our share under the EFA project will be approximately 33⅓ per cent. The German share is also 33⅓ per cent., with 21 per cent. for the Italians and 12 per cent. for the Spanish company. As well as the design leadership, that represents about £100 million worth of work for GEC Ferranti Defence Systems.

My hon. Friend referred to the attitude of the Opposition. Perhaps I have been showing my usual moderation today. However, it appears that the other Labour party is absent from the Chamber. On other matters, two thirds of the Labour party call for a £5 billion cut in our defence expenditure and there is not the slightest prospect of any future Labour Minister—should there ever be one—being able to make an announcement of the sort that I have made today.

Mr. Nigel Griffiths (Edinburgh, South): Is the Secretary of State aware of the criticism over the delay in the final settlement and announcement? For a year thousands of jobs have hung in the balance and the delay over the statement and the resolution have contributed to that. Does he think that the Government could have done more to bring about an earlier resolution? What steps did the Government consider to try to speed up the process during a year of delay which may well have been unnecessary?

Mr. King: The hon. Gentleman could make those comments only if he was supremely ignorant of some of the background to these matters. It is highly significant that his hon. Friend the Member for Edinburgh, East (Mr. Strang) singularly omitted any such criticism because he has a far more profound understanding of the difficulty of the issues with which we have been grappling. I hope that I do not embarrass the hon. Member for Edinburgh, East by saying that.

I assure the House that the prospects for making the announcement that I have had the honour to make to the House were very bleak a few months ago. If it had not been for some extremely hard and dedicated work by some of the people to whom I have referred, we could not have been at all sure that the announcement could be made today.

Mr. John McFall (Dumbarton): I am the only member of the Select Committee on Defence who is present, but I

[Mr. John McFall]

am sure that I speak for the entire Committee when I say that I welcome the contract and the efforts of the Secretary of State and his Department. Bearing in mind the difficulties that have surrounded the project, can the Secretary of State tell us how confident he is that the aircraft will be built? There is a view that EFA will not go beyond the developmental stage, and that is not only a minority view which is held by individuals in West Germany, in particular.

Mr. King: Provided Britain keeps a Conservative Government, I am confident that the project will go forward. The hon. Gentleman must search his conscience, if he has ambitions in another direction, to see whether he could answer that question himself. It is important to achieve the development programme. My announcement means that the cost of a very important development programme will be shared. It effectively puts the last piece in the jigsaw of the European fighter aircraft development. That major programme now goes ahead and the sharing of costs at the most important stage has been achieved. If others decide at a later stage that they want fewer aircraft, it will be much less of a problem than if we had not achieved joint development.

Mr. Bob Cryer (Bradford, South): Will the Secretary of State accept my congratulations on his recognition that public expenditure both develops and maintains jobs? Will this particular expenditure definitely result in civil aviation advantages? When the work is completed, will the firm depend on further defence contracts, or does the right hon. Gentleman consider that, in view of the current changes in Europe, steps should be taken to direct the skill, expertise and high technology from which the work force benefits towards peaceful civil aviation work?

Mr. King: That question has already been answered by the hon. Member for Edinburgh, East (Mr. Strang), who I think knows rather more about the subject than his hon. Friend.

Mr. O'Neill: May I reiterate that, since 25 April 1988, when my predecessor as defence spokesman—my right hon. Friend the Member for Llanelli (Mr. Davies)—said in the House that he welcomed the original decision to proceed with the project, the Labour party has backed it, and will continue to do so? We recognise the importance of a contract that will provide jobs, not only in the short term but well into the 21st century. It will also provide a stepping stone for the radar technology that will be required by future aircraft, both civil and military.

We also recognise the significance of the European fighter aircraft for the defence of our continent. We believe that others too will wish to buy it, because of its large British element, in which we can take pride and from which the continent of Europe can take comfort.

Mr. King: I am grateful to the hon. Gentleman. It would be churlish of me to criticise him, especially in view of his final comments. He knows, however, that the project will involve the expenditure of some £8 billion to provide the aircraft and to cover the development costs, in the United Kingdom alone. Since the clear statement of support that, according to the hon. Gentleman, was made in 1988, the 1989 Labour party conference has proposed and carried—by a majority of two to one—a reduction of £5 billion per annum. We can now clock up the certainty that the EFA is sacred and will not be touched: that was helpful of the hon. Gentleman. On some future occasion we may try to draw him further on the subject of which items are sacred and where the cuts are to be made.

Points of Order

4.42 pm

Mr. Max Madden (Bradford, West): On a point of order, Mr. Speaker. May I ask you to reconsider your practice when calling Front-Bench spokesmen on private notice questions? We have dealt with two such questions today, and on both occasions you called the Opposition Front-Bench spokesperson last. I think that you will agree, Mr. Speaker, that I am not usually the first to rush to the defence of my party's Front Benchers; they are generally able to look after themselves. I raise my point of order in the interests of the Labour party in general. On the first private notice question, my right hon. Friend the Member for Birmingham, Small Heath (Mr. Howell) was called last —some minutes after the end of the television transmission, I understand.

Will you look at the matter afresh, Mr. Speaker, and in future invite the Opposition Front-Bench spokesperson to speak a little earlier rather than giving him the last slot? Otherwise, if broadcasting continues to end as early as it did today, the Labour party will be at a permanent disadvantage.

Mr. Speaker: I am somewhat surprised. I have always been anxious to give Back Benchers all the possible benefits and bonuses and, as the hon. Gentleman knows, it has long been the practice for Back Benchers to be cut off automatically when the Front-Bench spokesman is called. I shall of course consider what the hon. Gentleman has said, but I think that what he suggests would gravely disadvantage him and his hon. Friends. As for the television cameras, I am not responsible for when they are switched on or off; I am concerned with giving Back Benchers fair opportunities in the House.

Mr. Edward Leigh (Gainsborough and Horncastle): On a point of order, Mr. Speaker. You are responsible for ensuring that there is no tedious repetition in the conduct of our affairs. In recent weeks, however, one word has been repeated almost to the point of tedium. We have heard about flagships sinking; we have heard about flagships being blown off course.

Since Thursday, no mention of flagships has been made. I wonder whether, in the light of the election results in Wandsworth, you, Mr. Speaker, will be as generous as you have been to Labour Members who have used it in the past. Otherwise, we may be called to order if we refer too often to "flagships sailing on", or "flagships in full sail".

Mr. Speaker: I have become something of an expert on tedious repetition, but hon. Members are ingenious in finding descriptions that are new to me. I had never heard the phrase "level playing fields", for instance, before I occupied the Chair.

Mr. Tam Dalyell (Linlithgow): On a point of order, Mr. Speaker. I am looking for an ingeniously acquired bonus. Have you received a request from the helpful Ministers at the Department of Trade and Industry to make a statement on the flagrant flouting of last Friday's referral of the subject of a Consolidated Fund Bill debate—the Atlas steelworks in Armadale—to the Monopolies and Mergers Commission?

William Cook plc of Sheffield gave an undertaking to the Office of Fair Trading that it would not require key equipment, and would not remove it from electric arc furnaces, or remove tanks that are essential to the continued operation of this important foundry.

Has the DTI done anything about the unusual circumstances in which, despite referral to the MMC, William Cook has cocked the proverbial snook to remove the possibility of the foundry and its highly skilled pattern-making work force continuing in business?

Mr. Speaker: I give the hon. Gentleman full marks for ingenuity, but I must tell him that I have received no request relating to a statement.

Mr Bob Cryer (Bradford, South): Further to the point of order raised by the hon. Member for Gainsborough and Horncastle (Mr. Leigh) about tedious repetition, on which you commented, Mr. Speaker. The use of the word "flagship" originated in the public relations office of the Conservative party, when it was applied to Bradford. You will be delighted to learn, Mr. Speaker, that that flagship has now sunk without trace. Pickles and his gang have been booted out of the town hall by a massive majority of Bradford's citizens, and that particular tedious repetition can now be forgotten.

Mr. Speaker: Order. I am becoming a little tired of flagships.

Statutory Instruments, &c.

Mr. Speaker: With the leave of the House, I will put together the two motions relating to statutory instruments,

Ordered,

That the draft Drug Trafficking Offences Act 1986 (Designated Countries and Territories) Order 1990 be referred to a Standing Committee on Statutory Instruments, &c.

That the draft Parliamentary Constituencies (England) (Miscellaneous Changes) Order 1990 be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. Greg Knight.]*

Voluntary Euthanasia

4.46 pm

Mr. Roland Boyes (Houghton and Washington): I beg to move,

That leave be given to bring in a Bill to permit voluntary euthanasia subject to certain conditions; and for connected purposes.

I should like to begin with a short story. In a small room in a small house are two men in their 30s and a woman of 50. The woman is dying of lung cancer; one of the men is her doctor. The doctor explains that it will all be over in a few minutes. The woman sits up and asks for a window to be opened, but the movement towards the window is stopped by the doctor: it makes no difference, he says.

Thirty seconds later, the woman sits up and utters her last words in her native Yorkshire: "I'm deeing, I'm deeing." A few seconds later, after an agonising death, she has been released from all pain and suffering. During the brief period that preceded her death, she was drugged and too ill to recognise anyone in the room.

That woman was my mother. I was with her at the end, and there was much that I would have liked to discuss with her. I wanted to explain many things; I wanted to talk about love, sorrow, guilt and the peace that she was about to enter. After her death I returned to the north-east from Yorkshire. For a whole year, it was as if a video in my brain was turned on every morning, showing the last moments of my mother's struggle for life. I would say to myself, "Please do not let it happen today", but it has happened again and again.

Preparing for this speech has been very painful. I knew that it would cause me pain before I began, but my belief in voluntary euthanasia encouraged me to break down the pain barrier. I do not want my family to suffer the same experience should I become terminally ill, with no hope of recovery. I would want to talk to them rationally about many things while my brain was still active. I would want to discuss a range of issues, some emotional, some practical. I would want to make the necessary arrangements for my death, and I would want us to be able to laugh together as we had always done as a family. I would want to assure them that for a long time I had had no fear of death, only of dying. I would want the privilege of being able to have my life ended when I made the choice, and to be with the people, my family, whom I love the most.

The essence of the Bill is about individual choice, about free choice; a contract entered into voluntarily. It is about the right to die with dignity. "Voluntary" is the critical word. Even if there were an Act, I do not know whether my mother would have acted any differently. I do not know how many members of my family would make a decision similar to that which I wish to make. They must be able to decide for themselves.

I also understand the views of those who disagree with me, both in the House and outside. I respect the arguments of those who see problems. But because euthanasia depends on the will of an individual, a decision freely taken, others should not deny that right to those who have chosen for themselves.

Opinion polls—I do not use them as a major prop in my argument—taken in a number of countries, show that about 75 per cent. of people support the right of individuals to decide for themselves when to die. Clearly, that does not mean that 75 per cent. think that it should happen, but that 75 per cent. think that voluntary euthanasia should be available.

I appeared on a television programme about voluntary euthanasia a few months ago. As hon. Members would expect, I received a number of letters from viewers. Whenever controversial issues are debated in the Chamber or are the subject of television broadcasts, we usually receive a mix of views and often letters of outrage. On this occasion, I did not receive a single letter against my proposition. Again, I make no more of that, only record the fact.

It would be useful at this juncture to inform the House about the strict conditions that are necessary before an individual can have his or her life ended. The patient must be terminally ill without any possibility of recovery. The patient must be of sound mind and able to make the decision. The patient must be suffering mentally and physically to a degree which he or she finds unbearable and have a deep and sustained wish to die. The decision to assist a patient to end the misery of pain must be taken by a doctor, and the state of the person and the doctor's decision must be confirmed by a second doctor. The patient should have the right to consult a priest or anyone else of his choice. A doctor, and only a doctor, should administer the necessary drugs.

Those conditions are based on the guidelines set out in the Rotterdam criminal court which, if followed, would exempt the doctor concerned from prosecution. They must be strictly adhered to because there is some concern about the possibility of ending lives for wrong or criminal motives. It is essential that there is no coercion for wrongful reasons. It is clear that if any individual steps outside the guidelines, he or she will be subject to the due processes of the law.

In addition, as I mentioned earlier, a doctor must also have proper, adequate and necessary protection. Fortunately, cases that have come before the courts in the United Kingdom have ended with a not guilty verdict, such as occurred earlier this year.

I return to the voluntary theme. The patient's doctor, or any doctor, has the right to refuse just as he has the right to administer drugs. At a meeting I attended recently, the Hippocratic oath was mentioned. I do not want to make an issue of that, except to note that some doctors have clearly acted in the interests of their patients and outside their oath. However, I would defend a doctor's right simply to mention the Hippocratic oath as sufficient reason not to take part in voluntary euthanasia.

Yes, any parliamentary Bill must give doctors the necessary protection. After all, if a Bill similar to the one that I envisage were enacted, a major responsibility would lie with the doctors. If a doctor acts to end a patient's life, surely it is wrong that he is knowingly committing a crime.

My Bill seeks to permit voluntary euthanasia for those, and only those, who desire it as a result of a decision freely taken.

I have a file of letters here, which anyone is welcome to read. I want to give two or three people an opportunity to add their voice to mine this afternoon. Rather than mention names, I shall simply mention places. One person wrote to me from Devon saying:

"Like you, I too watched my mother die and it was an experience which will live with me for ever. How I wish that I could have helped her die with dignity.

From Horncastle, a person wrote saying:

"I have seen four of my relations die in distressing circumstances and I do not want it to happen to me."

A letter from Stokesley says:

" I have long held the view that a good death should be part of a good life and that it should be lawful to arrange for this."

A letter from London says:

"I know that I am getting near to the end of my life and that the fear of how I might be going to die just haunts me."

From the Wirral, a letter says:

"Last year, I watched my sister lose a long battle with cancer. I do not need to describe the horrors of her final months to you, do I?"

The answer to that is clearly, no.

In view of the overwhelming support outside the House —75 per cent. is the figure that is regularly quoted—I hope that the aspirations and hopes of the many will be reflected inside the House today.

4.56 pm

Mr. Anthony Nelson (Chichester): No hon. Member will doubt the sincerity or compassion with which the hon. Member for Houghton and Washington (Mr. Boyes) sought leave to introduce the Bill today. We all respect and understand the close family experience which prompted him to do so. I suspect that few hon. Members do not have a personal experience or family background on which they can draw, as a result of which many will know the problems, difficulties and agonies of living alongside and caring for somebody who is deeply sick or terminally ill.

But it would literally be a grave error of judgment if leave were given to introduce the Bill. It would give quite the wrong impression outside the House. We are all sympathetic to and understanding about this vexed issue, but the House, uniquely, is the last bastion of people's lives and liberties, and there must be the most compelling reasons before we take those rights away.

There are four fundamental objections to the hon. Gentleman's proposal. First, it would materially undermine the sanctity of life. Secondly—for me this is the most important—it would open the way to serious abuses. Thirdly, it is far from clear that the medical profession would go along with the proposal put forward. Finally, it would undermine much of the splendid work of the hospice movement in Britain and the strides that have been made in the technology and techniques of caring for the dying.

There must remain a presumption that the taking of human life is illegal and that that is a basic protection; an inalienable right available to the individual. I do not say that the Bill would amount to a slippery slope towards compulsory euthanasia, but the principle would be breached, and substantially so.

Secondly, we must all accept that the very sick and the dying are particularly vulnerable people. They are open to suggestion. Many of those people, bless them, do not want to be a burden to others and, when they may be less able to make up their minds rationally, may feel that they should take their own lives with the help of others. There can be no guarantee that euthanasia would be voluntary. For those reasons, we should take seriously recent cases that have given grounds for concern about the way in which ostensibly near and dear members of a family have allowed elderly relatives to die in a state of penury and neglect.

A report by the British Medical Association published in 1988 concluded that

"there is a distinction between an active intervention to terminate another person's life and a decision not to prolong life."

That is an important distinction for the House to draw. The report concluded that

"An active intervention by anybody to terminate another person's life should remain illegal."

That is what the doctors say, and we should think twice and thrice before negating their view. I would far rather have faith in the discretion and professional judgment of doctors than allow many people, at their weakest and most vulnerable moments, to be allowed—and I dare say encouraged in certain cases—to take their lives.

The Criminal Law Revision Committee rejected such a proposition when it considered the possibility of introducing a new offence of mercy killing. The Law Commission also considered the matter, and while it felt that there could be cases in which the crime of murder could be downrated to manslaughter, it too believed that there was no case for introducing a new offence of mercy killing. Right hon. and hon. Members should be left in no doubt that many cases of euthanasia would amount to such, and there would be contested situations. The House of Lords Select Committee on murder and life imprisonment considered the matter last year and recommended that there be no change in current law.

The hospices movement will be familiar to many hon. and right hon. Members. The quality of life of people dying in this country has been enhanced considerably by hospices and by new techniques for treating and curing pain. I refer, for example, to the fact that the administration of a drug in a slightly larger dose at the onset of cumulative pain in a progressive, terminal disease can, strangely enough, result in no increase in the dosage being required later to maintain precisely the same threshold of pain relief. A person dying of cancer and in increasing pain can enjoy the same level of pain relief with a constant dose. That is clearly a simple but amazing discovery, made in recent years, that helps the terminally ill.

Much of the work done by hospices, the enthusiasm of their staff, the joy that they bring to families of the dying would be undermined if we were to breach existing principles. The early-day motion that the hon. Member for Houghton and Washington tabled last January received the support of only 33 hon. Members. We shall see what happens today, but I do not believe that support for the hon. Gentleman's Bill will reflect the 1989 opinion poll to which he referred, in which fewer than 2,000 people were questioned. Often, one needs to examine the questions asked in such surveys, as well as the answers. The question put in that opinion poll was,

"If suffering became intolerable, should the law be changed to allow adults to obtain medical help to an immediate, peaceful death?"

That is an appealing question, and no doubt many people did answer yes. However, if the same people had been asked whether they were in favour of mercy killing, I venture to suggest that they would have made a very different reply.

The House would be making a grave error of judgment and a decision that the world outside would misinterpret if it were to allow the Bill to progress. Right hon. and hon. Members would be subjected to further lobbying on a massive scale, such as that which accompanied our recent

[Mr. Anthony Nelson]

debates on similar issues. Like you, Mr. Deputy Speaker, I hope that at the end of my life, it will be the Good Lord, and none other, that shall deliver me.

Question put, pursuant to Standing Order No. 19 (Motions for leave to bring in Bills and nomination of Select Committees at commencement of public business):—

The House divided: Ayes 35, Noes 101.

Division No. 192] **[5.03 pm**

AYES

Allen, Graham
Ashley, Rt Hon Jack
Banks, Robert *(Harrogate)*
Banks, Tony *(Newham NW)*
Beaumont-Dark, Anthony
Brown, Nicholas *(Newcastle E)*
Callaghan, Jim
Cartwright, John
Clwyd, Mrs Ann
Darling, Alistair
Fairbairn, Sir Nicholas
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Hayward, Robert
Howells, Dr. Kim (Pontypridd)
Hughes, Robert *(Aberdeen N)*
Irving, Sir Charles
McCrindle, Robert
Mahon, Mrs Alice
Mitchell, Sir David
Mowlam, Marjorie
Mullin, Chris
O'Neill, Martin
Powell, Ray *(Ogmore)*
Primarolo, Dawn
Rost, Peter
Ruddock, Joan
Soley, Clive
Townend, John *(Bridlington)*
Turner, Dennis
Walley, Joan
Wigley, Dafydd
Williams, Alan W. *(Carm'then)*
Wise, Mrs Audrey

Tellers for the Ayes:
Mr. Max Madden and
Mr. Brian Sedgemore.

NOES

Alexander, Richard
Alison, Rt Hon Michael
Amos, Alan
Anderson, Donald
Aspinwall, Jack
Batiste, Spencer
Beith, A. J.
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Blunkett, David
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brazier, Julian
Brown, Michael *(Brigg & Cl't's)*
Buckley, George J.
Budgen, Nicholas
Burt, Alistair
Butler, Chris
Campbell, Menzies *(Fife NE)*
Canavan, Dennis
Cash, William
Channon, Rt Hon Paul
Conway, Derek
Coombs, Simon *(Swindon)*
Corbett, Robin
Cryer, Bob
Cunliffe, Lawrence
Dalyell, Tam
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H'l)*
Dixon, Don
Duffy, A. E. P.
Dunn, Bob
Dunnachie, Jimmy
Dykes, Hugh
Eadie, Alexander
Eastham, Ken
Evennett, David
Fearn, Ronald
Forman, Nigel
Forsythe, Clifford *(Antrim S)*
Fry, Peter
Gardiner, George
Gorst, John
Greenway, Harry *(Ealing N)*
Ground, Patrick
Hamilton, Neil *(Tatton)*
Hargreaves, Ken *(Hyndburn)*
Haselhurst, Alan
Hayhoe, Rt Hon Sir Barney
Hicks, Mrs Maureen *(Wolv' NE)*
Higgins, Rt Hon Terence L.
Holt, Richard
Hood, Jimmy
Hordern, Sir Peter
Howells, Geraint
Hughes, Roy *(Newport E)*
Irvine, Michael
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Martyn *(Clwyd S W)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Kennedy, Charles
Kilfedder, James
Knapman, Roger
Knight, Dame Jill *(Edgbaston)*
Latham, Michael
Lawrence, Ivan
Leigh, Edward *(Gainsbor'gh)*
Lofthouse, Geoffrey
McAllion, John
McAvoy, Thomas
McFall, John
Macfarlane, Sir Neil
Maclennan, Robert
McNair-Wilson, Sir Michael
Marshall, David *(Shettleston)*
Martin, David *(Portsmouth S)*
Mitchell, Andrew *(Gedling)*
Moate, Roger
Molyneaux, Rt Hon James
Monro, Sir Hector
Montgomery, Sir Fergus
Morris, Rt Hon A. *(W'shawe)*
Moss, Malcolm
Mudd, David
Murphy, Paul
Onslow, Rt Hon Cranley
Pawsey, James
Pike, Peter L.
Price, Sir David
Reid, Dr John
Rowlands, Ted
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shersby, Michael
Skeet, Sir Trevor
Skinner, Dennis
Smyth, Rev Martin *(Belfast S)*
Stanbrook, Ivor
Stern, Michael
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, Teddy *(S'end E)*
Thorne, Neil
Viggers, Peter
Walden, George
Wallace, James
Waller, Gary
Watts, John
Widdecombe, Ann
Wray, Jimmy

Tellers for the Noes:
Mr. Jim Lester and
Mr. Anthony Nelson.

Question accordingly negatived.

Orders of the Day

Broadcasting Bill

As amended (in the Standing Committee), considered.

Ordered,

That the Broadcasting Bill, as amended, be considered in the following order, namely, new Clauses; Amendments to Clause 1, Schedule 1, Clauses 2 to 5, Schedule 2, Clauses 6 to 21, Schedule 3, Clauses 22 to 51, Schedule 4, Clauses 52 to 61, Schedule 5, Clauses 62 to 77, Schedule 6, Clauses 78 to 119, Schedule 7, Clause 120, Schedule 8, Clause 121, Schedules 9 and 10, Clauses 122 to 128, Schedule 11, Clauses 129 to 137, Schedule 12, Clauses 138 to 148, Schedule 13, Clauses 149 to 164, Schedule 14, Clauses 165 to 167, Schedule 15, Clauses 168 to 181, Schedules 16 and 17 and Clause 182; and new Schedules.—*[Mr. Mellor.]*

New Clause 22

AUDIENCE RESEARCH BY WELSH AUTHORITY

'.—(1) The Welsh Authority shall make arrangements for ascertaining—

(a) the state of public opinion concerning programmes broadcast on S4C;

(b) any effects of such programmes on the attitudes or behaviour of persons who watch them; and

(c) the types of programme that members of the public would like to be broadcast on S4C.

(2) Those arrangements shall—

(a) secure that, so far as is reasonably practicable, any research undertaken in pursuance of the arrangements is undertaken by persons who are neither members nor employees of the Welsh Authority; and

(b) include provision for full consideration by the Authority of the results of any such research.'.—*[Mr. Mellor.]*

Brought up, and read the First time.

5.15 pm

The Minister of State, Home Office (Mr. David Mellor): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Harold Walker): With this, it will be convenient to take the following amendments:

No. 15, in clause 34, page 29, line 23, after 'licence', insert '(i)'.

No. 16, in page 29, line 24, at end insert—

'(ii) in relation to a regional Channel 3 licence granted for an area which includes all or any part of Wales, programme schedules for programmes to be broadcast on S4C; and'.

No. 17, in clause 52, page 44, line 27, leave out subsection (3) and insert—

'(3) The Welsh Authority shall secure—

(a) that during any period allocated by them to the broadcasting of a programme not in Welsh, the programme broadcast by them on S4C is normally the same as the programme (or one of the programmes) being broadcast on Channel 4 during that period; and, so far as reasonably practicable, that the re-scheduling of Channel 4 programmes for broadcasting on S4C shall be compatible with the scheduling of those programmes for broadcasting on Channels 4; but this subsection shall not be taken to require—

(i) the simultaneous broadcasting of any programme on both Channel 4 and S4C;

(ii) the broadcasting by the Welsh Authority of any advertisement broadcast on Channel 4;

(b) that there shall be appropriate advance publicity relating to the intended times of transmission of Welsh language programmes and of Channel 4 programmes on S4C.'.

No. 572, in clause 53, page 45, line 8, at end insert—

'(5) Where any programmes provided under subsection (3) each form part of a series of programmes, the Welsh Authority shall ensure that the intervals between those programmes when broadcast on S4C normally correspond to the intervals between them when broadcast on Channel 4.

(6) The Welsh Authority shall publish, in such manner as they consider appropriate, advance notice of the programmes schedules for the programme to be broadcast on S4C.'.

Mr. Robin Corbett (Birmingham, Erdington): On a pont of order, Mr. Deputy Speaker. May I draw to your attention the fact that it was not until lunchtime today that we had Mr. Speaker's final selection of amendments? I am complaining not about the amendments or the new clauses he selected, but simply the mechanics. We are faced with 736 amendments and 36 new clauses, and we have to get them into a form of which we can make use in the interests of a sensible debate. I understand that there is nothing novel in the procedure, but when a Bill attracts so many amendments perhaps the relevant authorities should consider whether it is possible to make the selection a little earlier so that they are available earlier to both sides of the House.

Mr. Deputy Speaker: I understand and sympathise with the hon. Member's complaint, but Mr. Speaker is following the usual practice and procedure in such matters. I understand the difficulty when we have such a complicated Bill which requires many amendments. The hon. Member may feel that his complaint should be brought to the attention of the Select Committee on Procedure, but until then I have no option but to follow the usual procedures.

Mr. Mellor: Since this is the first of a large number of amendments selected on Report, may I be permitted the indulgence of commending the work of the Standing Committee which considered the Bill? However long my time in this place, I do not expect to participate in a more positive or agreeable series of debates than those we had on the Broadcasting Bill. Every member of the Committee played a full and active role.

While I understand that some differences will still be revealed on Report, all hon. Members who participated can take some pride in the achievements of the Committee. The Bill has emerged with much wider acceptance for many of its key requirements than was the case before Committee stage, and that is a tribute to the work of the Standing Committee. I thank all hon. Members who participated for assisting me.

Although it is true that we have a formidable task in front of us, with some 700 amendments, to consider, of which more than 500 are Government amendments, as the hon. Member for Birmingham, Erdington (Mr. Corbett) said, those amendments reflect the hard work of the Committee and are a sign of the success of parliamentary procedures, not a criticism of them. As we debate the amendments I hope to demonstrate that I have sought to honour whole-heartedly commitments I made in Committee. We shall have the opportunity to consider all the issues in detail, and I shall now pass to the details.

New clause 22 honours an undertaking I gave in Committee to require Sianel 4 Cymru to engage in

[Mr. Mellor]

audience research. It is modelled on clause 12, which places a similar requirement on the Independent Television Commission.

I express my particular appreciation of the work of the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) who raised matters relating to S4C. I hope that he considers it a tribute to his persuasiveness that the Government have come forward with a long raft of amendments on the issue, which should tidy up arrangements for S4C. I hope that we have now got them into good shape. I certainly believe them to be acceptable to S4C.

Of the long list of Government amendments, I would draw attention only to No. 263, which gives S4C more flexibility to show Channel 4 programmes which are not necessarily being broadcoast simultaneously to the rest of the country—in other words, to devise a special Channel 4 programme schedule for Wales. That particularly follows points made by the hon. Member for Merthyr Tydfil and Rhymney and is our version of his amendment No. 17, which he may feel he does not now need to pursue.

I should like to accept the hon. Gentleman's amendment No. 572. We quite agree that Welsh viewers should be able to watch a series of Channel 4 programmes in the same orderly sequence in which they were shown originally to English and Scottish viewers on Channel 4, and that they should have reasonable notice of what S4C will broadcast, so that they are not misled by the Channel 4 schedules for England and Scotland. That amendment also has the full endorsement of those who run S4C, whose work I commended in Committee.

The hon. Member for Merthyr Tydfil and Rhymney tabled two other amendments in this group—amendments Nos. 15 and 16. I regard those as a logical extension of the provisions in clause 34 relating to cross-announcements. I accept the purpose and principle of the amendments, but, alas, I cannot accept them entirely as they stand, for drafting reasons. However, I give the hon. Gentleman an undertaking to have them redrafted and introduced in another place, if that is acceptable to him.

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): First, I thank the Minister for the terms and the character in which he moved the new clause and for the support that he has given my amendments. Amendment No. 572 was drafted with his support and assistance.

I should like to set out the context of the amendments. S4C has been a success story within the remit that Parliament gave it some years ago. It was asked to provide a Welsh language station, and that is exactly what it is. It has helped to sponsor and promote talent, ability, imagination and development in Welsh language broadcasting. However, it was never meant to be a ghetto or an exclusive station, since many hours of programmes on S4C are in the English language. The arrangements and particularly the financing of S4C were tied very closely to the station carrying Channel 4 programmes. That is a fundamental condition of the system, and anyone who sought to change it would fundamentally undermine the agreements and arrangements that were made when S4C was established.

Nevertheless, developments have occurred which have made it necessary to build upon and develop the concept of S4C as a station primarily developed to offer Welsh language programmes, but also carrying Channel 4's English programmes. However, we must develop that concept without breaking it. Since the inauguration of S4C, two developments have necessitated the amendments that I tabled and that the Minister has accepted in principle—and in one case, in practice.

First, Channel 4 has turned out to be much more popular than most people thought it would be, with the inevitable result that many people in Wales feel deprived because they cannot see Channel 4 programmes. Therefore, as we move into the 1990s it is essential that S4C takes fully into account that demand and pressure from a large number of people who view Channel 4 through S4C in Wales.

Secondly, as the new director-general, Stanley Geraint Jones, and his team have recognised, there will be growing commercial pressures in the 1990s on commercial television in general and on Channel 4 and on S4C and S4C will have to respond as it cannot afford to be a ghetto in its response to a large viewing public in Wales who do not understand the Welsh language and want to see Channel 4 programmes.

For those two reasons, I argued in Committee that those new pressures and the new context of the 1990s in which S4C will operate must be recognised in statute. That is why I pressed the arguments that are now contained in amendments Nos. 572, 15 and 16. I shall briefly outline the basis on which those amendments were tabled.

As one grows older in parliamentary terms, one's parliamentary posterity grows increasingly modest. I am now down to the thankful pleasure of having drafted an entire subsection of a major Government Bill that the Minister now accepts. I suppose that that is a form of parliamentary posterity, so long as, when my party comes to power, Ministers do not abolish the subsection which I have managed painstakingly to negotiate and which the Minister has accepted with great warmth and spirit. I am grateful to him for accepting amendment No. 572, which we and the Home Office helped to draft.

Amendment No. 572 is important, because it places an obligation upon S4C to schedule Channel 4 series and programmes in an orderly fashion. Frankly, that is where S4C has failed. If the aim of the 1980s was getting S4C off the ground, the aim of the 1990s is getting its scheduling accurate and sensible and coherent. A very popular series, "Golden Girls", was carried on Channel 4 and everyone eagerly looked forward to seeing it on S4C. Unfortunately, it was not scheduled in a consistent and coherent way. That has happened to a number of programmes.

I pay tribute to the Welsh advisory committee of the IBA, which repeatedly stressed to S4C that it was vital that there should be some consistency in scheduling Channel 4 programmes. In subsection (5) of amendment No. 572, we have tried to write in some statutory obligation on S4C to do just that.

Subsection (6) of our amendment—I say "ours" because the Government assisted in drafting it—seeks to ensure that S4C makes more effort to publicise Channel 4 programmes. Again, it is sometimes a matter of hunting for when a series or a serial will start as there may be a considerable gap between the beginning of a series on Channel 4 and the beginning of that series on S4C. There may be perfectly good reasons for that, but there must be consistency and coherence in the way in which S4C broadcasts Channel 4 series and serials.

I am grateful to the Minister for accepting the principle of amendments Nos. 15 and 16, which place upon the commercial television stations in Wales—HTV or any new franchise holder—the same obligation that will be placed on Channel 3 commercial stations to advertise, support and draw to the attention of its viewers what is shown on Channel 4. Therefore, it is absolutely logical that there should be such a statutory commitment. Recently, an agreement has been struck between HTV and S4C on advertising, but it is an agreement for only one year. I believe that it should be a statutory obligation, as it will be for other commercial television stations in regard to Channel 4.

I believe that the amendments are modest, useful and important to the way in which S4C will operate in future. It is looking forward to expanding in Swansea to reach out to its Welsh-speaking audience, but it must reach out increasingly to a large audience of those who could be described as Anglo-Welsh. We have had discussions in Committee, and I believe that we can raise the matter in the context of other amendments and new clauses, about how Anglo-Welsh broadcasting will fit in, and its role for the 1990s.

These are not necessarily the amendments on which to debate that fundamental issue, although they follow the same principle. Whether or not it applies in a commercial station, in BBC Wales or in the new broadcasting formats, such as cable—which we shall have great opportunities to discuss in the next two and a half days—at least the one station established by Parliament to fulfil a specific function—that is, S4C—will seek in the 1990s to reach out to the larger audience and nation that exist beyond the Welsh-speaking community. I am grateful to the Minister for responding so positively to the amendments.

5.30 pm

Sir Giles Shaw (Pudsey): I do not want to detain my hon. and learned Friend the Minister in pressing the provision into the Bill, as it is an excellent amendment. I suspect that his predecessor had correspondence on audience research for television. I must declare my interest as chairman of the Broadcasting Audience Research Bureau, which was set up under the Annan committee, and which comprises the BBC and ITV. Shortly, it will comprise the satellite companies as well.

No statutory requirement is laid on individual companies within the ITV network to proceed with research of the kind introduced by the new clause. The reason for that is that research is to be regarded as a matter for the company itself and not as a matter laid down by the authorities. However, my hon. and learned Friend will be aware of a small problem that occurs when the franchises of individual companies—and, therefore, of the Independent Television Association as a whole—come up for renewal. There is a gap between the statutory continuity to research, and the separate commercial decisions which companies take in their own right and collectively as the ITA to continue with research.

I commend the principle of the new clause. It seeks to establish on a statutory basis that the Welsh authority has a right to see that research is carried out, although that is more in terms of audience opinion than in measuring the number of homes or the intensity of viewing. My hon. and learned Friend will be aware how one cannot be divorced from the other if one wants to establish the pulling power of a programme. Will my hon. and learned Friend briefly take note that the obligation to research is uniquely advantageous to S4C? I commend the idea on a wider scale, if my hon. and learned Friend is considering that.

Mr. Alistair Darling (Edinburgh, Central): I agree with the Minister's remarks. Although about half a dozen issues separate the Opposition and the Government because of their deeply felt views, there is no division on party lines on the vast majority of the Bill. It was to the credit of the Committee that the debate there was always conducted without rancour and in a positive spirit. I am glad that the Minister was able to accept many suggestions, both from the Opposition and from his own Back Benchers. As he rightly said, most of the amendments in this group concern matters that he agreed to look at again, and that is welcome.

I have few comments to make on the group, although I agree with the suggestion of the hon. Member for Pudsey (Sir G. Shaw) that the requirement to ascertain public opinion, which the new clause will lay on S4C, might well be applied to other parts of the television network.

I also want to pay tribute to my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) for his work in Committee and on Report in improving the service offered by S4C. He was right to pay a strong tribute to Mr. Stanley Geraint Jones, the new director-general, and to say that many of the difficulties that S4C had at first are now being tackled. I have no doubt that he will be a credit to Wales and to the service that the channel provides. Some of us who come from another part of the United Kingdom look with envy at what S4C has done in Wales. Perhaps we can learn from its experience. The Opposition can have no quarrel with the group of amendments; it is better to save our fire for the issues that divide us rather than to take up further time on matters that unite us.

Mr. Mellor: I want to respond briefly to my hon. Friend the Member for Pudsey (Sir G. Shaw). A research obligation is placed on other parts of the system as well as on S4C. Although we obviously do not think that it is our task to delineate further what that obligation might be, I am sure that it will lead to the continuation of research work such as that over which my hon. Friend rightly presides with BARB.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 24

POWER TO MAKE COPIES OF RECORDINGS

'.—(1) If a justice of the peace is satisfied by information on oath laid by a constable that there is reasonable ground for suspecting that a relevant offence has been committed by any person in respect of a programme included in a programme service, he may make an order authorising any constable to require that person—

(a) to produce to the constable a visual or sound recording of any matter included in that programme, if and so far as that person is able to do so; and

(b) on the production of such a recording, to afford the constable an opportunity of causing a copy of it to be made.

(2) An order made under this section shall describe the programme to which it relates in a manner sufficient to enable that programme to be identified.

(3) A person who without reasonable excuse fails to comply with any requirement of a constable made by virtue of subsection (1) shall be guilty of an offence and liable on summary conviction to a fine not exceeding the third level on the standard scale.

(4) No order shall be made under this section in respect of any recording in respect of which a warrant could be granted under any of the following provisions, namely—

(a) section 3 of the Obscene Publications Act 1959;

(b) section 24 of the Public Order Act 1986; and

(c) Article 14 of the Public Order (Northern Ireland) Order 1987.

(5) In the application of subsection (1) to England and Wales "relevant offence" means an offence under—

(a) section 2 of the Obscene Publications Act 1959; or

(b) section 22 of the Public Order Act 1986.

(6) In the application of subsection (1) to Scotland—

(a) "relevant offence" means an offence under—

(i) section 51 of the Civic Government (Scotland) Act 1982, or

(ii) section 22 of the Public Order Act 1986;

(b) the reference to a justice of the peace shall include a reference to the sheriff; and

(c) for the reference to information on oath there shall be substituted a reference to evidence on oath.

(7) In the application of subsection (1) to Northern Ireland—

(a) "relevant offence" means an offence under Article 12 of the Public Order (Northern Ireland) Order 1987;

(b) for the reference to a justice of the peace there shall be substituted a reference to a resident magistrate; and

(c) for the reference to information on oath laid by a constable there shall be substituted a reference to a complaint on oath made by a constable.'.—*[Mr. Mellor.]*

Brought up, and read the First time.

Mr. Mellor: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Harold Walker): With this it will be convenient to take Government amendments Nos. 615 to 618, 231, 619, 421, 620 to 622, 234, 623 to 626, 639 to 640, 297 to 299 and 652.

Mr. Mellor: The new clause is important because it fulfils my commitment in Committee on 6 March to recast the provisions in the Bill on police powers to obtain copies of recordings. As the House will see, it involves the deletion in their entirety of clauses 153, 154 and 155 and the substitution of new clause 24. The effect is that, although the police will still have the powers they need to enforce the provisions in this part, the powers will be subject to substantial safeguards. We took heed of the complaints about fishing expeditions, and those dangers have now been fully removed from the arrangements. I shall not go further into the matter, as we had a thorough debate in Committee. I have honoured almost to the letter my commitments in Committee.

Many Government amendments are associated with the new clause. Government amendments Nos. 615 to 618 are intended to clarify the powers of the Independent Television Commission relating to the production of recordings and transcripts by licensees. Government amendment No. 231 relates to a matter which arose in Committee and which should be beyond doubt. It makes it clear that, in exercising its duties under the Act, the ITC will not be required to preview programmes.

Government amendments Nos. 619 to 622 make arrangements for radio licensees to keep recordings of their broadcasts and to produce them to the Radio Authority on request. They mirror the clarificatory amendments to the television provisions.

Government amendment No. 421 reflects my undertaking in Committee. It is a substantive amendment, as there will no longer be a need to retain copies of programmes for 90 days, and they will need to be kept only for 42 days. That will considerably assist the broadcasting organisations. Government amendment No. 234 follows a similar amendment to the television provisions in the Bill. It makes it clear that the Radio Authority will be under no obligation to preview programmes.

Government amendments Nos. 623 to 626 deal with the Broadcasting Complaints Commission. They again deal with the point about 42 rather than 90 days. Government amendments Nos. 635 and 636 reduce the time limit for the submission of complaints about programmes to three weeks to dovetail with the 42-day requirement, the idea being that complaints would be received within 21 days which would allow the Broadcasting Standards Council to act on those complaints within the 42 days for the retention of programmes.

Government amendments Nos. 637 and 638 remove from the jurisdiction of the Broadcasting Standards Council complaints that are the subject of legal proceedings or in which the complainant has a remedy by way of proceedings in a court of law. Government amendment No. 639 follows a further committee undertaking which focuses more sharply the powers of the BSC relating to information it is able to obtain from broadcasters. It is a narrowing of what might have been seen as a too wide provision. Government amendment No. 640 is a drafting amendment.

I hope that the new clause and the amendments will be seen as a sensible acceptance of various points arising from our Committee deliberations.

Mr. Darling: I am grateful to the Minister for having tabled the amendments and the new clause as a result of our debates in Committee. I am especially pleased that, as he said in Committee, he has dropped from the Bill the objectionable provisions which would have allowed fishing expeditions by police looking for material that might have been thought to have contravened any of the relevant Acts. Because of a lack of fleetness of foot in Committee, the provisions were not deleted at that time, so we have had to do so on Report. None the less, the proposal is entirely welcome. The members of the Committee were at one in believing that certain safeguards were needed but felt that it was simply not necessary to give the police powers as wide as those originally proposed.

The other amendments in the group are entirely in accord with the conclusion that we reached in Committee, and we shall therefore not seek to oppose them or to prolong the debate.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 29

FUNCTIONS EXERCISABLE BY IBA BEFORE TRANSFER DATE IN CONNECTION WITH LOCAL SOUND BROADCASTING

'.—(1) It shall be the duty of the IBA to prepare before the transfer date, in the case of each relevant programme contractor, a contract which—

(a) is expressed to be made between the nominated company and the contractor; and

(b) is to come into force in accordance with subsection (3) at such time (if any) as the contractor becomes the holder of a local licence by virtue of paragraph 1(1) in Part IV of Schedule 9 to this Act; and

(c) makes provision for and in connection with the transmission by the nominated company, as from any such time, of the programmes included in the local service provided by the contractor (as the holder of such a licence).

(2) For the purposes of subsection (1) the IBA shall, after consultation with all the relevant programme contractors, draw up a number of different standard forms of contract, and each contract prepared by them under that subsection shall be in such one of those forms as they may determine after consultation with the relevant programme contractor concerned.

(3) Any contract prepared under subsection (1) shall by virtue of this subsection come into force, as a contract between the nominated company and the relevant programme contractor concerned, at any such time as is mentioned in paragraph (b) of that subsection and (subject to the provisions of the contract) shall continue in force for such period as is specified in it, being a period expiring not later than 31st December 1994.

(4) If—

(a) any contract prepared under subsection (1) has not yet come into force, and

(b) the nominated company and the relevant programme contractor concerned agree that it would be more appropriate for them to be parties to a contract which is in one of the other forms of contract drawn up as mentioned in subsection (2), and

(c) the nominated company prepares such a contract as is mentioned in subsection (1) which is in that other form,

subsection (3) shall have effect in relation to that contract as if it had been prepared by the IBA under subsection (1) (and accordingly shall not have effect in relation to the contract referred to in paragraph (a) above).

(5) The IBA shall be deemed to have had power to impose such requirements as have been imposed by them on the various local sound programme contractors with respect to the making of payments to the IBA for the purpose of enabling reductions to be made in relevant charges; and in this subsection "relevant charges" means charges made by the nominated company in connection with the transmission, during the period beginning with the transfer date and ending with 31st December 1994, of programmes which are included in local services falling within any description of such services determined by the IBA.

(6) The IBA shall have power, with the approval of the Secretary of State—

(a) to dispose of any relevant transmitting equipment to a relevant programme contractor; and

(b) to do so for such consideration as they may determine (whether or not it represents the market value of the equipment).

(7) In this section—

"local licence" and "local service" have the same meaning as in Part III of this Act;

"local sound programme contractor" means a person who is a programme contractor by virtue of a contract for the provision of local sound broadcasts;

"relevant programme contractor" means the programme contractor under a contract which, if effective immediately before the transfer date, would be a contract to which paragraph 2(1) in Part III of Schedule 9 applied;

"relevant transmitting equipment" means equipment which has been used by the IBA in connection with the transmission of local sound broadcasts;

and expressions used in this section which are also used in the Broadcasting Act 1981 have the same meaning as in that Act.'.—*[Mr. Mellor.]*

Brought up, and read the First time.

Mr. Mellor: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to take Government amendment No. 482.

Mr. Mellor: The new clause completes the transitional arrangements for independent radio by dealing with the transmission aspects. It gives effect to arrangements that have been agreed by the Home Office, the IBA and the Association of Independent Radio Contractors. It is entirely acceptable to those organisations and I hope, therefore, to the rest of us.

New clause 29 allows the IBA to sell transmission equipment at less than market value to radio companies as part of the arrangements for the transition to the new radio regime. It is part of the cushioning process that most hon. Members seek.

Amendment No. 482 would ensure that any equipment disposed of in that way was not caught by the scheme for the division of the IBA's three successors.

Mr. Corbett: I agree with everything that the Minister said about the Committee stage. We welcome the new clause, which the Minister has introduced to fulfil the undertakings that he gave in our earlier discussions.

Does he envisage that there are likely to be any redundancies as a result of the changes? Has he had any discussions that have led him to a view about whether any redundancies will be voluntary or compulsory? If redundancies are expected as a result of the change in the arrangements, will he encourage the Radio Authority, and, where necessary, the IBA, to give other broadcasting organisations first refusal of the skills of any of the personnel whose jobs disappear?

I know that the Minister accepts that, by and large, the staff are highly skilled. Many of them have long years of experience and could be of great value to other parts of the broadcasting system. It would be a great shame if we allowed their skills to be blown away. I am sure that none of the parties that are likely to be concerned in the change object to the proposal, but perhaps the Minister would be kind enough to draw my remarks to the attention of those concerned.

Mr. Mellor: I know of no reason for any redundancies flowing from the new clause. The privatisation of the IBA transmission system is proceeding well, with full co-operation from all concerned and in a very open spirit. As far as I am aware, there should be no radio redundancies as a result. I believe that, if there were a need for any redundancies in the system as a whole—radio and television—they would be voluntary. As I said, I have no reason to think that the change is proceeding in anything other than a good spirit on the part of all concerned.

I echo what the hon. Member for Birmingham, Erdington (Mr. Corbett) said about the quality of the technicians and other staff whom the IBA employs. They have an outstanding record and I believe that they will work extremely well under the new arrangements. Dr. Forrest, the present head of the IBA transmission side,

[Mr. Mellor]

who has been made the chief executive-designate of the new company, warmly endorses the arrangements, which he believes will open the way to an extremely good future for him and his colleagues.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 1

A NATIONAL NETWORK

'(1) It shall be the duty of the Commission to secure that Channel 3 licence holders operate a network arrangement for the commissioning and scheduling of sufficient programmes from a regional Channel 3 service to be included simultaneously in each of the Channel 3 services.

(2) A Channel 3 licence may include any conditions that the Commission consider appropriate to carry out their duty under subsection (1) above.

(3) The Commission may at any time prior to or after the granting of licences to provide a regional Channel 3 service impose a network arrangement on the Channel 3 licence holders if they deem it necessary to do so.

(4) A network arrangement made by the Channel 3 licence holders or imposed by the Commission shall not be enforced unless the number of hours of programmes commissioned and scheduled from each Channel 3 service are in proportion to the audience of that service and potentially cover all types of programmes.

(5) A Channel 3 licence holder may appeal to the Commission if the licence holder believes that the operation of a network arrangement does not meet the conditions imposed by subsection (4) above; and the Commission shall do everything it can to secure that the conditions are met.'.—*[Mr. Maclennan.]*

Brought up, and read the First time.

Mr. Robert Maclennan (Caithness and Sutherland): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Harold Walker): With this we may take the following:

New Clause 15

BUYING AND SELLING OF PROGRAMMES BY LICENCE HOLDERS—

'—(1) The Commission may give directions to any licence holder requiring him to supply to another licence holder for inclusion in any comparable programme of his any item supplied or originated by the first Commission and the licences between the licence holder and the various licence holders shall contain all such provisions as the Commission think necessary or expedient for ensuring—

(a) that each licence holder will take all reasonable steps to put himself in a position to comply with any directions which may be given to him under this subsection and, when any such directions have been given to him, to enable the other licence holder to include the item to which the directions relate in any comparable programme of his; and

(b) that if financial and other arrangements for the supply of any item in respect of which directions have been given under this subsection are not agreed between the two licence holders, or when so agreed do not receive the approval of the Commission required by virtue of subsection (2), the item will be supplied in accordance with such financial and other arrangements as may be determined by the Commission.

(2) The contracts between the Commission and the various licence holders shall provide that, where items to be included in the programmes of a licence holder are not originated by that licence holder, the financial and other arrangements between the licence holder and the supplier shall require the approval of the Commission—

(a) in all cases where the supplier is another licence holder and

(b) in such other cases as the Commission may from time to time direct;

and directions given for the purposes of this subsection may apply to a licence holder generally or may be different for different licence holders.

(3) For the purposes of this section two programmes shall be regarded as being comparable if either—

(a) both are television programmes, or

(b) both are local sound broadcasts.'.

New Clause 33

NETWORKING

'(1) The Commission may authorise agreements made by holders of regional Channel 3 licences for the purpose of securing co-ordination in the production, supply and scheduling of programmes for regional Channel 3 services.

(2) Any authorisation under this section shall be given by an instrument, published in such manner as the Commission consider appropriate, specifying—

(a) the name of every person party to the agreement, and

(b) such particulars of the agreement as they consider it appropriate to publish,

and may be given for such period as the Commission may specify in that instrument.

(3) The Commission, after affording the parties to an authorised agreement reasonable opportunity of making representations to them, may by instrument published in like manner revoke the authorisation given to that agreement under this section.'.

Amendment No. 705, in clause 16, page 14, line 16, at end insert—

'(dd) that a sufficient proportion of the programmes so included are related, by their source or otherwise, to arrangements authorised by the Commission under section *[Networking]* for securing co-ordination in the production, supply and scheduling of programmes for regional Channel 3 services.'

5.45 pm

Mr. Maclennan: The need for a network was discussed extensively in Committee but, although hon. Members on both sides acknowledged the importance of having an agreement, the Bill makes no provision for such a requirement to be underpinned in statute; indeed, it does not provide for such an arrangement at all.

The importance of a network was perhaps best summed up by TV South which said:

"Each constituent part of ITV would be the weaker without a network. The absence of a network, far from strengthening regionalism in television, would seriously weaken it, by undermining the commercial performance of each individual company, as a result of weaker schedules and reduced audiences. Each company would have greater freedom, but it would be the restricted freedom of the poor. Regional programmes would be marginalised by becoming a low cost ingredient."

The lack of a network would undoubtedly reduce viewer choice. It would harm companies financially and put off advertisers.

Although the need for a network has been acknowledged by us all, there is still some dispute about what type of arrangement we should have and about whether we should have a statutory fallback.

The existing ITV companies are in the throes of discussing a new arrangement that would divide the companies into programme makers and programme buyers. The large and medium-sized companies have all opted to be programme makers. That leaves about five companies that would be programme buyers. In return for giving up their theoretical automatic right to be part of the network, the five non-producers will get discounts on the programmes that they buy. The advantage of such a system is that it could be argued that the smaller companies are being subsidised by the larger ones, especially as their access to the network—although recently improved—is still negligible. But even if such an arrangement were popular with all the companies—and the fact that a final arrangement is still to be worked out shows that substantial problems may remain to be overcome—the question remains whether such an arrangement is the best for a regional television system, which is what Channel 3 is intended to be.

It is undoubtedly true that a few programme makers based on a couple of production sites would constitute a more efficient way of making programmes but arrangements would negate the purpose of Channel 3, which is to provide a showcase of regional talent producing locally-made programmes not just for the area in which they are made but for the whole country.

The production of programmes for the network not only improves standards because it means that local producers have to compete with the best from the major companies; it increases employment, directly and indirectly, if effective use of the region is made.

New clause 1 would require that the number of programmes networked from any region should be proportionate to the local audience of the company. That would be a fair and effective way of ensuring that the smaller companies were not excluded by a cabal of the major companies, especially as the current cabal owes a good deal to its historical importance as well as to its financial clout. Unless there is some protection for the smaller companies, the fact that the programme makers and sellers are the same could act against their interests.

Even if the Government are reluctant to impose anything so regulatory on the companies, it is important that there should be a statutory power for a network arrangement to be imposed if, following the issue of new franchises or takeovers of the companies that have received franchises, there is a breakdown in the arrangements. The commission requires powers to impose an arrangement. The IBA has said that it would welcome such arrangements—certainly during the transitional period.

At the very least, I seek a commitment from the Government to allow a statutory safeguard, without which the concept of regional television may prove difficult to maintain. I look forward to the Minister of State giving a progress report, at least on the state of the negotiations, and hearing what he considers to be the best way to overcome the undoubted problems that remain, a conclusion not having been arrived at.

Mr. John Greenway (Ryedale): New clause 33 authorises rather than imposes a network on the Channel 3 licensees and puts on the licensees an obligation to reach agreement. I looked with care at new clauses 1 and 15, which hark back to the present arrangements whereby the IBA effectively controls the schedule. A fundamental difference of view emerged in Committee. Conservative Members wish to see a free market in the provision of programmes, which does not happen now with IBA control of the schedule, and independent television companies are anxious that that should come about. The problem is that, although the Bill does not require a network to exist, a 15-region television system will not work unless there is some kind of network.

There is no doubt that a network will exist, whether or not we provide for it in legislation; however, it must be right that the financial plans of bidders are crucial to the allocation process and that they are not just a shot in the dark, which is what they would be if bidders did not know how much they might have to invest in and/or pay for network supply. That must be a worry, bearing in mind how little programming each contractor provides now or is likely to provide on his own and how much advertising revenue is generated out of the network schedule. Also, ITC will not be able to vary the financial commitments of contractors.

I am concerned also that some smaller companies may face difficulties in an open market in which their poor bargaining position could mean that they were no longer subsidised, as is now the case, and they might be forced to pay a premium for the network schedule, with new financial constraints on contractors. Every ounce of flesh will be worth getting. Commitments to the Treasury will be entered into and there is a potential unforeseen increase in costs. That could create early difficulties and pressures which might in themselves lead to a decline in regional programming commitments, which we are all anxious to see maintained.

Therefore, the ITC needs a power to approve and oversee a networking arrangement before licences are advertised so that applicants fully understand precisely what their obligations will be for each region. That is why in amendment No. 705 I have suggested that there should be a requirement at the application stage for each bidder to agree to take part in the network arrangement. As everyone who has looked at the matter knows, the current ITV companies are working towards an agreement on a network. For that reason, it may be premature for the House to reach a decision on this matter this evening. In Committee my hon. and learned Friend the Minister of State recognised that an important issue is to be addressed but that the ITV companies should be given adequate time to reach agreement.

Mr. Corbett: I understand amendment No. 705, but what will happen if the present ITV companies are unable to reach a detailed agreement on networking before the ITC advertises new licences?

Mr. Greenway: Amendment No. 705 refers to new clause 33. The two must be taken together. There is a difference of view. Conservative Members believe that there should be the authorisation of a network by the ITC, not the imposition of it, so that the free market can continue.

[Mr. Greenway]

I hope that my hon. and learned Friend will consider my ideas and suggestions. I certainly hope that the House will reject new clauses 1 and 15 because they simply hark back to the present arrangement, which nobody wants.

Mr. John McAllion (Dundee, East): The hon. Member for Ryedale (Mr. Greenway) is correct to say that the Committee was divided on whether a free market or regulation would secure proper networking arrangements for the new ITV service. However, the Committee was united on the need for a networking service on the ITV channels. That would offer a range of benefits, particularly for smaller regional ITV companies. For example, smaller companies could not begin to afford the wide range of quality programmes that are available to them through the network. They could not afford to produce such programmes on their own or to offer access to them. A network gives the opportunity to commission or produce programmes for sale across the network, which companies would otherwise not consider commissioning or producing on their own.

A good example is the Scottish programme "Scotsport", which is produced by STV. Other Scottish regional companies could not possibly afford to match the coverage that is given by STV or, for that matter, BBC Scotland, so they rely on a network for their viewers to gain access to "Scotsport" through the network, and enjoy a top sports programme. The quality of "Scotsport" is enhanced by the existence of the network, because, if STV produced it only for transmission within the transmission area, there would be far smaller audiences, fewer advertisers and less justification for expenditure on the quality of the programme. Everyone would agree that networking is essential, but it is a matter of how we can best secure networking for programmes across the ITV companies.

It is important that we regard television not just as entertainment or a cultural service but as an industry that brings jobs to regions that have been unemployment black spots for far too long. In the Bill there is far too little protection for regionally based ITV companies with film production facilities within their region. For example, clause 15(3) requires applicants, if the commission requires, to show that they have facilities in their area for the provision of the programme requirements set out in clause 16(2). Clause 16(2) requires that a proportion of regional programmes should be made within the particular area of a region.

There was a later concession by the Minister of State that regional news programmes would have to be of high quality, just as national news programmes are of high quality. Obviously, that has a knock-on effect for production facilities in regions. That is welcome and helps to ensure that some facilities will remain within different regions of the ITV network, but it does not go far enough to secure the full-scale production requirements that would be capable of producing high-quality programmes across the range of programme types.

People in the regions want to produce programmes that are not just good local news magazines and not just occasional good regional programmes such as the Gaelic programme on Grampian Television, "Crann Tara", which is purely for local consumption. We want to produce within the regions top-rate programmes across the whole range of programmes for sale across the network. I refer to programmes such as the Scottish soap "Take the High Road", STV's own production of "The Steamie", Channel 4's production of "Bread and Roses" and the BBC's production of "Tutti-Frutti".

The production facilities required to make programmes such as that are not guaranteed in the Bill and could be under threat should some of the smaller regional companies be taken over by their larger sister companies in the ITV network. None of those production facilities will survive if we do not have an effective network that allows programmes to be sold across the whole network to the various ITV companies.

Under the Government's proposals, there could be a gap in effective networking arrangements for the ITV companies. That gap could be sufficient, if it lasted for only a year or two, to allow many production facilities that now exist in the regions to disappear. Should they disappear, they will not return, and we would find ourselves with the situation about which the hon. Member for Caithness and Sutherland (Mr. Maclennan) warned, with production centred in a handful of regional companies selling their productions to the other regional companies.

That is not a development that we want to see. I hope that the Minister will take on board the danger of production facilities in the regions being at risk and that included in the Bill will be provision for effective networking arrangements giving adequate protection for regional companies and production facilities.

6 pm

Mr. Clifford Forsythe (Antrim, South): Because all the regions other than Northern Ireland were represented on the Committee, I am anxious to explain that a networking operation is essential to television in Ulster. As has been said, there is a danger that local television stations will be reduced simply to putting out news and current affairs programmes. We require, particularly in Northern Ireland, a wide range of programmes that are locally produced.

Ulster Television is at present the smallest of the ITV companies. It is essential that we have networking to ensure that international and other programmes are screened in Northern Ireland, for we must have a wide range of television programmes. In view of the special circumstances in Northern Ireland, it is essential that we have a regional television company that can advance the regional view. I support the idea of provision for networking in the ITV operation so as to protect local companies.

Mr. Austin Mitchell (Great Grimsby): I am fascinated by the prospect of the Minister's reply, for I cannot imagine what he will say in answer to such logical arguments about networking. It seems impossible that an ITV or Channel 3—call it what we may—network could work without some provision for networking.

If the Minister intends to reject that proposition, he must explain how anybody will be able to formulate a rational bid in the auction bid situation without knowing what the costs of production will be and how they will be spread around the system in forms of networking. It will be impossible to make financial predictions unless companies know in advance what the system will be.

What would happen if there were no networking system as proposed by the three amendments, the best of which is

the Labour proposal? Would we not be in the situation at the start of the ITV network of having a stand-up, knock-down game of bluff among the companies, each vetoing the others' products until, in the end, by a process of financial attrition, they were forced to come to a networking arrangement?

Sir Giles Shaw: The Minister should need no further persuasion that it is essential to have an effective networking operation to sustain a regional network of 15 television companies. That must be common ground among all who wish to see a flourishing television system operating for Channel 3 services.

Equally, I have sympathy with the view that it would not be suitable for the Independent Television Commission to become a dogmatic fat controller, as it were, determining on which branch lines the schedules should be run. We have evolved over the past 10 years or more an effective networking service that has provided a significant variety, but possibly a lack of opportunity, to some companies that have been knocking at the door of admission to the network arrangements.

So I support my hon. Friend the Member for Ryedale (Mr. Greenway) in seeking a permissive statement to the effect that a network should be, or may be, introduced by the ITC but that it should not become the bedrock of the system under control from the centre. By that means, a stifling bureaucracy would be apparent, some of the consequences of which would be a stifling of regional initiative.

The hon. Member for Antrim, South (Mr. Forsythe) has in Ulster Television one of the finest examples of a company that has been able to sustain, under difficult conditions, a first-class range of programming that would have been driven into the bankruptcy court long ago without adequate networking material being made available.

Mr. Corbett: I assure the hon. Member for Antrim, South (Mr. Forsythe) that matters connected with Northern Ireland were not altogether forgotten in Committee. Indeed, I recall a spirited debate when we were attempting to get the Home Office to fall in line with what the Northern Ireland Office was doing by way of initiatives to encourage the speaking of Irish Gaelic. Whether that pleased the hon. Gentleman I do not know.

There is probably general agreement in the House not just about the desirability of having a networking arrangement but, as my hon. Friend the Member for Great Grimsby (Mr. Mitchell) said, about the critical need for such an arrangement if there is to be sensible bidding for the new Channel 3 licences.

I assure the hon. Member for Pudsey (Sir G. Shaw) that it is not a question of anybody on the Opposition Benches or of Conservative Members wanting the ITC to turn into what he described as a fat controller of schedules. The days when it was felt that we needed the IBA or a successor body to crawl over every schedule minute by minute, day by day, week by week has long since passed, if for no other reason than that the broadcasters know more about what they are doing than when the system was introduced.

That said, and given the agreement among hon. Members about the need for a networking arrangement, it is curious that the Bill does not make provision for that, mostly for the reasons that the hon. Member for Ryedale (Mr. Greenway) gave. It is claimed that the free market will sort it out, that common sense will prevail and that all will fall into place. I expect that to be the case—because of the collective interest in the matter—but it may not turn out to be the case. In any event, the parties to any networking arrangements that now exist may not in all cases be the same parties after the new Channel 3 licences have been awarded.

The largest company of the present ITV companies makes fewer than 30 out of every 100 of its programmes, whereas the smallest makes only five out of every 100. I am not complaining about that, simply showing the width of interest in the network. I suppose in a sense that the smaller the station, the more important is the network to it, so that it is better able to gain an audience in its region than it could hope to attract on the back of its own programming.

The Independent Television Companies Association sees the main justification of networking as enabling 15 regional companies to function as a single, nationwide rival to the BBC. Some of us take the view that the strength of the ITV system lies, or should lie, in the regions and that there should be more, rather than less, programmes made and shown in the regions and networked so that region may speak unto region. I understand the point that the ITA makes.

We now begin to part company. The Opposition take the view that the ITC should not simply have powers to okay a networking arrangement which may, and probably will, be entered into. It should have powers, in the absence of agreement, to ensure that there is such an arrangement which could be open to later amendment. I understand that at present there is a plan but no agreement. The plan is this: the big five have proposed that they should make all the programmes for the network and that the smaller 10 should cough up and show them. That is not acceptable to the middle five, and rightly so. They want to make some programmes for the network. To confine the making of network programmes to the present big five would not be good for the rest of the network. In effect, it would create first and second class programme makers. Inevitably the bulk of them would be made in London and the south-east. It would also mean that fewer true regional programmes—that is programmes not just from the regions but about the regions—would be made which could be networked.

It is important that the ITC has powers in the Bill to encourage and achieve a sensible networking arrangement. The Government have said that they want that and, as the ITA has said, the Bill should reflect those wishes. The IBA makes the point that the quality and range of network programmes would suffer if each of the Channel 3 companies had to supply all its own programmes. No one proposes that each, any or all of the Channel 3 companies would have to supply all its programmes. As we have agreed, the network is vital to the whole system. Certainly the network is vital to the more expensive programmes such as costume and other drama, current affairs, documentaries and comedy, some of which, although in my view not enough, reflect the realities of life outside the capital where far too much is already centred.

Of course, the ITC will not be a broadcaster in the same way as the IBA and it will not crawl all over the programme schedules and networking arrangements. However, it needs powers to ensure that a system is in place which guarantees both quality programming and —a point with which the Minister will agree—a

[Mr. Corbett]

networking agreement which is fair and open. The networking arrangements that we had in the past would not pass the tests of fairness and openness for all the reasons that we understand and some that we shall never understand.

With regard to the Government's "exceptional circumstances" and the so-called quality test, the ITC will want to know about networking to guard against over ambitious claims by bidders. The IBA has proposed that provision be made in the Bill for a transitional network to be put in place from January 1993—the beginning of the new Channel 3 licences—for two years, or less if the licensees and the ITC have agreed an arrangement in keeping with the programme promises of the applicants. As the IBA argues, that is important as ITC adjusts to the new circumstances of Channel 3 and the other changes that are to come throughout broadcasting—the Minister and his supporters would probably prefer to call it the broadcasting market but we have not come that far yet. The Minister and, indeed, the Government will accept many of those arguments, especially the argument about not only the importance of but the critical need for a network arrangement to be clear, in place and agreed to help the ITC in the allocation of the new Channel 3 licences. I hope that the Government are persuaded that it is right to turn those ambitions into words in the Bill.

6.15 pm

Mr. Mellor: There is no great division between us on these matters. I certainly believe that Channel 3 could not possibly fulfil its remit or win the audience share that it will need to win to be financially viable unless there is a networking arrangement. There is no disagreement on that. The difficulty pertinently expressed, as so often, by my hon. Friends the Members for Pudsey (Sir G. Shaw) and for Ryedale (Mr. Greenway) is how we can best create a networking arrangement. For far too long the ITV system depended on a networking arrangement that emerged in the 1950s as a defence mechanism against arguments that the ITV system could not sustain a national programme service. The big five arose and did not retire from the scene anything like quickly enough.

The consequence of centring the arrangements on the big five was an increasing awareness both within the system and outside it that the big five were an unfair cartel. Many of the views expressed in the debates reflected the fetid atmosphere of that cartel, which has long outlived its useful purpose. Apart from any other reason, the big five are no longer the biggest five. That made the whole arrangement even less relevant. It was obvious that some companies could put programmes on the network because of their position within the magic circle that would not have been included if they had been suggested by other companies whose rather better product was kept out. That raised competition issues.

The companies themselves are aware of the deficiencies in the present networking arrangements and propose to make changes. The changes are still in the process of negotiation, but they are based on a volunteer principle of opting in or opting out. I understand that about 10 companies wish to opt in and become to some extent programme makers. Five companies are happy to be programme receivers, subject to their regional obligations. That is how matters stand at present.

Several good points have been made in the debate. The hon. Member for Dundee, East (Mr. McAllion) referred to the need for local production facilities. He will be aware that in the Bill we have strengthened the regional requirements. As a result of changes that we signalled in Committee—we shall come to the amendments later—we shall require that any applicants for a regional franchise should state what programme-making facilities they propose to provide in the region so that everyone knows where he stands.

The hon. Member for Antrim, South (Mr. Forsythe) mentioned Ulster Television. I have had meetings with Brum Henderson and his team. They know that we are committed to Ulster Television and a television franchise for Ulster. It is not a matter for me, but it would probably mean the continuation of Ulster Television. It will depend on the decision to be taken on the allocation of franchises. Clearly particular care must be taken in scrutinising applications for the Ulster franchise because of the need for programming that is sensitive to the needs of both communities. Personally, I believe that Ulster Television has done a good job, but clearly it could not exist if it did not receive many good programmes from elsewhere in the system.

So far so good. The difficulty comes when we turn to the issue of how to arrive at a networking arrangement. The Opposition new clause in effect proposes that the ITC should be a programme-scheduling supremo for all its licensees. No licensee would be able to draw up a programme schedule or enter into a contract to acquire a programme without first clearing it with the ITC. That gives the ITC a greater and more interventionist role in these matters than either the present IBA or the Cable Television Authority.

I understand that the hon. Member for Birmingham, Erdington (Mr. Corbett) is using the new clause quite properly to discuss the issues. I suspect and hope that he is not wedded to the arrangements that he proposes, which would be excessively interventionist or, as my hon. Friend the Member for Pudsey said, excessively bureaucratic.

The Government have also had to reconsider their view. Our view is that in the end the matter must turn on sensible arrangements between the programme companies. After all, they have everything to gain from sensible networking arrangements and everything to lose if there is not a proper network. It is they who would be unable to sustain a popular national channel, which Channel 3 must be. The responsibility for networking should be placed firmly on the programme companies, but that does not answer the key question of the transition. That is the point rightly emphasised by various hon. Members. Plainly the ITC has the difficult but vital role of finding which pegs to fit into which holes. Obviously the holes in the system will be of different sizes, reflecting the inevitable difference of size between franchises.

The issue for us to decide is whether there should be transitional arrangements, and what they should be—whether the ITC can rely just on the emergence from present discussions of a successful new networking arrangement or whether it should have the right to determine those matters, or have them determined by others, for a transitional period, perhaps two years into the new licence, so that everybody knows where they stand

and start off from a sensible position from which they might move as a result of discussions and agreements. We should certainly shoot ourselves in the foot if we allowed to be made a new networking arrangement that became as difficult to shift as the previous one, which has long outlived its usefulness.

We acknowledge that Channel 3 licensees must be given an idea of how the network is likely to shape up. That is why we shall require the ITC to issue illustrative guidelines on programme types, and expect them to include within that guide a model network scheme. Moreover, the ITC will be able to ensure that any network arrangement subsequently agreed by Channel 3 does not discriminate against the smaller licensees through is powers, under clause 2, to ensure fair and effective competition. Those are important provisions already contained in the Bill. The key issue is whether the ITC should, in effect, have a statutory power to approve networking arrangements and should it be able to acquire a transitional networking arrangement to which it would work and expect the new licensees to work.

It has been possible for my colleagues and I to resolve most of the matters left outstanding, the loose ends left untied, in Committee. The fruits of that work will be obvious to those who have looked at the Government amendments. Unfortunately, it has been impossible to resolve all the problems. One that remains the subject of discussion with colleagues is the precise shape of the transitional arrangements. I am firmly of the view that there must be transitional arrangements. That is an important point that might influence the view of those who have to decide whether to press the new clauses to a vote. I hope that they will feel that they do not need to, first, because of what I have said about the illustrative guidelines and other arrangements that already exist, and, secondly, because it is a live issue. The illustrative guidelines and other arrangements will give the ITC the power to give would-be franchise holders a clear steer.

The issue of transitional arrangements turns on whether or not they should be for the ITC or the Office of Fair Trading—bearing in mind that it is essentially a competition matter—and what the balance should be between the fair trading and competition aspects of the matter and the ITC. Hon. Members will recognise, particularly those who study such matters with care, as most present do, that one of the difficult issues of detail with which we have had to deal is how far the ITC, as the regulator, should regulate competition issues and at what point it should hand over to the OFT and those charged with the responsibility for more broadly based jurisdiction over competition issues. I am sorry that I am not in a position to resolve those matters conclusively this afternoon, but there is a strong case for transitional arrangements in the Bill. It is their shape that is still the subject of further discussion.

Mr. Austin Mitchell *rose*——

Mr. Mellor: I shall give way to the hon. Member for Great Grimsby (Mr. Mitchell), who was curious about what I would say. I hope that I have satisfied his curiosity. Knowing that he would be among those present today, I was curious to know whether we would have had a better Committee stage had he been on the Committee. My verdict is very much in the balance, and we must wait and see.

Mr. Mitchell: I was not on the Committee because my party thought that I would better serve its cause doing something else—that is, nothing.

The Minister's explanation does not satisfy me. Although he is coming towards us, as on so many other issues, he is doing so in a vague and inchoate fashion. The arrangements are vague and hypothetical and deal with models and hypothetical guidelines. Companies are being asked to put in bids of millions of pounds, and need detailed and clear financial calculations and a firm basis on which to make them. All they are being offered are models, hypotheses, suggestions and guidelines. Surely that is not good enough to put a rational, calculated bid into the Government's auction. If it is not good enough, shall we not see a contest in which it is not the market that decides but a system emerges in which muscle counts and companies try to beat each other down?

Mr. Mellor: The hon. Gentleman is being less than fair because it is absolutely clear that there has to be a networking arrangement; it is far less than clear whether or not it should be the ITC's duty to determine that and be the programme scheduler for the system, and whether that would necessarily lead to the emergence of a good, competitive Channel 3 or whether it would inhibit it. That is a question on which people equally committed to making the new system work and assisting potential franchise applicants may well agree to differ.

It is quite clear in the Bill that the ITC will be able to send out a formidable set of guidelines to would-be applicants who, if they fail to bring themselves within the guidelines, would be in grave risk of failing the quality threshold. So far so good. The question then is if, as I believe, there is a case for having a transitional arrangement that can be prescribed and the framework for which would have to be in the Bill, who will police it? Should it be policed primarily by the ITC or the OFT? Those matters are still the subject of discussions. I am unable to come forward with a concluded view, but that is exceptional. For the most part, we have been able to reach conclusions on many of the issues.

There is no division between us on the need for a networking arrangement, only how it might best come about. There is no dispute on the need to massage that difficult transitional period in the interests of giving the ITC——

Mr. Bruce Grocott (The Wrekin) *rose*——

Mr. Mellor: I have spotted the hon. Gentleman, so he need not worry—in the interests of giving the ITC and prospective franchise applicants a fair chance to do the proper job that we want them to do in weighing up the various quality bids. That is where matters stand.

Mr. Grocott: The Minister has been critical of present networking arrangements. They have not been perfect, but I think he would agree that they have produced outstanding programmes. We are in great danger of putting such programming at risk. He is asking us to take it all on trust and somehow a networking arrangement will come about, but what if that does not happen? What policing does he envisage if there is a free-for-all between the new companies? The new system is so unpredictable that there is no guarantee against a free-for-all. Therefore,

[Mr. Grocott]

what guarantees can he give us that there will be a networking arrangement under the proposals that he has in mind?

Mr. Mellor: The best guarantee is that it is impossible to envisage Channel 3 without a networking arrangement. We must not assume that those who will be running Channel 3 are too foolish to recognise that. I believe that they do. The hon. Gentleman should remember that the issue is who should call the shots on the arrangement. He commends the old arrangement—fair enough—but he should remember that it emerged by agreement between the companies and was not imposed on them. I am arguing against the need for the ITC to impose a networking arrangement on them.

The old magic circle of five kept out many companies that had a proven capability to make programmes, and those companies resented that and squealed about it. Many other people saw the force of that. That is why there is a competition issue involved, and the key question is what role should we assign to the ITC, and what role to the OFT and fair trading regulations more generally. That is the difficulty we have to resolve.

I think that the hon. Member for Great Grimsby is right. In the longer run it would be best to leave it to the companies to determine these matters, as they determined the earlier ones, subject to the right of intervention on competition grounds. By the way, clause 2 gives that right to the ITC, as well as to OFT, on the basis of ensuring fair and effective competition.

What particularly exercises my mind is the need to massage the transition from one set of franchise holders to the next by virtue of setting out a clear networking arrangement for a transitional period. We are still deliberating within Government on that issue. I am sorry it has not been possible to conclude those discussions for the Report stage. Of course, it will have to be scrutinised in the other place and we will have plenty of opportunity to consider the matter when the Bill comes back, so we are not attempting to keep the House out of the discussions.

6.30 pm

Sir Giles Shaw: My hon. and learned Friend has reassured the House. He has agreed that there is a need for a transitional arrangement which will provide a networking arrangement which would be viable for the ITC and at least prospective for every bidder. May I encourage him to recognise that the context in which the cartel became such an obvious restrainer of trade was largely the monopoly of ITV? There will be a much broader competitive base for television than in the past. That in itself will make the market easier. I certainly commend the view expressed by my hon. and learned Friend that ITC should not be the arbiter of what is anti-competitive. The Office of Fair Trading should be the regulator where the market will be more widespread than before.

Mr. Mellor: I am grateful to my hon. Friend. The debate has been helpful. I am sorry that I cannot finally make a categoric statement on how the Government propose to manage the transition. I hope that I have shown sufficient recognition of the problem that those who tabled the new clauses will not feel that they need to press them to a vote.

Mr. Corbett: I have listened with interest to the Minister——

Mr. Deputy Speaker (Sir Paul Dean): Order. I understand that the hon. Gentleman has already spoken, so he will need leave to speak again.

Mr. Corbett: I beg your pardon, Mr. Deputy Speaker. With the leave of the House, may I say that I have listened with care to what the Minister said. I must confess to being puzzled. I should have thought that an expression of view on one or other of the proposed new clauses might have concentrated the minds of the present ITV licence holders and encouraged them to come up with the voluntary arrangement which the Minister supports, certainly as a transitional arrangement. We are left with the dilemma that, without something along those lines being written into the Bill, the best that can happen is that the ITC can give a clear steer. I do not think it satisfactory to leave matters in that way.

The Minister and some of his hon. Friends have exposed a difference between us, and it is well to have it out in the open. In our view, this is not a matter of competition policy. There is a competition aspect to it in the sense that any networking arrangement ought to be open and fair. In one breath the Minister is talking about the present rotten arrangement, which at least is voluntary, yet he wants to leave the companies to get on with it so that they may come up with something better. In the trade that is known as an each way bet.

I understand the narrow point about competition aspects, but essentially it should not be about competition policy. It is all to do with the quality of what people can see on their television screens. The quality of range and diversity which we should look to a networking arrangement to deliver will come only on the back of proper funding and proper investment in training and facilities, and in proper investment as well in the new writers who, we hope, will be increasingly attracted to use the medium. The Minister will recall that I have a narrow, vested, sordid family interest in these matters, but I put it in a much wider context. Not a few of those whose works appear regularly on our television screens have been encouraged by initial amounts of development money from television companies, some quite properly in the ITV sector. It is rare that someone can deliver a script and have it accepted straight away. That is why it is much more a matter of quality investment than one narrow aspect of competition policy.

I had hoped that the Minister would look favourably upon one or other of the new clauses, the better to encourage a voluntary arrangement which would have to be overseen by the IBA in the process of awarding the licence. I am sorry that the Minister has not chosen to do so. I anticipate that the hon. Member for Caithness and Sutherland (Mr. Maclennan) will have something to say on the matter.

Mr. Maclennan: I listened with great interest to the Minister. He has taken discussion of the matter a good deal further—although not, I regret, to conclusion. It is remarkable that we should allow the Bill to depart from this House to another place with no real certainty about

what is regarded by the chairman-elect of the IBA/ITC, Mr. George Russell, as a matter of crucial importance to the success of the new scheme.

We have had a direct plea for a transitional arrangement and a positive response from the Minister on the need for such an arrangement, but a new idea has been floated today that that should involve the Office of Fair Trading, perhaps. I find that disturbing. It would not be likely to ease the task of the new regulatory authority if another regulatory body could inject its thoughts into the extraordinarily difficult task of allocating franchises to set up the new Channel 3. It would be a colossally difficult complication for the ITC, and perhaps not one on which the Office of Fair Trading could bring any expertise to bear in seeking to decide the competition aspect.

The hon. Member for Birmingham, Erdington (Mr. Corbett) is right: it is not primarily a matter of competition policy; it is a matter of making sure that the most appropriate programmes are made regionally and seen nationally. Although there are competition issues, they are secondary. I hope that the Minister will have that in mind in deciding whether or not the Office of Fair Trading should be involved.

I do not altogether hold it against the Minister that he has not come forward today with a final scheme. I think that he had been looking to the companies to provide him with a scheme. The very fact that they have not done so makes it clear how difficult it is and how important that it should be got right. I think that the ITC will need a fallback power if the companies do not come up with something. It may be needed beyond the transitional period which the Minister seems willing to concede. That may be needed to ensure that the cartel, which the Minister clearly did not like and about which he spoke disparagingly, does not re-emerge.

It was interesting to hear the Minister talk about the possibility of the ITC utilising the guidelines as a means of giving a steer in the matter. I suppose it is possible that the commission could use its powers to attach conditions to the granting of a franchise licence which, in effect, set up a network arrangement. However, that would not be a desirable way to approach the matter. It is better to look at such things in the round and for the ITC to take a proposal only as a fallback in the event of the companies not being able to agree something themselves. I hope that, by putting this clear support to a transitional arrangement on the face of the Bill, the Minister is not at the same time setting his face against a fallback power to set up a network arrangement in the absence of such an arrangement being agreed to the satisfaction of the ITC.

Because of the importance of this matter, and as this may well be the last opportunity that the House has to deal with it, it is necessary for us to register our concern by dividing the House. The Minister may be right, and perhaps there will be delivered from another place an amendment that gives us the opportunity to discuss the matter again. However, we may not have such an opportunity, and we must send a signal to the other place that we attach great importance to this. We must also send a signal to the companies that, if they do not come up with a satisfactory arrangement, it is imperative that an arrangement be imposed upon them.

Mr. John Greenway *rose*——

Mr. Deputy Speaker: Order. The hon. Gentleman has spoken and he would need the leave of the House if he wished to speak again.

Mr. Greenway: By leave of the House. I shall be brief. I am disappointed that the hon. Member for Caithness and Sutherland (Mr. Maclennan) seeks to divide the House, because the commitment given by my hon. and learned Friend the Minister shows that he recognises that there must be a network arrangement. It would be better to allow further progress on the discussions to which my hon. and learned Friend referred.

Question put, That the clause be read a Second time:—
The House divided: Ayes 159, Noes 282.

Division No. 193] **[6.42 pm**

AYES

Allen, Graham
Anderson, Donald
Armstrong, Hilary
Ashley, Rt Hon Jack
Ashton, Joe
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beith, A. J.
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Tony
Blunkett, David
Boateng, Paul
Boyes, Roland
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell-Savours, D. N.
Canavan, Dennis
Cartwright, John
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Crowther, Stan
Cryer, Bob
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Duffy, A. E. P.
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Ewing, Mrs Margaret *(Moray)*
Fearn, Ronald
Fisher, Mark
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Forsythe, Clifford *(Antrim S)*
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
George, Bruce
Gilbert, Rt Hon Dr John
Golding, Mrs Llin
Gordon, Mildred
Gould, Bryan
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Heal, Mrs Sylvia
Hinchliffe, David
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howells, Geraint
Howells, Dr. Kim (Pontypridd)
Hoyle, Doug
Hughes, John *(Coventry NE)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kilfedder, James
Kinnock, Rt Hon Neil
Lewis, Terry
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
McAllion, John
McAvoy, Thomas
Macdonald, Calum A.
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
Maclennan, Robert
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Martlew, Eric
Maxton, John
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Mitchell, Austin *(G't Grimsby)*
Molyneaux, Rt Hon James
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Mowlam, Marjorie
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin

Orme, Rt Hon Stanley
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Radice, Giles
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Robertson, George
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Sedgemore, Brian
Sheldon, Rt Hon Robert
Skinner, Dennis
Smith, C. *(Isl'ton & F'bury)*
Smyth, Rev Martin *(Belfast S)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steinberg, Gerry
Strang, Gavin
Taylor, Mrs Ann *(Dewsbury)*
Turner, Dennis
Vaz, Keith
Walker, A. Cecil *(Belfast N)*
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Watson, Mike *(Glasgow, C)*
Welsh, Michael *(Doncaster N)*
Wigley, Dafydd
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy

Tellers for the Ayes:
Mr. Frank Haynes and
Mr. John McFall.

NOES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amery, Rt Hon Julian
Amess, David
Amos, Alan
Arbuthnot, James
Ashby, David
Aspinwall, Jack
Atkins, Robert
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beaumont-Dark, Anthony
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Blaker, Rt Hon Sir Peter
Bonsor, Sir Nicholas
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buchanan-Smith, Rt Hon Alick
Buck, Sir Antony
Budgen, Nicholas
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Hon Alan *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cormack, Patrick
Cran, James
Critchley, Julian
Currie, Mrs Edwina
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Dykes, Hugh
Eggar, Tim
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fairbairn, Sir Nicholas
Favell, Tony
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forth, Eric
Fowler, Rt Hon Sir Norman
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Sir Alan
Goodhart, Sir Philip
Gorman, Mrs Teresa
Gorst, John
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Hague, William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Hordern, Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Rt Hon David *(G'dford)*
Hughes, Robert G. *(Harrow W)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Janman, Tim
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
Key, Robert
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Lamont, Rt Hon Norman
Latham, Michael
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lightbown, David
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Luce, Rt Hon Richard
Lyell, Rt Hon Sir Nicholas
McCrindle, Robert
Macfarlane, Sir Neil
MacKay, Andrew *(E Berkshire)*
Maclean, David
McNair-Wilson, Sir Michael
McNair-Wilson, Sir Patrick
Madel, David
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Maude, Hon Francis
Maxwell-Hyslop, Robin
Mellor, David
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Morrison, Sir Charles
Moss, Malcolm
Mudd, David
Neale, Gerrard
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Parkinson, Rt Hon Cecil
Patnick, Irvine
Patten, Rt Hon Chris *(Bath)*
Patten, Rt Hon John
Pawsey, James
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Raison, Rt Hon Timothy
Redwood, John
Renton, Rt Hon Tim
Riddick, Graham
Ridsdale, Sir Julian
Roberts, Wyn *(Conwy)*
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Ryder, Richard
Sackville, Hon Tom
Sayeed, Jonathan
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stradling Thomas, Sir John
Sumberg, David
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waddington, Rt Hon David
Walden, George
Walker, Bill *(T'side North)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen

Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Woodcock, Dr. Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Alastair Goodlad and
Mr. Tony Durant.

Question accordingly negatived.

New Clause 8

FINANCING OF EDUCATIONAL PROGRAMMES OUT OF TELEVISION EDUCATION FUND

'(1) The Secretary of State shall, for the financial year beginning with 1st April 1992 and each subsequent financial year, pay to the Commission such amounts as he and the Commission, with the approval of the Treasury, determine to be appropriate for the purposes of this section.

(2) Any amount received by the Commission under subsection (1) above shall be credited by them to a fund established by them under this section, to be known as the Television Education Fund.

(3) The fund shall be under the management of a committee appointed by the Commission for the purposes of this section and section 31 and shall be applied by the Committee in the making of grants to finance the making of educational programmes intended for schools, for continuing education for adults and for connected purposes.

(4) When making any grant out of the fund pursuant to subsection (3) the Committee may impose such conditions as they think fit.

(5) The persons appointed to be members of the Committee shall be such as the Commission may determine; but the Commission shall, when making any such appointments ensure that a majority of the members are persons with a knowledge of children's and adult education.

(6) The terms of the appointment of the members of the Committee shall be such as the Commission may determine; and in the case of any members of the Committee who are neither members or employees of the Commission, the Commission may:

(a) pay to them such remuneration and allowances, and
(b) pay or make provision for paying to or in respect of them such sums by way of allowances, pensions or gratuities, as the Commission may determine.

(7) Any expenses incurred by the Commission either under subsection 6 or for salaries of Commission employees whose services have been furnished to the Committee, shall be defrayed out of the fund.

(8) As soon as possible after the end of each financial year to which subsection (1) applies, the Committee shall prepare a general report of their proceedings for that year and transmit it to the Commission.

(9) Any sums required by the Secretary of State under subsection (1) shall be paid out of money provided by Parliament.

(10) In this section "the Commission" means the Independent Television Commission.'.—*[Mr. Maclennan.]*

Brought up, and read the First time.

Mr. Maclennan: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Paul Dean): With this we may take Government amendment No. 655.

Mr. Maclennan: There was a valuable debate in Committee, when all sides agreed on the importance of educational programmes. The new clause is designed to strengthen the provisions that have already been made to ensure that education forms an important part of the programming of the Channel 3 companies.

Educational programmes act not only as a stimulus for children, but as an important teaching aid for teachers. It is a medium that children can understand and appreciate. Most schools now have television, even if they are short of books or staff. A poll has shown that 12 per cent. of primary school teachers and 8·5 per cent. of secondary school teachers consider television central to education.

The Government have already acknowledged the importance of educational programmes by their amendments, which are a welcome strengthening of the Bill. However, we must recognise that educational programmes are costly to make, because they have a limited appeal to advertisers. I think that it would be appropriate to establish a fund to provide additional support for the programme makers, to ensure that provision for them is not skimped. That could be done along the lines already provided for in the Bill, such as for the promotion of Gaelic.

My new clause follows the structure of the provisions for Gaelic in some detail. Its purpose is to prime the pump for the production of educational programmes. As with Gaelic, the money would be expected to be in addition to the money made available by the companies. The new clause is, I think, self-explanatory, and I hope that it will commend itself to the Minister.

Mr. Mellor: I commend Government amendment No. 655, which is attached to new clause 8. It is the Government's response to the concern that "outreach" materials should be made available to schools by the television channels providing schools programmes. The amendment would have that effect, and I commend it to the House.

I am grateful to the hon. Member for Caithness and Sutherland (Mr. Maclennan) for the manner in which he put the case for his new clause, and for the brevity of his remarks. He knows that I attach importance to both aspects of education on television: first, schools programming, which clause 31 specifically requires, and, secondly, continuing educational programmes that are an established part of the television scene. They will, in particular, be part of the remit of BBC2 and Channel 4, but will continue to have a place on Channel 3, because the ITC, in the strong guidance that it will give to franchise applicants, will be able to say that it expects to see reflected the broad range of programmes presently available on the ITV system. I was heartened by the fact that the ITC has specifically said that, as we have added religious and children's programmes to the specific requirements of Channel 3, it sees no need for additional programme types to be specified.

7 pm

I am also sure that the ITC will want to consult with others outside to make sure that the programmes broadcast are as helpful and relevant as possible and take account of up-to-date policies and techniques. My disagreement with new clause 8 is that the structure of the arrangements should be a matter for the ITC and the licensees, not one that we should particularise in the Bill.

I see no reason for thinking that good quality programmes cannot be funded in the way that they presently are. The danger of agreeing to an education fund

is that we might then find an unanswerable case for a television drama fund or a television children's programmes fund. If I really believed that we would not have educational programmes without making some changes in the fianancial arrangements, I could well imagine wanting to think about an education fund, but because I have no evidence that would suggest that there was likely to be any difficulty in handing the baton on from one group of licencees to the other with, if anything, a rather firmer statutory framework than we propose, the case for the fund has not been made out. I hope that the hon. Gentleman will feel able to withdraw the new clause.

Mr. Mark Fisher (Stoke-on-Trent, Central): This brief debate has replicated one in Committee. Once again, the Minister has been enormously sympathetic to the good points made by the hon. Member for Caithness and Sutherland (Mr. Maclennan) but has missed the essential thrust by confusing education with schooling. Government amendment No. 655 and the way in which the Minister answered the hon. Gentleman's case show that he believes that this is a matter of whether schools programmes can be properly balanced and resourced. In doing so, the Minister misunderstands the new clause and our arguments in Committee.

The Opposition believe that education is more than just schools programmes. There is also continuing and further education. When Lord Reith identified education, along with information and entertainment, as one of the three main purposes of broadcasting, he was not just referring to its contribution to school education; he was talking about the way in which broadcasting can widen all our minds throughout our lives. That is the responsibility that broadcasters should bear in mind, and the Government should be helping them to do so in the Bill.

Amendment No. 655 is fine as far as it goes and I am glad that it mentions the use of materials and resources, but I hope that the Minister will understand that more is needed in that respect. Education officers employed by the ITV companies do far more than just provide programmes and publish back-up material. They work with local education authorities and put on conferences. They have a menu of work and initiatives and liaise with education authorities. Their work is invaluable and backs up and informs the materials and programmes referred to in the amendment. I hope that the Minister understands that.

As we said in Committee, every ITV company has an education officer and many big ones employ two, but after the next round of franchises I fear that there will be an enormous reduction. I shall be amazed if all ITV companies have that range of senior, well-paid officials. I hope that they will have them, and I would encourage them to have them, but I fear that they will not.

We are not just talking about schools. Broadcasting can contribute to the quality of life in the 1990s and help us to close the gap that many people perceive is already widening between ourselves, West Germany and France in the quality of our education, not just in schools and colleges but throughout our population, if we are to become an intelligent and educated democracy in the 1990s in a way that we are not now. We cannot leave that to schools and colleges. Broadcasting has a central role to play in improving education and the attitude towards education in our society. The fund is an interesting and imaginative idea, and the Minister's response is not fully in tune with the proposal or the challenge of education. He is still confusing that with the narrow but important area of school education.

There is time for the Government to reconsider the matter and I hope that they will take up the debate in another place. When the Bill comes back to this place, I hope that the Government will have accepted the fairly non-contentious—in party-political terms—case that we are making. The education responsibilities that broadcasters must have placed upon them go far beyond the school room. That is the burden that they should be carrying in the 1990s. That is a positive remit for education and for broadcasting in the 1990s. I hope that the Government will think again and will accept the proposal at a later stage.

Mr. Maclennan: I thank the Minister for his reply, and I am glad to welcome his amendment, but I regret that he has not seen fit to commend my new clause. He is unduly sanguine in believing that the quality of educational programmes can be assured by the regulatory requirement that education shall figure in the programme mix advanced by the would-be franchise holders.

I have no doubt that the ITC will look for educational components in the programmes, but the Minister has failed to recognise—it was implicit in earlier debates—that operating in the new, more competitive market means that programme makers and companies will have to look much more carefully, and will look much more carefully, at programmes which do not attract audiences in which advertisers are interested.

This is not just a matter of carrying forward good standards of educational broadcasting. The hon. Member for Stoke-on-Trent, Central (Mr. Fisher) is right in saying that we are talking not just about schools but about further education throughout life. It is a bit over-optimistic to assume such good standards in the new world of broadcasting into which we are moving unless specific assistance of a non-commercial kind is made available.

I acknowledge that there is some danger in setting up funds for this and that aspect, but education is probably the area where there would be the most complete agreement on the importance of maintaining standards.

I acknowledge that the debate is not new, but it is a pity that the Minister has not felt able, on reconsideration, to accept the new clause in principle. I hope that he is right that the mere regulatory requirement for educational programmes will achieve what he hopes to achieve, but I must express considerable doubt that it will.

I was not proposing necessarily large sums of money. The fund would have entirely open-ended. A number of different sources could have contributed to it. I think that such a fund would have commended itself to those who care about education. I have heard what the Minister said and I can say no more.

Question put and negatived.

New Clause 12

CHANNEL 5 REMIT

'As regards the programmes (other than advertisements) broadcast on Channel 5 it shall be the duty of the Commission to ensure—

(a) that for part of the broadcasting time, the service offers regional programmes for such number of

regions the ITC may specify and that a substantial number of such programmes are made within the region for which they are provided.

(b) that for part of its broadcasting time the service offers educational or training programmes

and generally that Channel 5 has a distinctive character of its own.'.—*[Mr. Corbett.]*

Brought up, and read the First time.

Mr. Corbett: I beg to move, That the new clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to consider Government amendment No. 382 and amendment No. 487, in clause 26, page 24, line 35, after 'licence', insert 'or licences'.

Mr. Corbett: One of the most remarkable features of the Bill is how little it says about Channel 5. It contains just 15 lines on that subject. Never mind that the new channel faces great uncertainty given the present state of advertising and that forecast immediately ahead. Never mind that the Government have refused to give the IBA authority to begin making transmission arrangements for the new channel.

With one breath the Government say that they want Channel 5, but beyond that there is silence—save their acknowledgment that the new channel will cover only seven out of 10 homes and that much of London and the south-east, which is the wealthiest market for advertising, will not be able to receive it.

There is a little teaser in the shape of Government amendment No. 382, with which the Government seek to give the Independent Television Commission the authority to grant a part-time licence

"between such times of the day or on such days of the week (or both) as they may determine."

That is a fairly feeble way of moving sideways into a great expansion of public broadcasting.

All that the Bill says about Channel 5 is that it shall

"make the most effective use of the frequencies on which it is to be provided."

Not a word is said about programming, and I do not doubt that ere long I will be told, "That is all right because the people running Channel 5 will provide programmes that attract audiences, otherwise they will go out of business." That in a nutshell is the Government's argument about the application of so-called market forces to broadcasting.

It is reasonable to assume that one of Channel 5's roles will be to fill the gaps between BBC1 and BBC2 and between Channel 3 and Channel 4. All four channels were intended to complement each other and not compete head on, and it was certainly agreed in Committee that Channel 4 has been an outstanding success and has brought much innovation to television. That does not mean that all of us like every programme that Channel 4 presents. None the less, that channel has honoured the remit that it was given.

If Channel 5 is intended to fill the gaps between the existing BBC and ITV services, it is likely that it will end up trying to mimic satellite channels and go for thematic programming, with great wadges of sport, news, and the rest of it. That will not help the development of satellite broadcasting, which has generally been welcomed in all parts of the House, as well as by an increasing number of viewers.

New clause 12 aims at giving Channel 5 a specific role and allowing it to provide programming that is not offered by Channel 3, or at least not in sufficient volume. It deliberately places the emphasis on programmes made in and for a region. That would give the new channel a stronger regional flavour than Channel 3 is ever likely to achieve or would want to achieve. It would also establish an important place for educational or training programmes, or both, on the television viewing menu.

There is a strong demand for such programmes, as the IBA's 1989 survey of attitudes to television revealed. The survey showed that two out of three people would like more nature and wildlife programmes. Broadly speaking, I regard them as being educational. I am sure that no right hon. or hon. Member would argue that educational programmes must be all chalk and talk and conform to the old, narrow view of them. An educational programme can be any that stretches the imagination and opens our eyes and ears to things that are new to us.

Forty-eight out of 100 people in the IBA survey wanted to see more programmes dealing with health and medical topics, while 75 out of every 100 wanted the same or a greater amount of current affairs programming. There appears to be a healthy body of demand for programmes of a factual nature as opposed to those that are purely entertaining—though I do not mean for a moment to deride TV light entertainment. The new clause merely tries to ensure that Channel 5 will have a distinctive flavour and a special role, and to provide ways of achieving that.

7.15 pm

Channel 5 offers real scope for innovation. I am sorry that the hon. Member for Derbyshire, South (Mrs. Currie) is no longer in her place, because I know that my following remarks would be of particular appeal to her. Why not a specific obligation on whoever obtains the Channel 5 licence to broadcast more programmes by and for women to challenge head-on the still too-male preserve of much of today's television? There have been improvements, but there is still far too much stereotyping. I made mention of programmes for and by women, but not exclusively so. Such a provision could give a better welcome for women writers, producers and directors in working in, and contributing to, our television system.

What about a better platform for our ethnic communities? Existing ethnic broadcasting is patchy, and there is not enough of it. There could be a proper place for ethnic scheduling in Channel 5, not only to meet the needs of ethnic communities but to enable them to communicate with the rest of us so that we may better understand their concerns and aspirations. One of the complications of the controversy surrounding Salman Rushdie's book is that most of us have little or no understanding of why it caused so much offence to Muslims in our communities. Television nowhere near properly reflects our multi-cultural society, and I suspect that under the present arrangements it is unable to do so.

The foregoing suggestions are by no means exclusive but serve to outline the shape of the new Channel 5 in more detail than is provided by the 15 lines in the Bill. Its future cannot be left simply to the highest bidder and to the ITC. Our television system has developed on the basis of sensible regulation, and has been built almost brick by brick to expand the range of viewing available and offer more real choice. New clause 12 is part of that continuing process.

My suggestions certainly reflect the last line of new clause 12, which states that the commission has a duty to ensure

"that Channel 5 has a distinctive character of its own."

Left to market forces, Channel 5 runs the risk of being shapeless or of pandering to known tastes, the better to maximise audience figures for the benefit of advertisers. If Channel 5 is to work in the way that the Government say they want, it must offer programmes that are not currently available elsewhere. I hope that hon. Members will go along with the spirit of the new clause.

Mr. Norman Buchan (Paisley, South): I was pleased to hear my hon. Friend inject some argument into the debate on issues about which the Broadcasting Bill should be concerned. It was about time.

I am glad to see the hon. Member for Buckingham (Mr. Walden) in his place. In the last debate on broadcasting he said that, whatever else happened because of the Bill, television would get worse. Everything that has been said throughout the passage of the Bill has borne that out.

The Bill gives us an opportunity. My God, the invention of broadcasting was an immense opportunity to enlighten the world. We can broadcast to the whole of humanity. But the Government want to create programmes which will be left to the moneymakers. We will not have useful information or programmes that the broadcasters themselves might demand to see—we will have programes that maximise the audience.

It is not given unto man to say only what people want to hear. My hon. Friend the Member for Birmingham, Erdington (Mr. Corbett) referred to the book by Salman Rushdie and the fact that it gives offence. There is little that is creative in the world that fails to give offence. If it does not give offence it does not move people. The same can be said of the path envisaged for Channel 5.

Mr. Corbett: The point that I was trying to make about "The Satanic Verses" is that people who are not part of an ethnic community find it difficult to understand the offence that members of those communities feel about the book. I was not pointing out merely that it had caused offence.

Mr. Buchan: I take my hon. Friends valuable point. I was not being critical. We do not sufficiently understand the nature of the offence felt by members of ethnic communities about the book. I have had discussions with such communities and I know of the depth of feeling. However, I have often felt major offence and I believe that the reply to a book which gives offence is another book. For example, consider the incident that took place in the west Highlands when the Free Kirk Moderator attacked the Catholic church two years ago, calling it the whore of Babylon and a scarlet woman, and accusing people who attacked the South African regime as attacking it merely because members of that regime are Calvanists, who take the prayer book to a cabinet meeting. A poet gave a reply: Ian Crichton-Smith, who printed one of the best verse polemics that I have ever heard. Nobody said that people should be silent.

We should use broadcasting. I should like to hear Muslims giving their views on Channel 5. I should like to see the issue properly argued and statements made about it. That is what Channel 5 could do. A proliferation of repetitive and competitive channels for the majority of people will not advance viewing for the majority.

With the proliferation of channels we have an opportunity to broadcast minority programmes. Remember that when we talk about minorities in broadcasting we are referring to millions of people. A minority programme may have between 2 million and 4 million viewers. That is a massive audience. It is more than Shakespeare got for his plays in two centuries of performances on the stage. It is a marvellous weapon.

Proliferation to five channels means that there is no anxiety that what Conservative Members crudely call popular will not be televised. There will be no choice if people do not have a variety of channels.

My favourite examples are wildlife programmes. No one would have predicted that wildlife programmes such as those of Sir David Attenborough would have become so popular.

My hon. Friend the Member for Erdington was too kind to the Government. He said that there are 15 lines describing the new channel in the Bill, but he is wrong; there are only two. The only instructions given in the Bill are that it should.

"make the most effective use of the frequencies on which it is to be provided."

But the most effective use for a commercial channel is that which will make the most profit. That is the only instruction.

In Australia, there are 10 channels and little competition in the type of programmes broadcast, with one interesting exception—an ethnic channel which broadcasts films in Italian, German, the languages of the Indian sub-continent and the aborigine language. In other words, the channel is used to make programmes which appeal to a large variety of people and which enhance their cultures and civilisations. That is a positive force.

The new clause does not mention educational programmes. What involvement will there be with the Open university? If there is none, why not? Is there any reason why such requirements should not be laid down? There is nothing about the extent of documentary coverage. There is nothing about educational programmes. Conservative Members seem to resent those programmes, and yet they are among the most popular.

To create a new channel with no remit other than to make profit, is intolerable. It is time that we recognised the importance of broadcasting. It is an extension of man's ability to communicate with man—and with woman—and there is no reason why such a channel should not devote more time to that. When we construct a new channel there must be more provisions. Otherwise, we might as well make candy floss and flog it on Blackpool pier.

Mr. Austin Mitchell: We have heard no arguments about how we can achieve more diversity and pluralism in our television channels. I agree with what my hon. Friend the Member for Paisley, South (Mr. Buchan) has just said. Diversity must be the aim. If we leave the position of this free-standing channel undefined, it will inevitably be driven to broadcast programmes which are the lowest common denominator to attract mass audiences and to survive.

The new channel will be financially vulnerable. Indeed, it has all the makings of a financial disaster, given the scale of competition. We must define clearly the scope of the new channel rather let it be driven willy-nilly by market forces to duplicate the rubbish on other channels.

Each new terrestrial channel which has been created has been complementary to another major channel—for example, BBC2 was complementary to BBC 1, and Channel 4 to ITV. When Channel 4 was created I argued that the Annan recommendation, which was that it should

be a free-standing publishing channel, should be rejected in favour of making it complementary to ITV. With complementary channels the viewer has a genuine choice.

In the new clause we are dealing with a free-standing channel in an intensely competitive market. The audiences are already fragmented. I agree with what my hon. Friend the Member for Birmingham, Erdington (Mr. Corbett) said: the future lies with people getting their main television viewing from terrestrial channels and turning to cable and satellite television for specialised interests such as film, sport, politics, news—there are news addicts as well as sport addicts—or light entertainment. It is difficult to see how a free-standing channel will fit into that situation.

The Government want to let the market decide but in the media the market does not operate effectively because in an unregulated situation the market tends towards competition and towards driving down the level of programmes to the lowest common denominator.

The new channel will have to compete for advertising and it will have to attract advertising revenue. Horses, if fed on the same type of hay, will produce the same manure. To survive, the new channel will be driven down market.

There is a law of competition which is exemplified by the British popular press compared with the American popular press. The latter is insulated from intense competition by local monopolies and is of a higher quality than ours, which is appalling. In many respects it is the worst in the world. Compare television in Britain, which is the least worst in the world because it is regulated and does not suffer from intense competition, with American television, where one has 40 choices to view the same rubbish on different channels.

It is an achievement that we have insulated television by regulation, and by modifying competition and weakening its intensity we have managed to maintain standards. If we now thrust a fifth free-standing channel into an industry where competition is becoming more intense and without a clearly defined brief, we shall condemn it to becoming nothing more than a provider of the lowest common denominator attempting to grab the mass audience. Therefore, we need to define its brief clearly before it starts.

What attracts me about the new clause is that it requires the fifth channel to be of a distinctive character from the other four terrestrial channels. Only by such a process of definition can we ensure the provision not of more rubbish on more channels but of something unique and distinctive so that we advance pluralism and variety rather than produce more opportunities to see lowest common denominator programmes.

7.30 pm

Mr. Rowlands: I wish to make a different point about the fifth channel. I made it in Committee and I repeat it now. It is all very well for my hon. Friends to say what they would like to see on Channel 5, but people in many parts of the nation will not be able to see Channel 5. The so-called fifth national channel will be physically constrained by transmitters and and by its terrestrial nature and character. Fewer than 40 per cent. of the Principality will be able to receive the signal, so it seems academic to be debating what should be shown on it.

The Minister and others will say that there will be 70 per cent. national coverage, but because of its character and nature—and a decision has been made about the fifth channel—it is not capable of expansion except by further cabling or using satellites for the rest of the nation. It does not have the same capacity that BBC1, BBC2 and ITV have to achieve the national coverage to which we are accustomed—90 per cent. or more.

Therefore, we have every right to say not only that we have grave doubts about what might appear on the fifth national channel and about whether it will become a truly national channel. If it will not—and perhaps I am a lone voice in saying this—a totally different strategy should have been adopted. The alternative to creating a fifth national terrestrial channel which will probably be nothing more than a downbeat version of the other commercial channels reaching out to fewer parts of the United Kingdom is to use the opportunity of a fifth channel to create genuine regional television. Around cities one could have introduced a different diversity from that proposed by my hon. Friends. Rather than using it for a so-called major new national channel, the opportunity should have been used to produce regional and local television, thereby creating diversity.

I do not necessarily give the new clause my whole-hearted support. My hon. Friend the Member for Birmingham, Erdington (Mr. Corbett) talks about a Channel 5 remit without talking about how far that remit will reach. Everyone has suggested that the channel will be in some difficulty, technically and commercially. There should be a complete rethink about how we use the last available terrestrial resource to produce a different pattern of five-channel television from what has been suggested by the Government and by some of my hon. Friends.

Mr. Tony Banks (Newham, North-West): I agree entirely with my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands). I understand that Channel 5 will reach only about 65 to 70 per cent. of the population; people in his region and parts of Scotland will not be able to see it. That problem needs to be addressed because a new transmission system would be required to enable Channel 5 to penetrate all parts of the country, as I believe it should.

As I understand the Bill, certain of our fears are met by the fact that Channel 5 will have a quality threshold.

Mr. Mellor: I am grateful to the hon. Gentleman for making a point which is easily missed. Channel 5 will have exactly the quality threshold and exceptional circumstances arrangements that will apply to Channel 3.

Mr. Banks: In fairness to the Minister, I thought that I should make that point, but one problem that we raised in Committee and no doubt will return to is that if a franchise application based on high quality is awarded the franchise by the ITC, we want to ensure that if there is any retreat from the standards that gained the franchise in the first place the ITC will be able to claw it back. That needs to be spelt out because our genuine fears would clearly be met by such a guarantee.

It is true that more does not necessarily imply difference, as we have seen in American and Australian television and other television in the world. The amendment is particularly commendable in that it tries to ensure that Channel 5 has a distinctive character. It is difficult to know precisely what role it would shape for itself, given the variety that already exists. However, Channel 4 has undoubtedly created a distinctive role in

[Mr. Banks]

broadcasting and the amendment is seeking a similar role for Channel 5. I feel reasonably satisfied that, provided that the quality threshold argument is met in full and there is sufficient ability for the ITC to take back the franchise in the event of a franchise holder reneging on assurances given, our fears will be put into context.

Mr. Mellor: The hon. Member for Newham, North-West (Mr. Banks) has been most helpful because he has touched on a vital point. All the arrangements that apply to Channel 3 apply to Channel 5, not least those which I am most proud of and committed to—the opportunity for much more rigorous enforcement of programme promises than is possible under the existing system.

Channel 5 should be welcomed as an opportunity—not problem-free by any means—to bring relatively straightforwardly to 70 per cent. of the nation an additional terrestrial channel. Of course, 100 per cent. coverage can be obtained only by finding alternative means of transmission. Large tranches of the country cannot be covered as that would interfere with continental signals. That applies not only to Wales. I recognise that the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) has been entirely consistent in making that point and I am genuinely sorry that nature does not permit me to meet it.

From a commercial point of view, it is worth pointing out that quite large chunks of southern England will not be covered. Although I believe that Channel 5 will be viable, its commercial base will require some careful thought by those that put in for the franchise. We have BBC1 and BBC2 with their specific remits and we have Channel 4 with its remit to cater for minority tastes even more firmly entrenched in statute as a result of the Bill than it was before; we have Channel 3 a notch down from public service broadcasting with a wide remit as a mass audience channel. That is not the same as a mass entertainment channel. The word almost slipped from my lips, but the House knows that I have added commitments that will ensure that Channel 3 is a great deal more than that. By that definition, Channel 5 will be a notch down from public service broadcasting, but the quality threshold will have to be met. I hope that there will be a genuine and imaginative response by the applicants for Channel 5 which will make use of the potential of an extra terrestrial channel in a new way.

Mr. Austin Mitchell *rose——*

Mr. Mellor: The hon. Gentleman is terribly active tonight. I do not know whether he is on illegal stimulants.

Mr. Mitchell: I am active because I am concerned that the Minister has made so few concessions to sense and rationality on the Bill. The promises and predictions held out on the quality threshold will not apply in the face of financial disaster. We already have the experience of London Weekend Television and TV-am, both of which were allowed to dilute their applications. Yet they were not faced with the dire financial position that Channel 5 is likely to face.

Mr. Mellor: The hon. Gentleman betrays his absence —alas—from the Committee. I do not criticise his absence, which may have helped us to get the job done. He is wrong to think that there was little change in Committee. He would know that if he had sat in Committee instead of making a lot of money on Sky Television—which is one of the worst indictments of Sky Television. If he had heard the discussions in Committee, he would know that one source of pride in the Bill for more than just Conservative Members is the fact that as a result of what we have done in Committee we have given the Independent Television Commission far more powers than the Independent Broadcasting Authority ever had to hold people to account for their programme promises. I attach importance to that. The IBA was given a remit which included a nuclear deterrent—the right to take away a franchise, yet it did not have sufficient day-to-day powers, such as the power to fine. However, I was making a somewhat different point.

Mr. Maclennan: The Minister has said that many of the provisions for granting franchises for Channel 3 will apply to Channel 5, including the quality threshold. Is it intended that the published illustrative guidelines should also apply to Channel 5? That would also affect its remit.

Mr. Mellor: That is more a matter for the ITC; it is not prescribed. We must be aware that, in the end, it is the broadcasters who will give Channel 5 a character, subject to a framework that will be properly administered by the ITC.

As I go round the country meeting different broadcasting interests, I am enormously encouraged by the interest in Channel 5, especially from one or two imaginative groups who see the opportunity of a Channel 5 franchise to broaden their ability to expand the choice on British television. I am satisfied that, if broadcasters do not take that approach, the channel will not thrive. It will not be easy to make Channel 5 successful and it will not happen by just wishing it to be so.

We want to ensure that the ITC has the greatest flexibility in maximising the potential of Channel 5. It is not a statutory requirement, but it is likely that it will advertise the Channel 5 franchise—or franchises—after it has dealt with the Channel 3 franchises to ensure that some who might have preferred a Channel 3 franchise can apply for Channel 5 if they wish. Government amendment No. 382 is important. It would permit the ITC to advertise for more than one Channel 5 franchise, if it thought that right, and to divide up the time if it thought that the channel would be better if there was more than one contractor.

A range of innovative thinking is not blocked out. I have always envisaged Channel 5 as a national channel, but that does not preclude it having local opt-outs. During my discussions with the chairman of the IBA this morning, the idea was mentioned that 50 different towns and cities could participate in Channel 5 and could have local opt-outs. Channel 5 would thus be on a local rather than a regional basis, which is an important idea. It is not precluded by the statutory framework and could be the basis of a serious submission which, on quality grounds, could carry all before it and could be the beneficiary of the arrangement on exceptional circumstances.

Mr. Rowlands: I have listened with increasing interest to the Minister. I proposed an alternative structure by which, rather than pursuing a national channel which could not reach the whole nation, we should consider a

regional or city structure and create a different and imaginative fifth terrestrial channel. To what extent does the Minister support that idea?

7.45 pm

Mr. Mellor: I have always considered that Channel 5 should be a unitary channel to succeed, although that may show the limitation of my own imaginative response. Plainly the idea that Channel 5 could involve a host of local opt-outs—far more extensive than the regional opt-outs on Channel 3—is gaining currency in some circles. If a serious bid is made on that basis, the ITC could accept it as we are placing no block on an imaginative response to the potential of Channel 5. The House is in a worse position to determine these issues than those who will have the challenging task of making Channel 5 viable. To win themselves a place in the broadcasting future, they will need to be able to create a specific and different atmosphere on their channel which will attract viewers. They will start with the difficulty of not having national coverage and of not having within their immediate reach some of the most attractive areas in terms of the amount of advertising revenue that could be unleashed.

The ITC will be able to offer more than one franchise. The idea that the system could be based on town or city opt-outs is not blocked, enabling Channel 5 to be a national and a local station. All of that sets a challenge to the broadcasting community and I have sufficient confidence in the broadcasting community to believe that it will respond positively to that challenge. I have been heartened by the number of people—including one or two of the better people whom I know who are involved in various production activities—who are seriously interested in such ideas. Channel 5 will be a good shop window for British broadcasting talent. It will be none the worse if, having set a framework that is appropriate to ensure that there is a decent standard, we leave some of the more creative thinking to the broadcasters and do not try to usurp that function ourselves.

Mr. Buchan: I am glad that the Minister is talking a lot more sense than he did in Committee. He has learnt his lessons in our long, three months' struggle. I do not remember the technicalities. However, is he now saying that "exceptional" will apply not only to quality as a result of our discussions in Committee but to interesting and original ideas on the structure, such as his suggestion of opt-outs? Can that now supersede the highest bid?

Mr. Mellor: That goes to quality. If someone puts forward a set of proposals with a series of local arrangements within a national framework, nothing would preclude the ITC from seeing that as an exceptionally good quality bid. I see that as part of surmounting the quality threshold. It would be an imaginative response and its evaluation would be a matter for the ITC. I profoundly believe that the remit we give to Channel 5 will prevent it from being lowest common denominator trash. It will also give the broadcasters, who are better placed than we are, the opportunity to find a solution to the key question, "Can Channel 5 find its place in the order of things?" I believe that it can, but only if it receives a highly imaginative response from broadcasters. In effect, I am saying that I trust the broadcasting community to respond, and I urge others to do so.

I hope that I have said enough to persuade the Opposition that there is not much difference between us on these matters. Although I realise that this is one of the key areas that the Opposition have identified for debate, I hope that——

Mr. Buchan: It might be useful if the Minister could carry his remarks a stage further. The proposals will be going to the other place for discussion and it might help if the hon. and learned Gentleman said not only that such matters were not precluded but that they would be accepted as exceptional. It would help if he took that little step forward to ensure that their Lordships had at least heard the argument. After all, they may be able to secure that which the Minister says he seeks—original ideas and good quality. Why not spell it out?

Mr. Mellor: I am arguing that original ideas are the essence of a quality bid but that it is a matter for the ITC to evaluate such ideas. I cannot usurp the ITC's function by telling it what to find exceptional—that would be wrong—but it will have plenty of scope to respond to an imaginative approach.

The ITC may well prefer a set of proposals that suggest a national framework, with no local dimension. I referred to the local dimension because it is certainly not ruled out and could very well be ruled in by the right kind of application. The fact that the chairman of the IBA is very much aware of these matters—he and I have talked about them—is a sign that, gradually and steadily, more people may come to consider them. There is quite a bit of time to go before people have to commit themselves. I am not just a vague believer in Channel 5—I have clear ideas about it—but in the end it will be to the broadcasting community that the challenge will go out.

I shall understand it if the Opposition feel obliged to push the new clause to a vote, but I hope that there has been a sufficient meeting of minds to render that unnecessary.

Mr. Corbett: Doubtless buoyed by some surprising local election results in Wandsworth, the Minister has gone a long way to meet the concerns expressed through the new clause.

My hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) made good points about people's ability to receive the proposed new Channel 5. The Minister referred to local opt-out. Large parts of the Principality are opted out, in the sense that they will be unable to receive the channel. I know that that is not what the Minister meant, but that will certainly happen.

Those of us who were privileged enough to serve on the Committee will remember with mixed feelings the advice that we regularly received from Dr. Brian Evans of Tantara Tek—a veritable electronic wizard, who tempted us to look beyond our present penny-farthing arrangements for the distribution of broadcasting. Dr. Evans never ceases to amaze. He was explaining the other day that digital television could overcome many of our problems with distribution. My hon. Friend the Member for Merthyr Tydfil and Rhymney was concerned that only 70 per cent. of households in the United Kingdom, and a very much smaller proportion in the Principality, would be able to receive the new Channel 5. It is also the case that only about 70 per cent. of homes in the United Kingdom will be able to receive satellite, because to do so one needs direct line of vision on to the signal. Trees and leaves—

[Mr. Corbett]

even those of broad-leaved varieties of plants—can interrupt that. By the addition of yet another black box—a digital television decoder—we could make use of an existing television aerial to provide either 20 extra channels or 10 extra television channels and 50 extra radio channels for an estimated £250. There would then be no need for unsightly satellite dishes and we should be able to close the gap in the availability of cable television, which, on best estimates, is unlikely to be available to more than about 40 per cent. of those who live in urban areas. Perhaps we have not given enough thought during our proceedings to the technicalities of distribution.

Like many other hon. Members, I welcome the Minister's remarks about what can happen with Channel 5. I make no complaint, except to say that what he said is not immediately obvious from the 15 lines in the Bill and that we are again relying rather heavily on the nice Mr. George Russell. We are used to relying on that nice Mr. George Russell, but some of us wondered whether it would help him if we gave him the odd hint and nudge about what we think Channel 5 might usefully do. The Minister has gone a long way towards meeting the central point that, if the channel is to have any chance of commercial success or of attracting viewers, it will have to provide something that is not readily available on the other channels.

The idea of a national channel from which large towns, cities and conurbations might be able to opt out is an interesting one. We should not get too carried away, however, because making television programmes is expensive, so there is an argument for that idea not being adopted. Most towns and cities that might consider opting out would probably be restricted to about one or two hours a day at best, although the House will forgive me if I say that we in Birmingham would probably manage four hours a day. Such arrangements could provide an interesting mix.

When I opened the debate I expressed some ideas about what Channel 5 might do. I did not mean them to be exclusive. Having heard what the Minister said, I now think that some of those ambitions might be more easily achievable on a local opt-out basis. As I said, if the channel is to succeed, it must have something distinctive about it. It must provide people with a reason for switching over to it and then staying tuned in. The Minister has suggested that there are at least some signs that that is well understood by those in the broadcasting industry.

At one stage in Committee, the Minister was giving out Smarties regularly. It is only right that I should return the compliment and offer him a small chocolate biscuit, so I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 13

EQUAL OPPORTUNITIES

'(1) The Commission shall require applicants for a licence under Part I of this Act to provide an undertaking of their commitment to an equal opportunities policy and from time to time to review its operation.

(2) The Commission shall require licence holders to obtain from independent producers used by them an undertaking of their commitment to an equal opportunities policy.'.—*[Mr. Fisher.]*

Brought up, and read the First time.

Mr. Fisher: I beg to move, That the clause be read a Second time.

Madam Deputy Speaker (Miss Betty Boothroyd): With this we may take the following amendments: No. 6, in clause 1, page 1, line 13, after second 'chairman', insert, 'who shall not be of the same sex as the Chairman'.

No. 1, in page 2, line 1, after 'members', insert 'at least half of whom shall be women'.

No. 4, in clause 6, page 5, line 42, at end insert—

'( ) that it will 'deliver a wide range of diverse programmes of particular interest to women and which provide a balanced portrayal of the lives of women.'.

Mr. Fisher: The new clause deals with equal opportunities policy. Many of our debates—both in Committee and today, on Report—have been both detailed and technical, but behind them all lies the idea of the power of broadcasting to shape values, to carry forward our beliefs in our traditions, to stretch our prejudices and try to change them and to shape the way in which we think and live—in other words, to define our culture.

One of the strongest characteristics of our culture is that it is dominated by the views of the majority, as opposed to those in minority groups such as people with disabilities and people of Asian or Afro-Caribbean descent. We can include in that category one majority of which you, Madam Deputy Speaker, will be well aware. Women represent 52 per cent. of our population, although in the House we always seem to consider their view a minority view—in a way, correctly so, because the dominant culture in our society is a male culture.

Most institutions in our society are run by men, with a male perspective on life, and that colours the values and perspective that they have. Given that broadcasting is the most powerful element in our democracy—the most powerful element in our culture—the existence of a dominant culture in broadcasting shapes the way in which we shall think in future, the way that we are carrying forward views of our society, in a narrow and unhelpful way for a wider pluralist society.

8 pm

This is an important issue that the Bill and broadcasting in the 1990s should take on board. Unless we have a wide-ranging culture—if we continue to have a partial culture—we shall do ourselves and society a disservice. Opposition Members recognise—I hope that the Minister of State does, too, because he is fair-minded—that many cultures are missing out in our society. Broadcasting has a peculiar and a particular responsibility, because it is so powerful, to put that right. We have already recognised that in some parts of the Bill.

The Minister of State has already paid tribute to the excellent work that my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) has done for the Welsh culture. I refer also to the Gaelic culture, but the Bill fails to recognise other cultures. The new clause would put a responsibility on the ITC to ensure that all holders of ITV, or Channel 3, franchises would have a responsibility to ensure that there was a wide range of views in their employment policy and in the way in which they represented the world around us. That seems to be eminently fair.

Mr. Mellor: I wonder whether it would help the hon. Gentleman if I said that I too feel that that is an eminently fair point. Although I cannot accept the new clause as it stands, I shall want to accept it in principle, with one or two little caveats about precise scope that I shall mention. However, I accept the essential thrust of what the hon. Gentleman said. That might help him in terms of how long he will speak.

Mr. Fisher: That helps me enormously. I welcome what the Minister has to say. I look forward with some apprehension to his caveats, but if he accepts the thrust of the new clause, I welcome it very much indeed. I hope that, when he is shaping his own wording, he will have in mind, as we had in mind when shaping our new clause, the experience of the Canadian Broadcasting Corporation, which had the same experience, particularly in relation to the views of women, that we have had in this country.

A couple of years ago, only five of the 165 top jobs in the BBC were held by women. Ten years ago, the Canadian Broadcasting Corporation found that only 8 per cent. of its top jobs were held by women. It set up a monitoring unit. I am delighted to say that Mr. John Birt, the deputy director-general of the BBC, has similarly taken positive steps in the past two or three years. I pay tribute to him and to the people whom he has appointed, such as Miss Cherie Ehrlich, to develop an equal opportunities policy in training, recruitment and the representation of views.

If the Minister of State says that that is the future road for broadcasting and that he will help the ITC which, in the form of the IBA, is concerned about this matter, we shall welcome it enormously. I look forward to hearing what the Minister of State has to say. Obviously, I reserve the right to comment on any of his caveats. I am delighted that he will accept the new clause.

Mr. Mellor: I am most grateful to the hon. Member for Stoke-on-Trent, Central (Mr. Fisher) for curtailing his remarks to allow me to say my piece. It is appropriate that we should put in a statutory arrangement for an equal opportunities policy. I envisage that the ITC will be placed under a duty to attach conditions to the relevant licences, requiring the licensees to pursue an equal opportunities policy in matters of employment and promotion and to review it from time to time. That would enable the ITC to ask applicants how they would propose to fulfil that condition. Once a licensee has been appointed, the requirement to pursue an equal opportunities policy would be enforceable in the same way as other licence conditions. That is the basic statement of intent.

The new clause should also apply to the Radio Authority in so far as national independent radio stations are concerned, because they will be national organisations. I propose that the new clause should apply to the Radio Authority in so far as national commercial radio stations are concerned.

On the limited number of derogations, we should apply the new requirement to those television licensees to whom positive obligations are already applied elsewhere in the Bill—that is to say, Channels 3, 4 and 5 and the domestic satellites services. I do not see the same strong case for applying it to those licensees who are subject only to negative consumer protection requirements—that is to say, non-domestic satellite service licensees and the licensable programme services.

That still means that we embrace all the main structures of British broadcasting, but we are adding a further positive requirement to those to whom we have already decided to attach positive requirements. I do not think that we would be justified in adding this positive requirement to those services in which we seek only to have protective rather than positive requirements in other respects.

I am not sure that that model would carry over well to independent producers. The ITC and the Radio Authority would be in a direct regulatory relationship with their licensees and would therefore be able to monitor compliance with the equal opportunities condition, but their relationship with independent producers would be much more distant. That is why I would not propose to extend the new clause to independent producers. I do not think that that substantially derogates from my acceptance of the principle that, to those major broadcasting organisations to whom positive programming principles are attached, this will be a further additional positive requirement enforceable in exactly the same way as every other part of the obligations into which they will enter.

I hope that the hon. Gentleman will agree that that is a full-hearted response to what he has said. I am grateful to him for bringing forward the new clause. I hereby undertake to bring forward in the other place a new clause in the terms that I have described. The House will have an opportunity to monitor the accuracy of the new clause when it returns.

Mr. Fisher: The House will appreciate and applaud the terms in which the Minister has responded to the debate, and the positive way in which he has accepted the new clause. I particularly welcome the extension to national commercial radio stations and to employment and promotion. Is training included as a subsection of employment? It would be extremely difficult to push forward equal opportunities in employment and management without having it as a positive requirement in training. That is certainly the experience of the BBC.

The Minister did not mention the more difficult, contentious and less tangible subject of representation in programmes. That is an important element, certainly for groups of people such as those with disabilities. Very few of us can think of programmes that give a balanced view of what it is like to suffer from cerebral palsy or spina bifida. If such matters are included in broadcasting programmes, they are a matter of curiosity because there is a different view of the world if one has disabilities—there is a disability culture.

That is difficult for us who are lucky enough to be able-bodied to accept, but it is an important point. I appreciate that representation is difficult and intangible, but I hope that the Minister of State will think about this matter when he is drafting his response, because, good though his response on employment and promotion was, training and representation are important matters. The Minister of State did not say whether he will accept our point that, if it is to be effective, it must be monitored.

Mr. Mellor *indicated assent.*

Mr. Fisher: I am glad that the Minister is nodding that that is the case.

I understand the point that the Minister of State made about the difference between positive and protective. There is a distinction. I am glad that it will carry over to Channels 3, 4 and 5 and BSB.

[Mr. Fisher]

Again, it was a point of contention in Committee. We do not see why Sky Television, as a non-domestic carrier, should be in a different position. It is illogical that it should not have the same requirements. If it is considered important for one, the same conditions should apply to the other.

It was interesting to hear the point that the Minister made about producers. Many independent producers have, in their own production companies, been at the forefront of equal opportunities. There are several all-women independent production companies doing extremely good work. The Minister is saying, by excluding them, that 25 per cent. of production shall, in a couple of years or so, be excluded from the provisions of the imaginative move that he is about to make. I hope that he will have second thoughts about that.

Having made those small points for him and his advisers to ponder when they draft the clause, and having been delighted with the Minister's response, I beg to ask leave to withdraw the new clause.

Motion and clause, by leave, withdrawn.

New clause 17

TAKEOVERS OF CHANNEL 3 LICENSEES

'.—( ) The ITC shall only allow a takeover of a Channel 3 licensee by another person or body when it is satisfied that the full licence obligations can be met by the prospective licence-holder.

( ) No such takeovers will be allowed within the three years following the licence award except where the incumbent is unable to fulfil the licence obligations.'.—*[Mr. Bill Walker.]*

Brought up, and read the First time.

Mr. Bill Walker (Tayside, North): I beg to move, That the clause be read a Second time.

Madam Deputy Speaker: With this it will be convenient to take the following: New clause 34—*Revocation of Channel 3 licence on takeover during limited period.*

'3—'(1) Where—

(a) a licence to provide Channel 3 service is awarded before 1993 to a body corporate, and

(b) it appears to the Commission that, within the period of two years beginning with that award, a person who at the time of the award did not control the body has acquired control of it.

the Commission shall revoke the licence by notice given to the holder of the licence and taking effect forthwith or on a date specified in the notice not being more than six months after the giving of that notice.

(2) Upon such revocation any security given by the holder under section 18 shall be forfeited to the Commission.

(3) Every licence which is awarded before 1993 to a corporate body to provide a Channel 3 service shall include such conditions as the Commission consider necessary or expedient to secure that they are given—

(a) such advance notice of any proposal of which that body becomes aware and which if carried into effect would—

(i) affect shareholdings in the body.

(ii) affect its directors, or

(iii) be in any other way relevant to the control of it.

as is necessary or expedient to enable the Commission to ascertain that such an acquisition of control as is mentioned in subsection (1) is likely to occur, and

(b) immediate notice of any such acquisition of control.

(4) In this section "control" has the same meaning as in Schedule 2.'.

Amendment No. 42, in clause 3, page 3, line 30, leave out from '36(1)(b);' to end of line 33.

Amendment No. 577, in page 3, line 35, after 'person', insert—

'for two years after the grant of a licence and subsequently not'.

Amendment No. 3, in page 3, line 36, at end insert—

'and such consent shall not be given before 31st December 1995'.

Amendment No. 14, in page 3, line 36, at end insert—

'and such consent shall not be granted before 1st January 1994 unless it is agreed to by the person holding the licence'.

Government amendment No. 229.

Amendment No. 484, in clause 5 page 5, line 34, leave out subsection (5) and insert—

'(b) In subsections (3) and (5A) "control" has the same meaning as in Schedule 2.'.

Amendment No. 483, in page 5, line 34, at end insert—

'(5A) Every licence shall include conditions such as the Commission consider necessary to ensure that where—

(a) the holder of the licence is a body corporate, and

(b) for a period of three years from the award of the licence

the Commission shall have the authority to take whatever steps they consider necessary and expedient to prevent changes in the persons having control over or interests in the body where they think appropriate.'.

Government amendment No. 418.

Mr. Walker: My right hon. Friend the Member for Kincardine and Deeside (Mr. Buchanan-Smith) and I tabled new clause 17 because we were concerned with the changes that are taking place and the effect that they could have—I make no apology for saying this—on regional broadcasting. Being Scots, we have taken a somewhat parochial view of what is happening in our area.

The increased emphasis in the Bill on quality and regional service will be wasted if any company seeking to take over a licence-holder is not obliged to fulfil the licence obligations. It will be expensive in time, effort and money to prepare a licence application. If predators can launch a take over bid immediately after the award, there will be a strong incentive not to bid but to wait and see who is the successful applicant, and then attempt a takeover.

After each franchise round in the past it has taken a considerable time for new companies to become properly established and fully to contribute to the service. The dislocation would be greatly exacerbated if companies were fighting off takeovers or being taken over in the early years of their lives.

Unless there is a moratorium on takeovers—three years appears to be about right—there could be chaos in Channel 3 and a consequent loss of service to viewers and advertisers. So we in the north of Scotland, who are serviced by Grampian Television as our local ITV station —my constituency is serviced substantially by Grampian, although Scottish Television is also concerned—are worried lest we suffer a loss of service. We are anxious to avoid the uncertainty that could result from an early takeover attempt following the award of a licence.

Mr. Maclennan: The new clause follows closely the debates we had in Committee in which we drew attention to the predicament that would flow from a speedy takeover by incoming companies and the difficulty that would face the regulatory authority if that were to happen. Indeed, the IBA and its chairman have drawn attention to the problem from the beginning. They recently said that they would

regard a moratorium of a year as the absolute minimum necessary to enable them to do their job properly. The hon. Member for Tayside, North (Mr. Walker), whose involvement in these matters everyone in the north of Scotland will no doubt welcome, is right to say that it should be longer than one year.

8.15 pm

Mr. Mellor: I met the chairman of the IBA this morning to clarify the position of the IBA on certain points. He regards 12 months as a desirable moratorium limit, not as a period for which he is asking as a second or third best. I understand that, in his view, 12 months is long enough. In other words, it is not his view of a minimum period —he would prefer longer—but his view of the right period.

Mr. Maclennan: I am happy to rephrase my remarks to take account of what Mr. Russell told the Minister about one year being sufficient. I believe that it is not enough and although I defer to Mr. Russell in many matters—I have no doubt that he has given the issue much thought, not only in terms of what is right but what is achievable from the Government; perhaps he regards one year as a prudent period for which to ask now—the hon. Member for Tayside, North is nearer the reality, which is that the matter will not be settled satisfactorily after only one year.

The selection process which will begin when the bids are invited is complex. It involves difficult valuations by the regulatory authority, and the bidding companies will be put to enormous expenditure of time, effort and money for the preparation of their bids. To have all of that set at naught by a predatory takeover within a year of being awarded the franchise would seem to make nonsense not only of the regulatory process but of the prospects of achieving an orderly approach to regional television and of sustaining quality beyond the initial bid.

Not only is Grampian Television interested in this matter—Grampian has played a notable part in seeking to amend the Bill—but all companies in the 15 regions have an interest in achieving initial stability, and I hope that that will be recognised in the Government's response to the new clause. It is imperative that a period longer than a year is acknowledged. I proposed two years, but it is reasonable for Conservative Members to wish to extend the effectiveness of regulation beyond two years, and I shall be happy to support them.

Mr. George Walden (Buckingham): The new clause goes wider than my hon. Friend the Member for Tayside, North (Mr. Walker) believes. Although I sympathise with his regional concerns, his proposal deals also with the general issue of quality.

When I last spoke on these issues, the Minister of State accused me of being rather free in my use of adjectives. I have a few more adjectives to use tonight. He has done a superlative job with some unpromising material. By that I refer not to his colleagues in the Government but to the original White Paper with which he was lumbered. I do not know how that came about. Perhaps he had a Pauline conversion in the Committee Room, induced by the heat of the television lights. He may have had some internal illumination. Or he may all the time have been a secret, closet Reithian.

The most important thing is that the Bill is much better now than it was originally. I was glad to note that my hon. and learned Friend the Minister encouraged the setting up of a classical music radio station which is an example of interventionism, elitism, is ideologically indefensible and is, of course, absolutely right. I take that as an example of my hon. and learned Friend the Minister's flexibility and realism. By making the changes that he has made, he has set a Bill which was originally standing on its head on its feet. He has done that with enormous cleverness and without losing his balance. That makes it all the more regrettable that on this important point the Government should give the appearance of holding out.

Let us consider the practical circumstances of someone who has just won a franchise on the basis of a guaranteed level of quality. The next task would be to elaborate a programme schedule to set up the service. If on the day after the company won the franchise it received a telephone call saying that there was to be a bid for the franchise that has just been won, its attention would immediately be transferred from the task in hand to fighting off that bid. What is more, in the commercial world as it is, I expect that that company would cast a quick eye over its programme schedules to see where it might cut corners on quality, thereby pleasing the shareholders, in order to ensure its position in the coming takeover battle. That is one reason why I say that takeover bids always end up having implications for quality.

On the two grounds that the company would have its attention diverted from the task of setting up a quality service by a predatory takeover bid and that it might be tempted to dilute its quality to appeal to a bigger mass audience, I appeal to my hon. and learned Friend the Minister to allow a moratorium of, not one year—perhaps three years is too long—but at least two years. We are in new territory and we must do everything possible to give sufficient time for new companies that win franchises to prove themselves.

The ITC will also be in new territory. With all due deference to Mr. George Russell, it will take it more than a year to establish with any confidence whether a newly franchised company is living up to the quality mark. Only after that length of time could the ITC judge whether the predatory takeover company was in a position to continue the established level of broadcasting of the franchised holder.

For all the reasons that I have given, I believe that we need a two-year moratorium on takeovers. I read carefully the speech of my hon. and learned Friend the Minister to the forum organised by the Campaign for Quality Television. I noted that in defence of his decision not to go for a moratorium he talked about the need to get rid of mustiness, to introduce a little competition and, to use his phrase, to stir the pot a little. There is a difference between stirring the pot a little and holding out a pot of jam in front of a wasp's nest. That is one of the dangers that will confront new franchise holders and yet another reason for imposing a moratorium.

I commend my hon. and learned Friend the Minister for his praise of the Campaign for Quality Television, about which he said some kind words at the forum to which I referred. It is not often in the House that we have reason to commend pressure groups. Often their tactics are more and more questionable and arouse more revulsion than attention. In this case, as my hon. and learned Friend graciously said in his speech, the Campaign for Quality Television has been a quality campaign. My hon. and learned Friend has listened carefully to its arguments and

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accepted some of them. He is to be congratulated on that. On this matter, too, he should take the views of that pressure group seriously.

Yet again, I come back to the question of quality in a broader framework. We are in new territory. We need time for the new arrangements to settle down. My hon. and learned Friend the Minister said tonight that Channel 3 will be a notch down. I notice that a few months ago he was talking about it being a few notches down from public service broadcasting. Evidently there is some uncertainty about how many notches down the new arrangements will be. Since the beginning, the Government have been wrong, but are less wrong now, in failing to recognise the implications of their proposals for Channel 3 for the BBC. We do not know whether Channel 3 is to be one notch down or a few notches down. How many will depend to some extent on the future of the franchise companies. That in turn will depend on whether they have time to stabilise. That in turn will depend on how quickly takeover bids come in.

All the matters that I have raised tie up. What was the point of the Committee laboriously and commendably establishing a delicate structure of checks and balances if with one telephone call and a pile of money someone could come in from the side and knock down the whole house of cards? That could happen.

I appeal to the Government to take a broad and cautious view. They should consider the matter in the round. I finish with one thought. However well the Government and the Minister do their jobs and however well the Committee has done its job, we are in new territory and there is a grave danger of a dilution of standards, whatever we do. We all know the reasons for that. I doubt whether the Minister of State goes along with some of the brassy talk about a new era in television. He is too intelligent a man to believe all that. Therefore, he must keep an eye all the time on every means of shoring up standards. That is why I agree with the new spirit of the Bill.

I hope that the Government will also have a moratorium on their more adventurous plans for the BBC. We need a moratorium for the BBC too. If the Government start talking about doing away with the licence system or changing the regime at the BBC in other fancy ways, they could set off that drift downwards of which we are already in danger because of the implications of modern technology. The Government should view the new clause in that broader way and take into account the implications for quality, remembering that quality has a great deal to do with stability, whether it is a moratorium on takeovers or the stability of the BBC.

Mr. Alick Buchanan-Smith (Kincardine and Deeside): I strongly support the remarks of my hon. Friend the Member for Buckingham (Mr. Walden). We are dealing with something which is fundamental and which, if it goes wrong, will affect quality. In all my speeches in earlier debates on the White Paper I said that this is a matter of quality and that quality must be sustained and shored up at all stages. The new clause is fundamental in the sense that if a company that had won a franchise could be taken over by another company the whole process of granting that franchise would be negatived. All the standards that had been set could be put at naught. That is why this is such a fundamental matter. As my hon. Friend the Member for Tayside, North (Mr. Walker) rightly said, it is one that has particular regional implications because smaller companies are more likely to be subject to predators. Therefore, it is not just stability and maintenance of quality that matters, but the continuity of regional elements after the franchise has been granted.

8.30 pm

Whether the moratorium is one year or three years is a matter for debate. I would favour nearer three years because one year does not give time, after a new licence has been won, to achieve stability and continuity and, therefore, at least two years, preferably three, would be right. Let us never forget that not only quality would suffer, but so would the service given to a locality and the people who lived in it if there were uncertainty and the ownership of the station and the company were in doubt.

I speak for those who live in some of the regions of this country where the population is more scattered. We want continuity, quality and stability. I do not believe that the Bill gives that, so I strongly support the new clause.

Mr. Tony Banks: In his usual authoritative and perceptive way, the hon. Member for Buckingham (Mr. Walden) put his finger straight on it—because it is quality which is what a moratorium is there to protect. He was right in saying that in Committee the Minister of State did a good job. We said that ad nauseam. The number of times we were forced to compliment the Minister on his proposals became embarrassing. The Bill was eminently improvable and, unlike some of his harder, less cerebral, colleagues on the Front Bench—excluding the present Minister, of course—he showed himself to be both imaginative and understanding of what broadcasting was about and what was needed.

Although we have said that the Bill is still not the one that we would choose, it is certainly much better than the one that started out in Committee. I still feel that if the Tory Whips had allowed the hon. Member for Buckingham to sit on the Committee rather than deliberately excluding him, it might have been even better than it is now. The hon. Member was absolutely correct in what he said about the moratorium.

The Minister of State did a good job and we had the clear impression that his idea of heaven would be rushing from a Chelsea victory at Stamford Bridge to a Pavarotti concert. Certainly both subjects came up in Committee on a regular basis and perhaps his absence from the Dispatch Box at present means that Pavarotti is singing somewhere outside.

I find myself in the odd position of supporting the new clause moved by the hon. Member for Tayside, North (Mr. Walker). It is not an experience that I have had before and I doubt that I shall ever have it again. I know that the hon. Member spent more time talking about regional aspects, but the quality argument is essential. Although we have established a quality threshold, which was very much welcomed because there is not going to be a Dutch auction for new franchises, it is possible that the large players will stand back while the lesser bidders go in for much lower quality than the large bidders would have done if they had gone in during the original round. The franchise may be awarded on quality but, in relative terms, it will be of a lower standard than if the larger bidders had gone in. Once the franchise has been awarded, the big boys will come in

immediately afterwards and snap up the new franchise holders. However, they would be coming in at a much lower quality level than they would have been forced to offer if they had entered into the original bidding. That is why the moratorium is absolutely essential.

The moratorium will protect the Government's own guarantee about the quality threshold. Therefore, the Government must accept the amendment or, if not this one, one of the others—because there is a range from which they can choose. There must be some sort of moratorium in the Bill or their arguments about a quality threshold will be set at naught, or at least seriously undermined.

The hon. Member for Caithness and Sutherland (Mr. Maclennan) said that George Russell—or St. George, as he began to be known in Committee—said that one year would do. I think that he is right, and that it could be that George Russell was exercising a degree of self-censorship and decided to opt for the lowest figure that he thought the Government were likely to accept.

If George Russell were given the chance to look at the matter objectively, he would be more likely to agree with the hon. Member for Tayside, North, as I would, than go for something less than three years. That would at least give the new franchise holder the chance to meet adequately the quality standards set in the original bid. If there are predators or potential predators they will have to come into the first process. There would not be much point in their standing back for three years because if the new franchise holders are successful it will be that much more difficult to take them over and, if the predators try to do so, the asking price will be that much higher.

Therefore, for all those reasons, but particularly because I want to protect the Government's acceptance that there should be a quality threshold, I shall support the proposal of the hon. Member for Tayside, North.

Sir Hector Monro (Dumfries): There is a fair degree of unanimity in the House that the principle of the new clause is what hon. Members wish to see in the Bill. I dare say that, in his reply, my hon. and learned Friend the Minister will say that if he cannot accept one of the new clauses tonight the Bill may be changed in another place.

In declaring a small interest in a television company, I wish to say that this is a matter of standards, takeovers and uncertainty. As my right hon. Friend the Member for Kincardine and Deeside (Mr. Buchanan-Smith) said, why should we bother about the initial auction if a takeover would be almost inevitable a matter of months afterwards?

I am particularly interested in regional television and live in the Border Television area. While it is not afraid because it would not anticipate any takeover from Grampian Television or Scottish Television, it would certainly be worried about large companies in the south. The balance of programmes is important in regional stations, particularly in areas such as Border, which has to balance the Scottish and English content because it serves both sides of the border and the Isle of Man. Its experience of programme content is very valuable and cannot be lightly thrown away or overtaken by events such as a takeover by a major company in the south.

Therefore, it is important, and reflects the tenor of the debate, that we should work towards a moratorium of at least three years. As my hon. Friend the Member for Buckingham (Mr. Walden) said, in the first year everyone will be settling down and nobody will be clear about the way forward. I should have thought that three years was the very least period in which a company could prepare and run its programmes effectively. It should do it for that period without the worry of a predator breathing down its neck. It should not have to spend more time fighting off a takeover than providing the programmes everybody wants.

We should support the new clause of my hon. Friend the Member for Tayside, North and ask the Minister to consider it carefully. We are all speaking with a degree of experience. I should have thought that the House would accept that the period of two or perhaps three years—which I support—should be the period after which a takeover was permitted.

Mr. Bob Cryer (Bradford, South): I support the new clause moved by the hon. Member for Tayside, North (Mr. Walker). May I point out that there is a range of options? I support a three-year moratorium after the bid has been decided, so as to give some certainty and to encourage television companies to invest in quality production. It costs much money to make television programmes and films. If there is any hesitation, investment will be delayed.

The cost of bidding will be expensive. Much paperwork will be involved. People will have to prepare the bid and provide the documentation set out in clause 17. They may want to take advantage of clause 17(3), which refers to exceptional circumstances, and concentrate on the quality threshold which they feel that they can surmount better than other companies. It may be expensive to set out for the ITC, and subsequently for the Minister, the documentation, including perhaps examples of programes, to show that clause 17(3) can be used. Expenditure of several thousand pounds may be incurred.

I raised the question in Committee because trade union negotiators have been told bluntly that various television companies have been building up war chests so that, when the Bill becomes law, they can make a bid to capture the franchise. The Minister said that he would relax the provisions on the performance bond so that large amounts were not tied up in bidding and in the effective enforcement of the bid thereafter.

If there is no moratorium, a company, having built up money in the war chest to succeed in the bid, and having succeeded, is likely to retain funds to fend off any predatory bid which may be in the offing. Without a moratorium, funds will be put into defending the company rather than into the production of television. Without a moratorium, viewers will be denied decent quality programmes while a board room battle is fought. We know that board room battles over prominent, so-called prestige companies are often extremely expensive, with both sides inserting newspaper advertisements and employing public relations firms. Sometimes there are investigations into the circumstances in which bids and counter bids are made.

Having won the franchise, a company will want to fight off any predatory bid and will campaign accordingly. That means that it will need much money. It is absurd for the House to pass legislation setting out a fairly complicated and expensive procedure, and then for the Minister to be embroiled in an argument, best summarised by the hon. Member for Buckingham (Mr. Walden) when he spoke on Second Reading, about maintaining the quality of programming. We should relish what he said about the Bill

[Mr. Bob Cryer]

meaning that the Government like trash, that they believe the people like trash and that they would give them trash. We must give all credit to the Minister; in Committee he gave the impression of complete disdain for trash. In exchanges, he was sympathetic to the need for quality to be taken into account as a factor in the "exceptional circumstances" clause 17(3).

Having gone through the battle and having won recognition from the Government that quality is an important component and that there are grave dangers in legislating sloppily—with money counting and quality being pushed to one side—it would be absurd to allow the removal of a moratorium. If there is no moratorium, there will be a drain of funds from the picture on the television screen. That is where we want the money to be spent. That is the basic purpose of a television franchise. That is what a television company is dedicated to and what it will be telling the ITC and the Minister that it can do best.

8.45 pm

We are not ruling out the possibility of competition, but the marketplace will not provide the quality that is necessary. A company cannot invest millions of pounds in quality television programmes if it is apprehensive about whether it will get any transmission at the end of the production period. A company has to invest over 12, or even 18, months to plan, produce and make ready for transmission serious programmes of reasonable quality. A successful bidder must be given a guarantee that he can carry out his commitment free from the worry and anxiety of predatory bids for a period of three years.

In Committee, everyone agreed that a range of talents goes into the production of a television programme. The HTV studios in Cardiff and Bristol are making 112 employees of all grades redundant next Monday because of the war chest syndrome of building up funds. All those people want to make television programmes, but they will be denied the opportunity because of the circumstances being imposed on them by HTV management. It will be a grim development if talented and able people, with skills in writing, acting, editing, photography, set building and so forth, are denied the opportunity to use their skills because bidding is placed in jeopardy by the possibility of predatory bidding.

I hope, therefore, that the Minister will take notice of the representations from both sides of the Chamber which would ensure continuity, commitment and decent television programmes.

Mr. Anthony Steen (South Hams): I associate myself with the splendid new clause proposed by my hon. Friend the Member for Tayside, North (Mr. Walker) and also with the remarks of my hon. Friends and of Opposition Members. I wish to speak particularly to amendments Nos 484 and 483.

I presume that the whole idea of the Bill is to get some money into the Treasury and at the same time to get high quality programmes for the consumer. Let us assume, for the sake of argument, that a low bid of £50 million was accepted because no other bidders came forward. Let us assume that a group of people got together as a consortium in the Channel Islands, and that, as the successful licensee was about to buy a bottle of champagne at the bar, the consortium made a hostile bid of £150 million. I cannot believe that the Treasury would be pleased if it had to forgo about £100 million because the Bill allowed that sort of thing to happen—and it would happen if there was no moratium on hostile bids. I have an interest in Television South West, which has a fine reputation for quality programmes. It is worried that there will be only one bid and that a consortium, rather like the ring in the antique market, will get together and bid it out of business, and that the shareholders will feel obliged to accept.

Mr. Tony Banks: That is precisely my fear, but I suppose that there is another scenario. It is that the franchise holder who is doing the bidding might be not the nominee but the front man for someone who comes in a little later. In other words, the company that gets the franchise would quickly pass it on to the company that it knows is waiting. It would be not a predatory but a collusive bid, and it would enable the original franchise holder to get the licence slightly cheaper than he would otherwise have done.

Mr. Steen: There are endless combinations of what could happen. That shows that, without a moratorium, many nasty things could happen that would not be good for the Government or for the principle behind the Bill which has been accepted by most of us. The Minister of State has persuaded even those who have doubts that it is the best thing since sliced bread. He would have persuaded us even more if he had got the moratorium matter right.

I shall now deal with the logistics; I am sure that the Minister will correct me if I get them wrong. As I understand the timetable, the new franchises will be awarded in the summer of 1991, although we do not have the exact date. The old franchise will not end until December 1992. There is an 18-month overlap and, as things stand, if the existing television company does not win the licence, it will have to continue for 18 months while the new television company is waiting in the wings doing its bit to undermine confidence. How will that system work, with the old television company winding down over 18 months and the new one waiting in the wings?

If the Minister accepted a moratorium of three years, he would have 18 months from the summer of 1991 until December 1992, and once the licence had been granted, at least the successful television company would have another 18 months to do the job without fearing that it would be at risk from any hostile bid. That would give shareholders a chance to evaluate the effectiveness of the company and whether it was putting into practice the quality programmes that it told the ITC it would produce.

The Minister has given much to the Bill, and has made it a great deal better than when it started in Committee. His acceptance of the modest amendment tabled by me and my hon. Friend the Member for Torridge and Devon, West (Miss Nicholson) or some of the other amendments could make it even better. That is what is required. Our amendment is a modest alteration, aimed not at crippling market forces but at giving a little leeway, so that those forces can work in the most effective way for the benefit of the consumer rather than just for the benefit of financiers.

I am sure that the Government would not wish the Treasury to lose money if there was some sort of argy-bargy. I join my hon. Friends and Opposition Members in urging the Government to make some friendly noise which would show us that they feel that something

needs to be done. The points made are neither frivolous nor vexatious. They touch on serious matters and were raised by people who are anxious about the future of the franchises.

Mr. John Greenway: This is one of the most important new clauses that we shall debate. I am sad that my hon. Friend the Member for Buckingham (Mr. Walden) was not with us in Committee because his speech demonstrated eloquence and a workmanlike approach. I shall not try to copy that eloquence because I could not.

We considered many amendments in Committee and have still to deal with some important new clauses and amendments. They try to address two issues which are related but quite distinct. First, there is the question of continuity of licence applications. It has not been said so far in this brief debate that clause 3 as drafted requires the ITC to give consent to a transfer. Amendment No. 229 relates to television and amendment No. 418 relates to radio, and we must not forget the importance of the bidding process for radio. Those two Government amendments are welcome because they strengthen the Bill's provisions about licence obligations being put into any new arrangement about transfer or takeover.

Secondly, there is the added issue of the threat to the allocation process for licences. The debate has sought to address that issue, especially in relation to Channel 3 licences. There was much debate in Committee on a key issue that has gained most attention outside the House —the allocation process, especially in relation to the need to strengthen quality. Quality has been strengthened and as the House debates other amendments hon. Members will see the extent to which that has been done. That is to the credit of my hon. and learned Friend the Minister of State because he has responded to representations about quality. That has created an incentive for bidders to drive up quality through the bidding process. It is crucial that that quality is not undermined by prospective broadcasters sitting out the first round—the bidding process—and then getting their sums right through an immediate takeover.

There has been much debate about whether the moratorium on takeovers should be for a year, two years, three years or some other time. It is crucial that a prospective broadcaster should understand that the only immediate means of obtaining a licence is through the bidding process. That is the issue that we must agree, and that is why there is a strong case for a limited moratorium. My hon. Friend the Member for South Hams (Mr. Steen) pointed out that the allocation process was likely to be completed at least a year or 18 months before the operation of the new licences. New clause 34, which is in the name of my hon. Friend the Member for South Hams and which I support, was proposed by the Independent Television Companies Association Ltd. It proposes a moratorium for the period up to the operation of the new licences, and then for 12 months. I was encouraged by my hon. and learned Friend the Minister's comment, in an earlier intervention, that that is also the view of George Russell and of the Independent Broadcasting Authority.

It is crucial that potential broadcasters who wish to obtain a television franchise can only obtain a licence immediately—the same would apply to the new independent radio stations—by winning the franchise allocation. Otherwise, there is a threat that all the good work done in Committee to strengthen the bidding process and to drive up quality will be undermined. A moratorium and takeovers of a limited nature could be the way to resolve that problem.

9 pm

Sir Giles Shaw: My hon. and learned Friend the Minister of State must regard himself as being in a difficult position. He has seen so many changes to the Bill in Committee as he has gradually moved from the first flamboyant gesture of an open-ended option for franchise. However, he should not be too discouraged if the idea of a moratorium is raised now, as it is consistent with the Government's present position.

A new television structure would be fragile. There can be no doubt that the market in 1991-94 will be intensely more competitive for media operations. Channel 4 is already coming on hot and strong, and Channel 5 is due shortly. There will be easy money to be made by companies that succeed in the auctioning process.

There will be real difficulties in the competition for the quality that every hon. Member wishes to see. The competition between those that provide the money for the programme makers will be severe. The scale of commitment of a successful bidder will be greater than that of previous franchise holders, who were in a cosy, semi-monopolistic world—although they had severe difficulties in establishing their regional networks.

The Bill contains various ways to protect the system, with references to small stations, large stations and the cross-ownership of media investments. I dislike media investment in television companies; I think that they should attempt to restrict themselves to obtaining new capital, and not second-guess other media owners. There will be a great deal of cross-fertilisation between companies.

The auction system will provide a series of under-bidders, who believe that they have as much right as anyone else to acquire a franchise. There will be a natural interest in attempting to make an abortive bid more successful. That is endemic to the auction process, and legitimately gives rise to the moratorium procedure.

I remind the House that it is not the under-bidder from the United Kingdom about whom we should be concerned; it will be various EEC bids that can be easily funded to provide a broader interest in how United Kingdom franchises will be awarded. Those EEC organisations have a great deal of experience, and have been acquiring United Kingdom companies for some time —not excluding the water companies—and they will be searching for ways to get in on the act.

My hon. and learned Friend the Minister should accept the principle of a moratorium. The scale of it is, I suspect, a matter of fine judgment. After all, it will be rough if the new company produces but one year's profit and then becomes vulnerable. It is the product—whether it is a good piece of television or a prize-winning exhibit—that those organisations will be looking to buy. The asset of a television company is not just the franchise on the region; it is the selling capacity of the creative minds in that company that provide programmes to be sold abroad that provide profitable investments. That too will have to be considered.

The one year suggested by the chairman of the ITC may not be long enough to protect the fragility of the system but, when all is said and done, I am sure that the

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moratorium will be consistent with what has gone before. But it must be interpreted with great care because it must protect a system which ultimately has to gain enough strength to stand on its own feet.

Mr. Corbett: There was such a moment as this, as the Minister and other members of the Committee will recall, on 25 January, the night of the great storm. The thunderbolts were clattering against the roof when we had a debate on religious broadcasting and the wisdom of requiring Channel 3 licensees to carry some religious programmes—in other words, to retain the "must carry" rule on religious programmes. The Minister listened to all of us, as he has tonight, and not only did he say that he accepted the sense of the Committee on religious programmes but, almost without being asked, children's programmes as well.

There was another such night when, after a long and enjoyable debate on the exceptional circumstances clause, after unanimity on both sides, the Minister left us with the thought that he would act as the Committee's messenger and talk to others with fingers in that particular pie to see whether changes should be made. We shall come to those changes later.

Not one hon. Member who has spoken in the debate on the moratorium has spoken against it. The principle is agreed on both sides. Even that nice Mr. Russell wants it, let alone others. The only arguement between us is from when it should date. The amendment in the name of my right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley) and others pins that down to 31 December 1995 to allow two years from when the first programmes were shown. We thought that there was some sense in allowing the programmes to be seen. Nobody will argue about whether that period should date from when the licences are awarded by the ITC or from when the programmes begin. An interesting point was made about the 18 months' spill-over period.

I always find it uncomfortable to get tangled up with market forces, but I shall allow it to this extent. It is difficult to say what the balance sheet of a company which is awarded the licence, hopefully by the summer of next year, will show before it has a single programme on the air. It will have earned no revenue from its programmes. It may be that, as part of the process of getting its programmes together, it will be offering to make programmes for Channel 4, BSB or whoever wants to buy them, but I cannot think that that would be a serious proposition.

I do not want to labour the point, but, as the IBA has argued, it makes no sense, having gone through all the paraphernalia of the so-called quality test to check on the safety of the money and the suitability of the people behind it, when the amount of money, the sealed envelope stuff, can be counted at the same time as the quality yardsticks are being assessed—a laborious process and expensive for those who bid—if within 24 hours of all that happening and that nice Mr. Russell and his friends saying, "Okay, you have got it" it is possible for someone to make a bid for that company.

However, I believe that such a thing is unlikely to happen. My own guess is that those who aspire to take a share in an expanded British broadcasting system are as likely as not to be trying to buy their way in to the present set-up. We know that one of the big television contractors has two rather large blocks of shares for sale. I believe, as someone who does not deal with such matters every day of the week, that it is more likely that those who aspire to a share would consider it more sensible to buy in to a company which they are advised—and there are many people in the City willing to give such advice—is likely to stand a good chance of bidding successfully for the new Channel 3 licence.

To concede the principle of a one-year moratorium from the date the licence is awarded will not cost the Government anything. I agree with Conservative Members who made the point that to do so would not be tampering with the doctrine of market forces. The Minister made it clear in Committee that this is the only time that the ITC will observe such an elaborate procedure, and that once the initial round of awarding licences is over thenceforth everything will be done via the stock exchange, by takeover. It is true that in those circumstances, whether the takeover is friendly or hostile, at the end of the day the ITC will have to approve those who seek to acquire the licence and, in the hon. and learned Gentleman's words, stand in the shoes of those to whom it was originally awarded.

Given the one-off nature of the ITC's initial task, how much more important it is that the applicants who are required to observe that process are given a degree of initial protection so that they can show how well they can live up to the programme and financing promises that persuaded the commission to award the licence. The logic of that argument stands supreme. No one can lose from such an arrangement. The Government cannot lose in terms of their aspirations, and nor can the ITC. The companies which make successful bids neither gain nor lose, but in the critical early period between the award of the licences and the programmes going on screen there will be a measure of protection.

That is important not only for the companies, but, more significantly, for the viewer. The Minister and his colleagues have spoken of the need for stability in the system, arguing that no one wants to see violent changes in what is shown on our television screens. If there is no moratorium, there is at least a risk of the transition being more difficult to achieve.

I hope that the Minister will say that, on the back of the unanimous view expressed in this debate, he will at least reconsider. I suggest that he must go further, for there is a real wish for a moratorium. The bottom line is a one-year moratorium, though I have made it perfectly clear that I would like it to be for a much longer period. Nevertheless, we could all settle on a one-year moratorium.

Unless the hon. Member for Tayside, North (Mr. Walker) can secure a commitment with a period tied to it, I urge him to press his new clause to a Division. To do so would not be for the purpose of humiliating the Minister, who knows that neither I nor my right hon. and hon. Friends seek to do that, any more than do his own right hon. and hon. Friends. Instead, such an expression of the views of the House will give him an added argument when he consults the Home Secretary and other ministerial colleagues. I understand that in the Government today it is all a matter of listening and responding, at least in respect of other matters, so why should the same not apply to the issue now before us? It would be right to indicate before the proceedings are over that such was the eloquence of Conservative Back Benchers and the

Opposition on the issue that the Minister felt it would be right to table the proposed amendment in another place. He will know, without my saying it, that if he does not say that, it will happen anyway when another place considers the Bill.

9.15 pm

Mr. Mellor: The hon. Gentleman has laid an appealing prospect before me. I am glad that we have a cameo appearance from the right hon. Member for Manchester, Gorton (Mr. Kaufman), who, as a brief relaxation from foreign affairs, has resumed his interest in the Home Office —and I do not say that churlishly, as he is most welcome here.

I commend the two Government amendments in the group. Amendment 229 deals with an issue raised in Committee—it will require the ITC to satisfy itself that the requirements of the licence would be upheld throughout the reporting period before giving consent to a transfer of the licence. Strictly speaking, the amendments are necessary because ITC consent is already required, but I gave an undertaking that we would etch that more deeply into the Bill, and that is what we have done. Amendment No. 418 makes the same arrangements for the Radio Authority.

Turning to the substance of this matter, obviously I listened with care to large parts of the debate, and my hon. Friend the Member for Fareham (Mr. Lloyd) reported to me on those speeches that, sadly, I missed while taking a short break. I am aware that all hon. Members who have spoken favour a moratorium; that point is not lost on me. However, the other side of the case should not go by default, and I shall briefly outline it.

The ITV network has in the past been protected from takeovers. It is not clear whether that has been of benefit to ITV or whether some of the complacent and inward-looking characteristics of the system—for instance, its inability until recent times to come to terms with some of the changes in industrial relations, and some practices that are common outside—owe a great deal to the protectionist environment within which it has been able to operate.

It is interesting that the IBA has announced its intention to permit takeovers of existing companies. We know that leading shareholders of one of the biggest companies are looking for an opportunity to sell. It is likely that takeovers of existing franchise holders will be permitted from the time that the Bill gets Royal Assent. The issue we must consider is whether we should have a stop-go cycle and whether, having allowed takeovers, we should enter a period of moratorium and, if so, whether it should be for one, two or three years.

If—it is quite a large if—my colleagues felt there were any attractions in a moratorium, with respect to the House, I do not imagine that they would want to go further than the period suggested by the IBA, which was 12 months. To be frank, it is higly questionable whether they would want to go that far. The whole issue turns on an evalution of some of the key points.

Hon. Members have expressed the fear that the consequence of allowing takeovers would be that new owners of companies could get around obligations entered into by their predecessors. That will not be possible under the terms of the Bill—first, because the ITC will have to give its consent to a transfer of the franchise. If it deems that the new owners are not fit and proper persons, or are otherwise unsuitable, it will be able to rule them out of court. Nothing could be more pointless than a successful takeover of a franchise which was then whipped away by the regulatory body.

Mr. Walden: I understand the logic of my right hon. and learned Friend's point and it looks fairly convincing on paper. He made the same case at the forum that discussed the matter. However, the ITC will also be a new body exploring uncharted territory. It will have to make an essentially subjective judgment in awarding the franchise. It will then have to make a second subjective judgment about how well the franchise holder is carrying out the franchise and a third subjective judgment about how likely those who take over are to implement that franchise at second hand. So we are dealing with three levels of subjectivity. My fear is that in quality terms they will lead inevitably in one direction and it will not be upwards.

Mr. Mellor: I expect that the ITC will have already sharpened its skills by failing a number of applicants on the quality threshold. It will simply be asked to bring to bear the same thinking.

The hon. Member for Birmingham, Erdington (Mr. Corbett) reminded us that the new purchaser of the franchise stands in the shoes of his predecessor and will be held to all the obligations that his predecessor entered into, with all the new array of powers which the ITC has, and which the IBA does not have, to enforce those franchise arrangements. Those are real safeguards.

Some are concerned that the effect of a takeover bid would be to weaken the ability of a company to carry out its programming commitments, because time and energy would be devoted to resisting the takeover. I am not saying that there are any absolute truths in the matter; I respect many of those who made that point, and I do not reject that argument out of hand, but in most sophisticated, well-structured companies there are those who are charged with the responsibility of programme making and planning and there are those who are responsible for the overall management issues. That is a separate function.

We have to be careful not to exaggerate and over-emphasise the problems of takeovers, which, after all, are part and parcel of every other part of the free enterprise system in Britain. We should be careful not to engage in too much special pleading on behalf of the broadcasting industry which is just one part of what we hope will be an increasingly competitive sector.

Several Hon. Members *rose*——

Mr. Mellor: I did not expect that argument to find much appeal among Opposition Members, and I have not been disappointed. I give way to my fellow Chelsea supporter.

Mr. Tony Banks: It is not a question of that argument not finding much favour among the Opposition; it does not find very much favour among Conservative Members either. Surely the Minister must be impressed by the fact that some hard-nosed free marketeers are sitting behind him—the hon. Member for Tayside, North (Mr. Walker) being the classic example, and the man who moved the new clause seeking the longest moratorium—and not one single voice save his own has been raised against the idea of a moratorium. Surely, if the will of the House means anything to him, he must give us some moratorium.

Mr. Mellor: I am not honour-bound to provide a balance by having a little squeak on the other side of the case. I certainly understand that some of those who have spoken would give relatively short shrift to the argument that I advance, but I must bear that with fortitude.

Mr. Cryer: It is precisely because we know about the free market system that hon. Members on both sides of the House have presented that argument. The Minister has not addressed a matter which has been raised repeatedly: what will be the position if a successful television bidder decides —as they will be perfectly entitled to do—to resist a predatory takeover, when to do so would necessitate spending a great deal of money? Would that not be perforce at the expense of the quality of television, and should not the moratorium be given to enable franchise holders to demonstrate the promises that they made in their original submissions?

Mr. Mellor: The hon. Gentleman seemed to recognise that the arguments are tending to be against takeovers generally. If they were accepted, they would be valid whether there were to be a moratorium period or not. They go to the root of the question whether there should be takeovers. The present ITV set-up does not make a very compelling test-bed for the proposition that a competitive, free enterprise community operates better when freed from the rigours of takeovers.

As I said in Committee, a number of observers of the broadcasting scene who are certainly not active supporters of my side of the political debate have long asserted that what has been needed to pep up the system is the ability for there to be takeovers and that many of the rest of our proposals would not be needed if we permitted that to happen. Obviously, the question of takeovers is part and parcel of the way in which a new dynamic is introduced into companies and into industries. Many sectors of the economy have greatly benefited from that.

Mr. Chris Mullin (Sunderland, South) *rose*——

Mr. Mellor: I am glad to know that the hon. Gentleman has views on issues other than the one on which he and I usually talk, so I shall give way to him.

Mr. Mullin: Is the Minister aware that no hon. Member from any party has spoken against the principle of takeovers this evening? We are talking merely about a moratorium. Will the hon. and learned Gentleman address that issue and not get carried away down side alleys about the principle of takeovers?

Mr. Mellor: I have to dismiss that as a somewhat churlish intervention. If some of the arguments allegedly in support of a temporary cessation appear to go to the question whether there should be takeovers as such, I am perfectly entitled to point that out. The point has been registered, and it will be there for all to read that the wide range of hon. Members who chose to participate in the debate—some have great experience in these matters—all spoke in favour of the moratorium.

Mr. Maclennan *rose*——

Mr. Mellor: I am just drawing towards a happy—well, perhaps not a terribly happy—conclusion. However, I shall give way to the hon. Gentleman who will, no doubt, drive me back to where I was before.

Mr. Maclennan: That has sometimes done the Minister good. However, I wanted to remind him of an earlier Home Office experience. There was a debate in the Chamber on another Bill about a proposal to curtail the rights of juries in serious fraud cases. On that occasion, the Home Office Minister heard, as the hon. and learned Gentleman has heard tonight, 11 voices speaking against the Government's proposal. The Minister gave the undertaking that he would consider the fact that there was unanimity of view, and very properly accepted the view of Parliament. When there has been unanimity of view from such an enormously wide spectrum of opinion, the least the Minister can do is not to set his face against what has been proposed. Perhaps that does bring him back to where he was.

Mr. Mellor: The hon. Gentleman has said in his own words what I was about to say in mine. I will not be deflected from doing so just because of his intervention. I have no remit to change this part of the Government's thinking tonight, and I do not say that this part of the Government's thinking will be changed. I will certainly ensure——

Mr. Tony Banks: Ask the gaffer.

Mr. Mellor: The hon. Gentleman is not in the Shed now; he should contain himself.

Mr. Banks: The directors' box.

Mr. Mellor: I keep an eye on him from the directors' box. Several hon. Members, many of them of considerable experience, have spoken this evening and all have spoken in one direction. I shall certainly acquaint my colleagues with that fact, and if they wish to use it to stimulate some further thinking, so be it. I am not guaranteeing that that will be the outcome, but I was invited to convey a further message and I am probably duty-bound to do so in this instance.

9.30 pm

Mr. Bill Walker: I do not think that in all my years in the House I have ever been described as a protectionist of any kind; no one can suggest that my free market credentials have ever been in doubt. I did not table the new clause frivolously. I believe that television, the most potent communicating force known to man, is not something for which we should legislate lightly. Instead, we should consider the matter in great depth.

The remarks of my hon. and learned Friend the Minister were constructive. Although he did not go as far as my hon. Friends and I would have liked, if he and the Government say that they are prepared to consider the matter again, I accept that assurance.

I beg to ask leave to withdraw the motion.

Hon. Members: No.

Question put, That the clause be read a Second time:—

The House divided: Ayes 170, Noes 262.

Division No. 194] **[9.30 pm**

AYES

Abbott, Ms Diane	Barnes, Harry *(Derbyshire NE)*
Allen, Graham	Barnes, Mrs Rosie *(Greenwich)*
Anderson, Donald	Barron, Kevin
Archer, Rt Hon Peter	Battle, John
Armstrong, Hilary	Beckett, Margaret
Ashton, Joe	Beith, A. J.
Banks, Tony *(Newham NW)*	Benn, Rt Hon Tony

Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Bidwell, Sydney
Blunkett, David
Boateng, Paul
Boyes, Roland
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Bruce, Malcolm *(Gordon)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell-Savours, D. N.
Canavan, Dennis
Carlile, Alex *(Mont'g)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Corbett, Robin
Corbyn, Jeremy
Critchley, Julian
Crowther, Stan
Cryer, Bob
Cunliffe, Lawrence
Dalyell, Tam
Darling, Alistair
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Doran, Frank
Duffy, A. E. P.
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Ewing, Mrs Margaret *(Moray)*
Fearn, Ronald
Fisher, Mark
Flannery, Martin
Flynn, Paul
Forsythe, Clifford *(Antrim S)*
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galloway, George
George, Bruce
Gilbert, Rt Hon Dr John
Golding, Mrs Llin
Gordon, Mildred
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Heal, Mrs Sylvia
Hinchliffe, David
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howells, Geraint
Howells, Dr. Kim (Pontypridd)
Hoyle, Doug
Hughes, John *(Coventry NE)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kilfedder, James
Kinnock, Rt Hon Neil
Kirkwood, Archy
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
McAllion, John
McAvoy, Thomas
Macdonald, Calum A.
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
Maclennan, Robert
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Martlew, Eric
Maxton, John
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Mitchell, Austin *(G't Grimsby)*
Molyneaux, Rt Hon James
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mullin, Chris
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
Orme, Rt Hon Stanley
Paisley, Rev Ian
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Robertson, George
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Skinner, Dennis
Smith, C. *(Isl'ton & F'bury)*
Smyth, Rev Martin *(Belfast S)*
Soley, Clive
Spearing, Nigel
Steinberg, Gerry
Strang, Gavin
Taylor, Mrs Ann *(Dewsbury)*
Turner, Dennis
Vaz, Keith
Walden, George
Walker, A. Cecil *(Belfast N)*
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Watson, Mike *(Glasgow, C)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Frank Haynes and
Mr. Martyn Jones.

NOES

Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amess, David
Amos, Alan
Arbuthnot, James
Ashby, David
Aspinwall, Jack
Atkins, Robert
Baker, Rt Hon K. *(Mole Valley)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beaumont-Dark, Anthony
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Blaker, Rt Hon Sir Peter
Bonsor, Sir Nicholas
Boswell, Tim
Bottomley, Peter
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Budgen, Nicholas
Burt, Alistair
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Couchman, James
Cran, James
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Eggar, Tim
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Favell, Tony
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Sir Alan
Goodhart, Sir Philip
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Howard, Rt Hon Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Jackson, Robert
Janman, Tim
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Key, Robert
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Lamond, James
Latham, Michael
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lester, Jim *(Broxtowe)*
Lightbown, David
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Luce, Rt Hon Richard
Lyell, Rt Hon Sir Nicholas
McCrindle, Robert
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David

McNair-Wilson, Sir Michael
McNair-Wilson, Sir Patrick
Madel, David
Malins, Humfrey
Mans, Keith
Maples, John
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mellor, David
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Montgomery, Sir Fergus
Morrison, Sir Charles
Moss, Malcolm
Mudd, David
Neale, Gerrard
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Price, Sir David
Raison, Rt Hon Timothy
Redwood, John
Renton, Rt Hon Tim
Rhodes James, Robert
Riddick, Graham
Ridsdale, Sir Julian
Roberts, Wyn *(Conwy)*
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Tom
Sayeed, Jonathan
Shaw, David *(Dover)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stradling Thomas, Sir John
Sumberg, David
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waddington, Rt Hon David
Waller, Gary
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Woodcock, Dr. Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Tony Durant and
Mr. Nicholas Baker.

Question accordingly negatived.

New Clause 18

AWARD OF NATIONAL RADIO LICENSES

'( ) (1) When allocating licences for the provision of national radio services, the Commission shall ensure that licences are awarded only to companies that can demonstrate commercial viability, technical and professional competence and a commitment to diversity and quality in the range of programmes they intend to make or broadcast;

(2) Before awarding licences the Commission shall publish the names of all applicants who satisfy the conditions specified in (1) above, along with details of their applications and details of the arrangements for a specified period of public consultation, which shall include the manner in which public comment is invited.

(3) The Commission shall provide all the applicants referred to in (2) above with a digest of the views submitted during the consultation period, and invite applicants to modify their applications where appropriate prior to a final decision on the awarding of licences.

(4) The primary consideratons when awarding licences shall be the provision of a diverse range of quality programmes, and the extent to which the applicant has shown himself willing to respond to public comment on his original application.'.—*[Mr. Corbett.]*

Brought up, and read the First time.

Mr. Corbett: I beg to move, That the clause be read a Second time.

Mr. Speaker: With this it will be convenient to take the following: New clause 20—*Award of Channel 3 licences*—

'( ) (1) When allocating licences for the provision of regional television services, the Commission shall ensure that licences are awarded only to companies that can demonstrate commercial viability, technical and professional competence and a commitment to diversity and quality in the range of programmes they intend to make or broadcast.

(2) Before awarding licences the Commission shall publish the names of all applicants who satisfy the conditions specified in (1) above, together with details of their applications and details of the arrangements for a specified period of public consultation which shall include the manner in which public comment is invited.

(3) The Commission shall provide all the applicants referred to in (2) above with a digest of the views submitted during the consultation period, and invite applicants to modify their aplications where appropriate prior to a final decision on the awarding of licences.

(4) The primary consideration when awarding licences shall be the provision of a diverse range of quality programmes appropriate to the area to be served, and the extent to which the applicant has shown himself willing to respond to public comment on his original application.'.

Government amendments Nos. 250 to 252.

Amendment No. 55, in clause 15, page 13, line 23, at end insert—

'(c) arrangements for public consultation specifying the manner and the time period in which public comment on the shortlisted applicants' proposals may be submitted to the Commission'.

Government amendments Nos. 115, 134, 158, 433 to 435, 438, 453, 453A, 454 to 457, 459 to 462.

Amendment No. 104, in clause 97, page 76, line 18, at end insert—

'and provide in such manner as they consider appropriate, opportunities for public comment upon the applications submitted.'.

Government amendments Nos. 463, 467 to 469.

Amendment No. 105, in clause 98, page 77, line 4, at end add—

'(d) the extent to which the applicant has demonstrated support from persons living in the area or locality to be served; or

(e) the extent to which members of shareholders of an applicant body are persons living in the area or locality to be served.'.

Government amendment No. 193.

Mr. Corbett: The new clauses provide a new and more open way of awarding the Channel 3 television and new national radio licences. They would give viewers and listeners a direct say in the consideration of applications by the Independent Television Commission and the Radio Authority and would exactly meet the ambition of the Government, as expressed in their White Paper published in 1988. *[Interruption.]*

Mr. Speaker: Order. Will hon. Members beyond the Bar kindly leave the Chamber or come in and join us?

9.45 pm

Mr. Corbett: In their White Paper the Government said in paragraph 1.2:

"The Government places the viewer and listener at the centre of broadcasting policy."

In the same paragraph they went on to argue that in the Government's proposed changes the

"single biggest advantage will be to give the viewer and listener a greater and a greater say."

We did not hear much from the Government during the earlier stages of the Bill about how the viewer and listener would have that greater say. The new clauses offer a blueprint for achieving that Government objective, which we wholly share.

Our process for awarding Channel 3 television and national radio licences would sweep away the complicated and subjective so-called quality test and the "exceptional circumstances" arrangement. Instead, the new clauses would put into place a clear two-part test which those wanting a licence must pass. First, applicants would have to demonstrate commercial viability, technical competence, and a commitment to diversity and quality in the range of programmes that they intend to make or broadcast. That rightly puts the emphasis on what viewers and listeners can watch and listen to. Secondly, after applications have been accepted by the Independent Television Commission and the Radio Authority, listeners and viewers and their organisations will be invited to comment on what is proposed over a fixed period. Applicants will then be sent a digest of the views of listeners and viewers and asked to consider and respond to them. Where applicants wish, their programme proposals can be amended to take those views into account.

The primary consideration of the ITC and Radio Authority will be the provision of a diverse range of quality programmes and the extent to which applicants have responded to public comment. In the past, we have all been critical about the opaque manner in which ITV licences were awarded. We need, and the Government say that they want, more openness. The new clauses offer one way of achieving that.

The new clauses are important because, as we discussed earlier, the ITC will probably award the next round of licences and no more. As the Minister made clear, he expects that in future takeovers will be the only route to a change of management and that the ITC will have powers to approve any such takeover. However, by and large, only the cash, rather than the nature of the service, will change by means of a takeover.

The House must get this matter right. I accept that it is a wholly new concept and one which we have developed only with the help of the Public Service Broadcasting Campaign since the Committee stage of the Bill. But there is nothing wrong with that. The Bill is of such critical importance to what viewers and listeners will be able to see and hear in the years ahead that we must consider all the alternatives, both in this House and in another place.

The new clauses score on their openness and the role that they give to what the Government call consumers and we more properly call viewers and listeners. The Minister is halfway towards that. He has welcomed the interest that produced Jazz FM and has given a heavy hint that he would like an all-classical radio station, certainly in the capital. We want to start that process a stage earlier, with the viewers and listeners in on the ground floor as the licences are being awarded, rather than simply being given a chance to respond when a radio or television station comes on the air.

I shall not complain if the Minister does not feel able to say yea or nay tonight. If he wants to think about the matter for possible amendment later, that would be progress. I believe that the scheme that we have proposed for the award of the new Channel 3 licences and three national radio stations has greater merit. I hope that it will win support in the House.

Mr. Mellor: The hon. Member for Birmingham, Erdington (Mr. Corbett) speaks with great sincerity on such matters, and I understand why he says what he does. I was grateful for his recognition that a criticism of the existing system is that it has been so opaque. Over the years, we have shown a genuine commitment to openness. We have already committed ourselves to, and are in the process of honouring, that commitment by writing into the Bill a number of arrangements to ensure good and proper publicity for many of the processes, so that the public can play a proper part. I recognise that a number of the amendments are couched in that spirit.

I am attracted by amendment No. 55, and while the phrase "public consultation" might have a ring about it that suggests taking things further than we would necessarily envisage, I am broadly attracted to it. If the hon. Member were to withdraw that amendment, I would undertake to provide another that would go most, if not all, of the way he wants to go, and we would introduce that amendment into the other place. I wish to do more than pay lip service to public consultation.

We do not agree with paragraph (e) of amendment No. 105, but we are attracted to paragraph (d); Government amendment No. 469, in the same group, effectively covers the same territory as that paragraph. There is by no means no meeting of minds.

I have a problem with new clause 18, which intends to relate to the Radio Authority but, in error, calls it the commission. The commission will not give any radio franchises. That is done only by the Radio Authority. We may come on to that in more detail later.

With regard to new clause 20, it is important that public opinion should be sought at various stages, but it would not be sensible to allow the applicant to modify his application in the light of public comment. That could distort and retard the award process in a way that I know the hon. Gentleman does not intend. I cannot help feeling that we want to see applicants stand or fall by their original intention and plan, and the trouble with cosmetic modifications to curry favour with the ITC that might follow from such a process is that it might further delay an already complex and lengthy process. If I am able to meet the hon. Gentleman on most, if not all, of amendment No. 55, he may feel that he has got sufficient out of the discussion to merit leaving matters where they are at present.

There is a raft of Government amendments in the group. Because of time, I will not go through them in detail. Suffice it to say that each and every one of them relates to an undertaking that I gave in Committee, or is a technical drafting amendment as a result of our repeated washing and brushing up of different parts of the Bill. Unless any hon. Member has problems about the amendments, I commend them generally; they all relate to the exhaustive discussions in Committee.

[Mr. Mellor]

In the light of what I have said, I hope that the hon. Member for Erdington will withdraw the new clause.

Mr. Tony Banks: New clause 18(1) says:

"When allocating licences for the provision of national radio services, the Commission shall ensure that licences are awarded only to companies that can demonstrate commercial viability, technical and professional competence and a commitment to diversity and quality in the range of programmes they intend to make or broadcast".

That seems to be the equivalent of the tests to be applied by the ITC for television franchises. We want those tests extended to cover radio. If I remember correctly, we found the Government position in Committee inconsistent; whereas they were prepared to accept various quality threshold arguments and other regulations in respect of television franchises, they were not prepared with so much alacrity to see them extended into radio. I hope that we will insist on new clauses 18 and 20 as a way of getting a certain symmetry in the Government's attitude towards sound broadcasting and television broadcasting.

One reason why we want to insist on standards for commercial viability and competence is that there is much money to be made out of broadcasting. That is true in radio as it is in television. Perhaps it is not so spectacularly evident, but many businesses are moving into radio, and there is much movement in radio broadcasting.

Crown FM, an offshoot from the old LBC, now Canadian-owned, produces programmes largely on a talk-back basis. I understand that it is on the point of sacking 30 to 40 members of staff on the ground of lack of commercial viability, while at the same time, according to a newspaper report, it is about to employ Mr. Andrew Neil —he who had some knowledge of one of our parliamentary research assistants. I understand that he is to receive a salary of £160,000, while being allowed to maintain his editorial job in the Murdoch empire. I find that a strange way for a radio company to operate—to get rid of staff on the ground that it cannot afford to keep them and to take on one presenter on a moonlighting remuneration which is enough to make the eyes water even of some avaricious Conservative Members.

If we were to have new clause 18, I hope that it would provide a way to prevent that. When a franchise was being applied for, searching questions could be asked and assurances sought. If those assurances were subsequently reneged upon, something could be done to claim back the franchise.

On new clause 20, we noticed again and again in Committee that the one group of people to whose views no consideration was given was perhaps the most important group—viewers and listeners. There is no way of consulting them. Although hon. Members on all sides did their best to represent what they believed to be the interests of listeners and viewers, precious little in the Bill allows the various authorities and the responsible Government Department to consult the people who are, in the final analysis, the customers. We felt that that was a major omission from the Bill and on several occasions suggested machinery whereby the clients—the customers, listeners or viewers, however we describe them: the people who receive the final product—could be consulted. They remain outside the scope of the Bill and will have to suffer what is given to them.

The broadcasters had their fourpenny-worth and did very well by it. Hon. Members were able to put forward their views and the Minister made substantial amendments to the Bill which made it much better. The viewers and listeners were not consulted and the Minister was not prepared to include in the Bill any machinery to allow them to be consulted. New clause 20 at least allows——

It being Ten o'clock, the debate stood adjourned.

Ordered,

That, at this day's sitting, the Broadcasting Bill may be proceeded with, though opposed, until any hour.—*[Mr. John M. Taylor.]*

As amended (in the Standing Committee), again considered.

Question again proposed, That the clause be read a Second time.

Mr. Banks: That is why I support new clauses 18 and 20.

Mr. Jonathan Aitken (Thanet, South): I shall be brief. The Opposition new clause is well intentioned and few of us would dissent from the defined objective outlined by the hon. Member for Birmingham, Erdington (Mr. Corbett), who said that he wished to end the opaque method by which television licences have been distributed in the past. I think we all agree that that opaque method could do with some improvement.

The Opposition would be wise to accept the olive branch extended by my hon. and learned Friend the Minister and to concentrate on amendment No. 55 rather than on the new clauses, which are rather flawed because they consist largely of pious hopes and assertions rather than reality. In the margin of my notes I have written the word "How" beside some of the statements that I have heard. For example, it is said that the commission must ensure that licences are awarded only to companies that can demonstrate commercial viability. I have written the word "How" beside that because I am sure that the old IBA thought that it had done a good job at the last round of franchises by asking whether television licence applicants were commercially viable. One cannot always foresee the dramas that may emerge in television companies.

Mr. Corbett: I know that the hon. Gentleman's last remark was said with some feeling. Under the Government's proposals, the ITC will have to make a judgment about what we shall describe as the soundness of the money. The ITC will not be mesmerised by a pile of money but will want to know who stands behind it and how secure it is. There is not much of a gap between that and the commerical viability for which we argue.

Mr. Aitken: I understand the hon. Gentleman's point. My argument is that the Government's proposals are more on the ball than those of the Opposition. Their proposals are a rather complicated piece of machinery and remind me of the pop song that was around a few years ago. It was called "I've got a brand new combine harvester". The Opposition have designed this great new piece of machinery and in a wizard way it will solve all the problems. However, these problems cannot be solved other than by some of the past opaque methods which do not always work any more than the commission's ideas will always work.

The two new clauses are too complicated. There is an exception with which I shall deal later.

I agree with my hon. and learned Friend the Minister that consultation is the key. The old IBA was not that bad at public consultation. The sight of the hon. Member for Great Grimsby (Mr. Mitchell) in the Chamber reminds me of an extraordinary three-ring circus in which he and I took part. We were to be joint managing directors of a putative Yorkshire television company under the chairmanship of at that time the recently retired Prime Minister, Mr. Harold Wilson, now Lord Wilson of Rievaulx. That odd trio rocketed around the north Yorkshire countryside listening to a whole series of views about the inadequacies, on the whole, of the then Yorkshire Television and suggested ways in which its output might be improved by the challenging consortium. Those public consultation audiences did quite a good job, not just in suggesting ideas to the trio who were not at the end of the day called to the party to sing, but to Yorkshire Television itself.

The only wrong note that the Minister struck, in my view, was his suggestion that applicants should never be able to amend the terms of a prospectus as a result of public consultation. I hope that, when he redrafts amendment No. 55, he will give bidding consortia an opportunity to amend their proposals in the light of what has been said at public hearings. After all, we in the House of Commons frequently amend legislation in the light of views expressed both inside and outside the House; it seems very odd not to extend the same opportunity to television companies bidding for new licences. Most people are prepared to change their views as a result—at least partly—of listening to the views of others.

I feel that the new clause, in the form in which it has been proposed, is a little too cumbersome. Amendment No. 55 contains the kernel of the issue, and I hope that the Minister will at least allow bidding consortia to amend their proposals in the light of consultations when he produces the redrafted version that he has offered as an olive branch.

Mr. Austin Mitchell: I did not intend to speak until the hon. Member for Thanet, South (Mr. Aitken) removed the last shred of my socialist credibility. I should like, however, to add to what he said, which was entirely correct: what we spearheaded was the employers' bid for the contract, which was an example of worker participation.

Amendments Nos. 18 and 20 are all about the value of consultation. The strength of the independent television companies lies in their regional roots: they have brought centres of television excellence to such places as Manchester and Leeds. They have built up teams of high-quality production staff to stimulate, excite and fertilise the regions—and the regions want a say in who provides their television services.

The consultation that we propose involves the important guarantee of feedback to which the companies must respond. The companies will be genuine representatives of the region: they will have regional capital, and regional staff with a commitment to regional programming. A surprising strength of feeling emerges from consultation, and when I participated in the process with the hon. Member for Thanet, South I found it most stimulating. The system does not usually allow such insights into the views of a range of organised groups and individuals about regional needs.

Unless provision is made in the Bill, I see no way of giving the companies the feedback that will be necessary if the regions are to have a say in who provides the programmes. After all, the companies will be their companies; why should they not have their say? It is an important principle: listen to the people and trust their judgment.

Mr. Corbett: We had better finish while we are ahead. I am grateful to the Minister for his warm embrace of amendment No. 55, and to the hon. Member for Thanet, South (Mr. Aitken) for his sensible comments. He has given the Minister some good advice. I agree with his suggestion that the Minister should redraft the amendment to allow those who wish to respond to the comments arising from a bid to do so, and—if they see any need—to change the details. That is a helpful suggestion.

I assure the Minister that by public consultation we do not mean over some great area or a regional referendum. A number of individuals—viewers and listeners—and their organisations have not only legitimate interests in the matter but things to say which broadcasters should welcome. They will not agree with them 100 per cent.—nobody would expect that—but at the very least their views should be treated with respect.

It might be helpful if I say that I shall withdraw amendment No. 55 and express my gratitude to the Minister. We shall not press the other amendments.

I apologise for the drafting error in new clause 18. We meant to refer to the Radio Authority, not to the ITC, but that is what it says and that makes it faulty. I take responsibility for that and so we are left with new clause 20.

I do not want to flog new clause 20 because time is getting on. The Minister has accepted the spirit and purpose of amendment No. 55, but that relates to consultation on the basis of bids which will go through the system which the Government propose. What we are proposing is an entirely different system of awarding the new Channel 3 licences which, right from the start, gives viewers over a specified period the right to make comments and lays a duty upon the applicants to demonstrate that they have listened to and considered and, where they chose, responded to what has been said to them in those consultations.

That is a new way of doing it and I acknowledge some of the points, made again by the hon. Member for Thanet, South. In either the Government's way of doing this or in the way in which we propose in the new clause, there will be some areas of highly selective judgment. At the end of the day that must be so. There is no foolproof system.

Both sides of the House share an ambition that the process of the allocation of the new Channel 3 licences should be more open and should be seen to be more open. There is no argument about that. In a sense, inevitably we are arguing about the means to achieve that.

Having said that, to demonstrate our commitment to fulfilling the Government's ambition to placing the viewer and listener at the centre of broadcasting policy, we shall seek to press new clause 20.

I beg to ask leave to withdraw new clause 18.

Motion and clause, by leave, withdrawn.

New clause 20

AWARD OF CHANNEL 3 LICENCES

'( ) (1) When allocating licences for the provision of regional television services, the Commission shall ensure that licences are awarded only to companies that can demonstrate commercial viability, technical and professional competence and a commitment to diversity and quality in the range of programmes they intend to make or broadcast.

(2) Before awarding licences the Commission shall publish the names of all applicants who satisfy the conditions specified in (1) above, together with details of their applications and details of the arrangements for a specified period of public consultation which shall include the manner in which public comment is invited.

(3) The Commission shall provide all the applicants referred to in (2) above with a digest of the views submitted during the consultation period, and invite applicants to modify their applications where appropriate prior to a final decision on the awarding of licences.

(4) The primary consideration when awarding licences shall be the provision of a diverse range of quality programmes appropriate to the area to be served, and the extent to which the applicant has shown himself willing to respond to public comment on his original application.'.— *[Mr. Corbett.]*

Brought up, and read the First time.

Motion made, and Question put, That the clause be read a Second time:—

The House divided: Ayes 158, Noes 262.

Division No. 195] **[10.13 pm**

AYES

Abbott, Ms Diane
Allen, Graham
Anderson, Donald
Archer, Rt Hon Peter
Armstrong, Hilary
Ashton, Joe
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beith, A. J.
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Blunkett, David
Boateng, Paul
Boyes, Roland
Brown, Nicholas *(Newcastle E)*
Bruce, Malcolm *(Gordon)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell-Savours, D. N.
Canavan, Dennis
Carlile, Alex *(Mont'g)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Crowther, Stan
Cryer, Bob
Cunliffe, Lawrence
Dalyell, Tam
Darling, Alistair
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Duffy, A. E. P.
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Fearn, Ronald
Fisher, Mark
Flynn, Paul
Forsythe, Clifford *(Antrim S)*
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galloway, George
George, Bruce
Gilbert, Rt Hon Dr John
Golding, Mrs Llin
Gordon, Mildred
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Heal, Mrs Sylvia
Hinchliffe, David
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howells, Geraint
Howells, Dr. Kim (Pontypridd)
Hoyle, Doug
Hughes, John *(Coventry NE)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Jones, Ieuan *(Ynys Môn)*
Kennedy, Charles
Kilfedder, James
Kinnock, Rt Hon Neil
Kirkwood, Archy
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
McAllion, John
McAvoy, Thomas
Macdonald, Calum A.
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
Maclennan, Robert
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Martlew, Eric
Maxton, John
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Mitchell, Austin *(G't Grimsby)*
Molyneaux, Rt Hon James
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Mowlam, Marjorie
Mullin, Chris
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
Paisley, Rev Ian
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Primarolo, Dawn
Reid, Dr John
Richardson, Jo
Robertson, George
Rogers, Allan
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Sedgemore, Brian
Skinner, Dennis
Smith, C. *(Isl'ton & F'bury)*
Smyth, Rev Martin *(Belfast S)*
Soley, Clive
Spearing, Nigel
Steinberg, Gerry
Strang, Gavin
Taylor, Mrs Ann *(Dewsbury)*
Turner, Dennis
Vaz, Keith
Walker, A. Cecil *(Belfast N)*
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Watson, Mike *(Glasgow, C)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Frank Haynes and
Mr. Martyn Jones.

NOES

Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amess, David
Amos, Alan
Arbuthnot, James
Ashby, David
Aspinwall, Jack
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Batiste, Spencer
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Blaker, Rt Hon Sir Peter
Bonsor, Sir Nicholas
Boswell, Tim
Bottomley, Peter
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Bruce, Ian *(Dorset South)*
Buchanan-Smith, Rt Hon Alick
Buck, Sir Antony
Budgen, Nicholas
Burt, Alistair
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Couchman, James
Cran, James
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Eggar, Tim
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Favell, Tony
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger

Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Sir Alan
Goodhart, Sir Philip
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heseltine, Rt Hon Michael
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hind, Kenneth
Holt, Richard
Howard, Rt Hon Michael
Howarth, Alan *(Strat'd-on-A)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Jackson, Robert
Janman, Tim
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Lamont, Rt Hon Norman
Latham, Michael
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lester, Jim *(Broxtowe)*
Lightbown, David
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Luce, Rt Hon Richard
Lyell, Rt Hon Sir Nicholas
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McNair-Wilson, Sir Patrick
Madel, David
Malins, Humfrey
Mans, Keith
Maples, John
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Mellor, David
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Morrison, Sir Charles
Moss, Malcolm
Mudd, David
Neale, Gerrard
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Price, Sir David
Raison, Rt Hon Timothy
Redwood, John
Renton, Rt Hon Tim
Rhodes James, Robert
Riddick, Graham
Ridsdale, Sir Julian
Roberts, Wyn *(Conwy)*
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Tom
Sayeed, Jonathan
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waddington, Rt Hon David
Walden, George
Walker, Bill *(T'side North)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Winterton, Mrs Ann
Winterton, Nicholas
Woodcock, Dr. Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Tony Durant and
Mr. John M. Taylor.

Question accordingly negatived.

New clause 21

APPLICATIONS FOR LICENCES FOR LOCAL DELIVERY SERVICES

.—(1) Where the Commission propose to grant a licence to provide a local delivery service, they shall publish, in such manner as they consider appropriate, a notice—

(a) stating that they propose to grant such a licence;
(b) specifying the area or locality in the United Kingdom for which the service is to be provided;
(c) inviting applications for the licence; and
(d) stating the fee payable on any application made in pursuance of the notice.

(2) Any application made in pursuance of a notice under subsection (1) must be in writing and accompanied by—

(a) the fee specified in the notice under paragraph (d) of that subsection;
(b) where appropriate, the applicant's proposals for providing a service that would—
  (i) cater for the tastes and interests of persons living in the area or locality for which it would be provided or for any particular tastes and interests of such persons, and
  (ii) broaden the range or programmes available to persons living in that area or locality;
(c) a technical plan relating to the service which the applicant proposes to provide and indicating—
  (i) the parts of the area specified under subsection (1)(b)(i) which would be covered by that service,
  (ii) the timetable in accordance with which that coverage would be achieved,
  (iii) the technical means by which it would be achieved, and
  (iv) the extent (if any) to which he proposes that the provision of the service should be undertaken by some other person in accordance with section 67(5); and
  (c) such information as the Commission may reasonably require as to the applicant's present financial position and his projected financial position during the period for which the licence would be in force.

(3) At any time after receiving such an application and before determining it the Commission may require the applicant to furnish additional information under subsection (2)(b), (c) or (d)'.—*[Sir P. Blaker.]*

Brought up, and read the First time.

Sir Peter Blaker (Blackpool, South): I beg to move, That the clause be read a Second time.

Mr. Speaker: With this it will be convenient to take the following amendments:

No. 217, in page 52, line 13, leave out clause 68.

No. 218, in clause 68, page 52, line 32, at the beginning insert 'Subject to subsection (2A),'.

No. 219, page 52, line 36, at end insert—

[Mr. Speaker]

'(2A) The Commission shall specify a nil percentage under subsection (1)(d)(iii) in relation to any accounting period for which the qualifying revenue of the applicant would be insufficient to provide a return on the initial capital costs incurred by him in providing the service.

(2B) For the purposes of subsection (2A), the Commission shall draw up, and from time to time review, a statement setting out the principles to be followed in ascertaining in relation to any person providing a local delivery service—

(a) the initial capital costs incurred by him in providing the service, and

(b) the depreciation, payments in respect of interest and other matters to be taken into account in respect of any accounting period of his in determining whether a return on those costs has been received by him in relation to that accounting period.'.

No. 356, in page 52, line 44, after 'service', insert 'and the provision proposed by the applicant for the reception and immediate transmission of the programmes included in the television broadcasting service provided by the BBC (and Channel 4 and S4C) for reception in that area'.

No. 220, in clause 69, page 54, line 2, leave out 'in accordance with section 68'.

No. 221, in page 54, line 3, leave out from 'licence' to 'unless' in line 4.

No. 357, in page 54, line 10, after 'and', insert—

'(d) that any telecommunications system proposed provides for the delivery of BBC-1 and 2 (and Channel 4 or S4C) services (as appropriate)'.

No. 222, in page 54, line 15, leave out lines 15 to 18.

No. 80, in page 54, line 31, leave out clause 70.

No. 224, in page 56, line 10, leave out clause 71.

No. 358, in clause 75, page 59, line 22, at end insert —

'(3A) A local delivery licence shall include a condition requiring the licence holder to provide services on BBC-1 and BBC-2 (and Channel 4 or S4C, as appropriate).'.

No. 359, in page 59, line 26, after 'subsection (3)', insert 'or subsection (4)'.

No. 216, in schedule 10, page 177, line 46, at end insert—

'(4) Without prejudice to paragraph 2 of Part II of this Schedule, where any licence continues in force by virtue of sub-paragraph (1), it shall be treated for the purposes of section 72 as if it were a licence under Part II of this Act to provide a local delivery service for the area in which the prescribed diffusion service has been provided, and that section shall apply in relation to such a licence as if—

(a) for subsection (1) there were substituted—

'"(1) When a licence continued in force by virtue of paragraph 1(1) of Part II of Schedule 10 to this Act expires, its holder may apply for the grant of a local delivery licence under this section for a period of 15 years beginning with the date of the grant of that licence.";

(b) for any reference to the renewal of a local delivery licence or to an application for such a renewal there were respectively substituted a reference to the grant of such a licence or an application for such a grant;

(c) for the reference in subsection (2) to the date on which the local delivery licence would otherwise cease to be in force there were substituted a reference to the date on which the licence in question would otherwise cease to be in force;

(d) in subsection (4), after the word "grant" there were inserted the words "(other than under this section)";

(e) in subsection (5), paragraph (b) were omitted;

(f) in subsection (6)(b) the words from "specify" to "the" in line 2 were omitted; and

(g) in subsection (7), after the word "granting" there were inserted the words "(other than under this section)".

(5) Section 75(3) and (4) shall not apply in relation to a local delivery licence granted by virtue of sub-paragraph 4, but otherwise Part II of this Act applies to a local delivery licence so granted as it applies to any other such licence granted under that Part.'.

Sir Peter Blaker: The new clause and the amendments are about cable television, which was little discussed in Committee. I have to declare an interest in the subject as chairman of a company which has six cable franchises but does not aspire to obtaining any more. I wish to refer to three topics which are the subject of different amendments in the group.

New clause 21 is about the franchising proposals. After the Bill comes into force, those who seek to obtain franchises, which until the end of this year will be called cable franchises, will follow a system similar to that provided for Channel 3—they will have to make competitive bids and be prepared to pay a percentage of qualifying revenue. The franchise holders will be called local delivery operators and will have a choice of technologies other than cable. That is in contrast to the existing cable operators, who are obliged to use cable and to cover their entire franchised area.

That new system will be in contrast to the present arrangements which are based on a judgment by the Cable Television Authority of the merits of different applicants with the background of section 7 of the Cable and Broadcasting Act 1984 which sets out various criteria which the cable authority is to apply.

Is the new proposed method of obtaining franchises worthwhile, because by the end of this year most of the urban parts of the United Kingdom will already have been franchised? Only 13 areas with more than 20,000 homes will not have been franchised. That is a very small number compared with the 14·5 million homes that will have been franchised. That 14·5 million represents about 80 per cent. of homes in urban areas in the United Kingdom. By the end of this year 136 franchises will have been awarded.

I should like to take this opportunity to pay tribute to the cable authority, which has worked at a speed at which nobody could have anticipated. It franchised 50 new areas last year and will franchise nearly that number this year, although in practice it will be able to use only part of the year. The chairman, Mr. Richard Burton, and his team and the director-general, Mr. Jon Davey, and his officials have done an admirable job.

Will there be sufficient applicants for the areas that will still be available? I am not sure that with the new system, which involves payments for obtaining franchises, a sufficient number of people will come forward.

The message that is being conveyed to the cable industry by the new provisions involving several kinds of payment has not been entirely well received. There is a feeling in parts of the cable industry that they may suggest that the Government's attitude towards the industry is becoming less enthusiastic. I hope that my hon. and learned Friend the Minister will be able to give the industry some reassurance, and if he is able to meet me on amendment No. 216 that will give a positive message to the industry.

10.30 pm

The new clause assimilates the franchising process for local delivery operators to the system for local radio operators. Both will be operating locally, which is the whole concept of the cable industry. It is reasonable that

the franchising system of the two should be put on a par. The alternative would have been to have tabled a new clause or amendment that would have assimilated the method of franchising after the Bill comes into force to the existing system—that is, simply to continue the existing arrangements of the Cable Television Authority. I was advised that that would have been extremely difficult to draw up, so I have adopted the alternative method of assimilating it to the system for local radio, which has given rise to this debate.

There would be no serious disadvantage to revenue if one or other of the proposals were accepted, given the trifling number of areas still to be franchised, and it would be possible to retain for the purposes of the renewal process a system involving payment of the cash bid and payment of a proportion of revenue, so there would not be a significant revenue loss.

Amendment No. 219 relates to the requirement for the local delivery operator to pay a proportion of revenue. The Bill already says that the ITC may set that proportion of revenue at zero for a local delivery operator. The industry would like to see a provision on the lines of amendment No. 219, which says that the ITC would be obliged to set the proportion at zero until a company had reached the point where it was making a profit. It seems bizarre to the industry that there should be a requirement to pay a proportion of revenue when, at present, no company in the cable industry is even making a profit, so large are the expenses of constructing the cable system.

Amendment No. 216 is the most important of the three amendments. The renewal system for the local delivery operator in the Bill will mean that at the end of 15 years the incumbent operator will be able to make a direct arrangement with the ITC for renewal—for a further 10 years under the Bill or for a further 15 years as proposed in Government amendment No. 179, which we shall discuss later. The local delivery operator will be able to make a direct arrangement with the ITC for renewal if he is prepared to pay the sum that the ITC regards as appropriate for that purpose and provided, of course, that the local delivery operator has conducted himself correctly and has observed the conditions of his licence.

The provision in the Bill for renewing the franchise held by a cable operator is less favourable because the cable operator will not have the option of making a direct arrangement with the ITC. He will be obliged to go out to competitive tender, involving a competitive bid, and also to pay a percentage of revenue. The existing cable operators are worried because such requirements are unpredictable and hazardous for them. Even if they have been excellent operators and conducted themselves impeccably for the 15 years of their franchise—even if they have kept to every clause in their licence and observed it scrupulously—they will still be at risk of being outbid by a newcomer who may plan to install the microwave system or lease another telecommunications system from some other operator. They will then not be able to renew.

The House may feel that that is too bad for the incumbent operator who loses out. But the problem is that the cost of installing a cable system is so enormous that the normal projections of existing cable operators show that, if everything goes well, at the end of 15 years—the licence period that most of them will have—they will only just be repaying their debts. They do not expect to be in profit after operating expenses, depreciation and interest payments until at least year seven—again, if everything goes well. The amounts involved are colossal. At a rough estimate, it costs £300 million to lay cable past 1 million homes. A little calculation will show us that the sum that the cable industry is expecting to invest over the next 10 years exceeds £4,000 million. Most of that money will come—if it comes—from the United States, Canada or France because the British investor has not yet caught on to the possibilities of the cable industry.

Mr. Rupert Allason (Torbay): Would my right hon. Friend be kind enough to tell the House whether those estimates are based on conventional cabling or on using the new wireless cabling on a microwave system, which is much cheaper?

Sir Peter Blaker: No. My figures are based on the use of cable—whether fibre optic or coaxial—which in general has to be laid underground.

Mr. Ray Whitney (Wycombe): Interactive.

Sir Peter Blaker: As my hon. Friend points out, such cabling has the enormous advantage that not only can it provide one-way entertainment, whether on national, international or community channels—and community channels are important; it also has interactive capabilities and can therefore provide alarm systems of all kinds, home shopping and banking facilities, press-button voting, video, jukebox systems and a whole range of other interactive services, as well as better and cheaper telephone services. A microwave system could not do most of those things.

The enormous burden of cost that the cable industry has to bear—the huge sums that it has to lay out before it gets a return—and the fact that it does not expect even to pay off its debts for 15 years at best make the proposal so important.

What we need in Britain is the maximum speed of investment by the cable companies and maximum confidence on the part of the cable companies. The industry has been dismayed by the apparent discrimination against it as compared with the licensed delivery operators in the provisions of the Bill dealing with the system of renewal. In my view, we need a system that will provide greater assurance—although there cannot be any promises—to the cable operator that, if he observes the conditions of his licence, performs satisfactorily and is prepared to pay the appropriate sum, he will be able to renew and thus make a profit which he certainly will not have made before year 15.

I have had a great deal of correspondence with my hon. and learned Friend the Minister of State and with Ministers in general. I have taken representatives of the cable industry to see him, accompanied by my hon. Friends the Members for Wycombe (Mr. Whitney) and for Swindon (Mr. Coombs). We have had co-operation from my hon. Friend the Member for Gosport (Mr. Viggers), and we have had close consultation with members of the industry. We took 10 representatives of the industry—representing about £2,000 million of investment—to see my hon. and learned Friend recently. We appreciate the time that he gave us when he had many other preoccupations with prisons, quite apart from his cable responsibilities.

We suggested that the solution to the problem is to align the two systems of renewal with one another to provide the same system of renewal for the cable operator

[Sir Peter Blaker]

at the end of 15 years, as is available to the local delivery operator. There would be no loss to the Treasury by that adjustment because the amount to be paid would be assessed by the ITC as being the amount that would be paid as a result of a contested bid, and there would be no loss of principle.

There are other points that I could make in support of the proposition, but I shall not make them because I hope that my hon. and learned Friend the Minister of State will be able to give me an encouraging response. The industry is not asking for any privileges. It is proposing a fair and common-sense solution. The industry holds out the possibility of great benefit for this country by way of infrastructure, technology and inward investment. I hope that my hon. and learned Friend the Minister of State will be able to give me an encouraging response.

Mr. Mellor: I am most grateful to my right hon. Friend the Member for Blackpool, South (Sir. P. Blaker) for the way in which he has spoken. As he said towards the end of his speech, there has been intense discussion about the impact of the Bill on cable interests. I am aware, as are my colleagues, that this is an important time for the development of cable in this country, which took off—perhaps that is the wrong metaphor—or failed to dive underground quite as quickly as some had hoped in the early 1980s, in the immediate aftermath of the Green Paper and the Bill, but which has now shown a considerable figure not least because of the very substantial sums that are in the process of being invested from North America. Of course we welcome that investment. I am desperately anxious that we should not do anything to put that investment in jeopardy.

My right hon. Friend has been stalwartly supported by a group of our hon. Friends in his representations. I am glad to see many of them in their places tonight. My hon. Friend the Member for Swindon (Mr. Coombs) was on the Committee and raised these points regularly. My hon. Friends the Members for Wycombe (Mr. Whitney) and for Gosport (Mr. Viggers) have spoken to me privately and in more formal meetings of the importance of our reconsidering some aspects of the Bill so that we do not, by a side wind, blow away some of the investment that is ready, at long last, to carry the cable revolution forward.

Many of the amendments deal with the granting of local delivery licences. For a variety of reasons that I shall not rehearse given the hour, I am not persuaded that what we propose is deficient, although, obviously, my right hon. Friend may wish to continue to press his points, and there are further stages of the Bill to go through. However, he pointed out, and it is undoubtedly the case, that particular attention has been paid by industry in its representations to the renewal of cable licences. Particular concern was expressed about the impact of the arrangements that we propose for a competitive tender framework on investment in the industry.

My right hon. Friend was kind enough to say that he regarded that as the most important point that he was making tonight. I am glad that he said that because as a result of the points that he and his colleagues made, in particular at the meeting at the Department—at which representatives of most of the leading cable companies came, under his leadership, to discuss these matters and at which I was able, perhaps for the first time, to focus exclusively on these points and to give them the most intense personal consideration—I am happy to tell him that I can accept in principle his amendment No. 216.

Having had the opportunity of consulting colleagues, we can agree that provided a cable operator who retains his existing status performs satisfactorily, he should be able to renew his licence under the clause 72 procedure, rather than under the arrangements that were originally proposed in the Bill. I shall explain why we have arrived at that conclusion.

10.45 pm

First, it would be unfortunate if the provisions of the Bill, albeit unintentionally, deterred the major investment that is now coming forward in the cable industry. I am persuaded by my right hon. Friend's arguments that investor confidence would be dented if the Bill were not amended as he proposes. Secondly, given the huge investment required to construct a cable system and the long payback period, it seems right that operators should enjoy a reasonable certainty of tenure, provided that they perform adequately. That is the key point that registered firmly with me during the long but eminently worthwhile meeting.

My right hon. Friend's amendment No. 216—I mean no criticism by this—is not drafted as parliamentary counsel would wish. If he will agree to withdraw it, I undertake to bring forward a professionally drafted amendment that will have the effect of accepting the thrust of his amendment in all material particulars.

Mr. Darling: The right hon. Member for Blackpool, South (Sir P. Blaker) spoke fairly of the difficulties being faced by the cable industry. He will concede that what he is asking for, and appears to have got, are to some extent concessions for the industry. That being so, we are entitled to ask, as consumers or hon. Members, what is the quid pro quo. What are we getting for that?

Although, as he said, most of the country has been franchised, not much else has happened. The extent of cabling in this country is very limited indeed, and nobody can contradict that. After my election, being aware that my city had been franchised, I began making inquiries to discover where the cable television was. Eventually I found out who had the franchise and had a long meeting with those concerned. They spent much time telling me why Edinburgh had not been cabled and was not likely to be cabled for some time, or at least not to any extent.

I appreciate the difficulty in digging up the streets of a city and laying cables. Cabling the country has much to commend it, provided that it is not just providing the capability of carrying a narrow range of services. It was interesting to note a reply given by the right hon. Member for Blackpool, South to an intervention by his hon. Friend the Member for Torbay (Mr. Allason) about the type of cable. He talked about the infrastructure that could be provided for the nation in telecommunications and so on.

That is useful, and any city that had that capability would be at an advantage compared with other cities. But unfortunately that has not happened. If the Government are now telling the franchise-holder, "Provided you have done nothing wrong, you can get the franchise without having to go out to competitive tender," I am entitled to ask, "What has happened in the last 10 years while you

have had the franchise? Where is the cable? Who has the service? Only a few high rise flats have the ducting to carry it, or are others to benefit from it?"

Mr. Mellor: A dose of scepticism does no one any harm —but, with great respect, the hon. Gentleman must bear in mind that clearly the only people who would qualify for renewal on the terms that I have stated would be those who had fulfilled their obligation and had cabled in accordance with their franchise. Anyone who had failed to cable would not be entitled to such a renewal. That is a fair point.

Mr. Darling: It all depends on the extent of the cabling and the exact terms of the franchise. Without seeing the terms, it is difficult to comment on them. I think that I am entitled to be sceptical, as I suspect that many people are, about how much cabling will take place, especially with the coming of satellite television. Other options are now open to people that might be seen as more attractive. I do not know whether such options would be more attractive. I hope that I am proved wrong. I believe that cabling has a great deal to commend it. All that I am saying is that I am entitled to be sceptical because a great deal has not happened up and down the country, with a few exceptions.

Even though the country has been "franchised", as the right hon. Member for Blackpool, South put it, few people can watch cable television. If the Government intend to offer this concession and this carrot they should also provide a stick to ensure that the companies get a move on and do not simply sit on a franchise and hope that conditions will improve somewhat to make things more attractive to them.

Some aspects of the right hon. Gentleman's new clause 21 are attractive. I am attracted to the requirement that the operator cater for the tastes and interests of people living in the area. It would be necessary to show how the proposed service would add to the services already provided. That is a wholly welcome step that has been absent from other aspects of the Bill. The right hon. Gentleman should also seek other concessions for new entrants, such as not having to pay the deposit or other payments in respect of the franchise unless there is a clear commitment over a given period to put something under the ground to ensure that services are delivered.

To that end, the Opposition have tabled one amendment and a consequential amendment which would require the cable to carry existing television services. We tabled that amendment simply to ensure that cable was not capable of carrying only a narrow range of services, rather than a wide range. We must consider more than the narrow interest of commercial companies—without criticising such companies. There is a wider interest, both of the country strategically and of individual towns, cities or localities, in ensuring that they have a cable system that can be developed and used, not something of marginal interest to the population as a whole.

I understand why the right hon. Gentleman has tabled his amendment. He has cause to be well pleased with his work. He has at least gained something from it. I am worried that we should be invited to approve the amendment without having anything to show for it. I should hate to think that the next time that we come to discuss cable television, whether in a future Broadcasting Bill or some other vehicle, we find that things have not moved on. I understand the industry's problems. Perhaps the Government should have done something earlier to ensure that help was given. Leaving it to the industry does not seem to have done much good. An opportunity seems to have been passed by. I remain deeply sceptical, despite what the Minister said, that the concession made tonight will greatly improve the position.

Mr. Rowlands: I wish briefly to underline the points made by my hon. Friend the Member for Edinburgh, Central (Mr. Darling) from the Front Bench. No one wants to interfere with the genuine cosy concession that has been made perfectly properly between the Minister and the right hon. Member for Blackpool, South (Sir P. Blaker). However, broader issues are raised not only by new clause 21 but by our amendment, including the dose of scepticism to which the Minister referred during the speech of my hon. Friend.

The quality of Committee stages is that sometimes one is educated by them. I had not given much thought to cable television until I listened to the arguments on cable in Committee. The first thing that came clearly to one's mind was that the British investment community has been a hopeless failure in cable television. It has required a combination of the United States and Canadian investment cavalry to come over the hillside and invest in British cabling. It has not been a British effort in any shape or form.

The second factor that has struck me more and more is the point made with great force by my hon. Friend the Member for Edinburgh, Central that in geographic terms —I make no apology for referring to the Principality—we are entitled to be sceptical about the extent and scope of the choice that is to be offered as a result of cabling. The answer to many of the problems in the communities that I represent, and many other Welsh communities, may be cabling, but there is no hope of or opportunity for investors coming in to do what needs to be done, to create the choice and opportunities in broadcasting that the Minister claims the Bill is all about. I ask the Minister again whether the nature, structure and character of the operations that we are setting up will achieve the result that we all want—maximum choice, diversity of programmes and, primarily, cabling.

There is much confusion at present about what exactly the law is on the matter. In my own valley community there is a major fibre optic line up through the valley as a result of British Telecom's investment. As I understand it, British Telecom cannot diversify that fibre optic line into other services. Equally, it has no interest in promoting anybody else's line, because the other investors would be interested only in competing with British Telecom's services and telephones.

We should all ask how valley communities such as mine, with 20,000 plus households—which could enjoy the benefits of cabling and, by a co-operative rather than competitive effort, maximise the investment available—can achieve the results we all want: opportunity, choice and diversity. In that respect, I support amendment No. 358, which proposes that any cabling should carry the main stream channels, including S4C. I cannot believe that in a multi-channel system anybody in his right mind would not want to carry S4C or any other existing operating channel.

My worry over this matter is like my concern over Channel 5, that the communities that I represent will miss out on the other alternative and opportunity to provide a

[Mr. Rowlands]

multi-choice broadcasting system. I have broader concerns than those in the perfectly proper cosy debate between the right hon. Member for Blackpool, South and the Minister on new clause 21. We have a right to say that investors have failed to develop cable television. That can be compared to the German experience, where the German post office, through the state, built a nationwide multi-cable system to almost every community. The German equivalents of the sort of communities that I represent are being cabled by a state post office system, in a much-prized and much-vaunted capitalist society.

I believe that we shall get it wrong and fall between two stools. The private investor will not do it and, under this Government, the state is not willing to give the matter any push or assistance. There is a strong case for challenging the fundamental principles and the basis on which cabling and its future is presently organised.

Sir Peter Blaker: I notice that the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) is, in effect, saying that the state should take the risk. That is not a proposition that will attract many of my hon. Friends because this is a risky business. That was the point that had been missed by the hon. Member for Edinburgh, Central (Mr. Darling). He complained that very little was happening in the cable industry. As my hon. and learned Friend the Minister said, the progress of the cable industry has been slower than was expected in 1983 and 1984, when it was launched in its broader band form. One reason why it has moved slowly is lack of programmes. That is being remedied by Sky and by BSB, which has only just come on stream with five extra channels. That will be very helpful.

Another reason was the lack of know-how about how to run a cable system effectively. Several enterprises made the mistake of not calling in advice and skills from north America. That is being remedied. It is worth pointing out that the percentage of homes signed up by the British cable industry is as satisfactory as was the position in north America generally at a comparable time in the development of its systems, which are now doing very well.

The main reason why there are not many cable companies yet in operation is simply the time scale. The north American interest has developed only since the middle of 1988. Those who understand the cable system will know that from the time the idea of advertising an area is mooted publicly by the cable authority until the time the successful applicant for the franchise is able to start laying a cable is well over a year, if not about 18 months. So there has not been time for the great mass of cable companies which have been franchised since the middle of 1988 to achieve much. One hopes that with extra competence and experience that will change quite rapidly.

11 pm

Mr. Darling: Perhaps the right hon. Gentleman could tell us when the expansion of the cable industry will take place. I accept that there is a risk, although there does not seem to be much risk in getting a franchise and not doing anything with it for six or seven years. He said that it takes about 18 months for things to start happening. He has told us something that I for one knew: that the Americans took an interest in the middle of 1988. On any view there should be some activity now. Some of us have yet to see it.

Sir Peter Blaker: There is activity. I do not know how closely the hon. Gentleman has followed the industry. I am beginning to suspect that he does not know much about it; no doubt that is an unworthy suspicion, but from what he is saying, it is bound to arise.

Mr. Simon Coombs (Swindon): Can my right hon. Friend confirm that 10 franchises are constructing and that seven have begun operation in the last year?

Sir Peter Blaker: That is certainly true; indeed, my information is that the figures are higher.

I find it strange that the hon. Member for Merthyr Tydfil and Rhymney appeared to object to the fact that investment is coming from overseas. I do not know whether he has a Japanese motor manufacturing plant in his constituency. There are some in Wales. I have not heard many objections from those who are situated close to such plants.

Mr. Rowlands: Obviously the right hon. Gentleman was not listening to what I was saying. I did not denigrate overseas investment. I thought it a sad and salutary comment upon British short-termism that City investors do not support the cable industry. Perhaps the climate of investment, including interest rates, does not allow City investors to think two or three years ahead. Curiously, overseas investors take a long-term view. What case is the right hon. Gentleman making?

Sir Peter Blaker: If that is what the hon. Gentleman believes, I go a long way with him. I think the City of London is making an enormous mistake. It should regard investment in the cable industry in the same way as British investors regarded the construction of railways 150 years ago or the electricity industry around the turn of the century. We are talking about a long-term investment of a utility nature. The City of London has not yet caught on to that proposition. I think it will regret that in due course.

The hon. Member for Edinburgh, Central asked what the stick would be. The ITC will have power to withdraw a franchise if the franchise does not perform satisfactorily. The Cable Television Authority threatened a number of companies, which had not started to build after a certain delay, with the withdrawal of their licences. Their licences were not withdrawn because in each case an investor came in at the last minute to start construction. So there is power to withdraw the licence from a non-performer.

The biggest stick of all is risk. This a risky business and a great deal of money may be lost if the industry does not succeed. I am not suggesting that anybody should be able to get a franchise without a competitive tender system. I am simply suggesting that the arrangements for renewing a cable operator's franchise should be the same as those for a licensed delivery operator. That seems eminently fair.

In view of the Minister's assurances, I beg to ask leave to withdraw the motion. I hope that the Minister will look sympathetically at my other two points.

Motion and clause, by leave, withdrawn.

New Clause 25

BROADCASTING TRAINING FUND (NO. 2)

'(1) The Commission shall establish a fund to be known as the Broadcasting Training Fund.

(2) The fund shall be under the management of a committee appointed by the Commission for the purposes of this section and shall be applied by the Committee in the making of grants to finance the training of persons engaged in the preparation or making of television programmes and for connected purposes.

(3) When making any grant out of the fund pursuant to subsection (3) the Committee may impose such conditions as they think fit.

(4) The persons appointed to be members of the Committee shall be such as the Commission may determine, but the Commission shall, when making any such appointments, ensure that a majority of the members are persons with a knowledge of training in broadcasting including representatives of the broadcasting unions.

(5) The terms of the appointment of the members of the Committee shall be such as the Commission may determine; and in the case of any members of the Committee who are neither members or employees of the Commission, the Commission may:

(a) pay to them such remuneration and allowances, and

(b) pay or make provision for paying to or in respect of them such sums by way of allowances, pensions or gratuities, as the Commission may determine.

(6) Any expenses incurred by the Commission either under subsection (6) or for salaries of Commission employees whose services have been furnished to the Committee, shall be defrayed out of the fund.

(7) As soon as possible after the end of each financial year, the Committee shall prepare a general report of their proceedings for that year and transmit it to the Commisssion.

(8) In this section "the Commission" means the Independent Television Commission and "qualifying programmes" means programmes of such description as the Secretary of State may by order specify for the purpose.'.—*[Mr. Darling.]*

Brought up, and read the First time.

Mr. Darling: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Harold Walker): With this, it will be convenient to consider Government amendments Nos. 244 to 248.

Amendment No. 59, in clause 16, page 14, line 13, at end insert—

"(cc) that the applicant can demonstrate a proper commitment to the training and retraining of persons employed in the preparation or making of programmes.'.

Government amendments Nos. 432 and 436.

Mr. Darling: The purpose of the new clause is to establish a training fund, the functions of which are set out in the new clause. In essence, it is to advance the training of people engaged in the making of television programmes. In the Committee debate on these matters there was widespread acceptance of the fact that, unless there was training and a renewal of talent within the industry, the industry would die.

It has been said many times that the great strength of the British film and television industry is the training of actors and technical people. That training has brought it to the respected position that it enjoys today. We are anxious to establish a broadcasting training fund to ensure that such high-quality training continues. I do not think that the point requires to be laboured because it was canvassed at great length in Committee. Suffice it to say that the establishment of a training fund would greatly assist, especially as there is a risk under the new regime that some companies will be tempted to cut corners, one of which may be training. That is because training is expensive, much time and effort is invested in it and it takes some time for the end product to emerge.

The Government amendments that we are considering with the new clause recognise the importance of training. Those amendments are welcome. There will now be a requirement, as no doubt the Minister will tell us, that applicants will have to demonstrate a proper commitment to training and retraining. I trust that when drawing up the licence requirements, the ITC will give prominence to this proposal. Our amendment No. 59 proposes, perhaps more specifically, what is intended in Government amendment No. 244. That Government amendment contains a rather odd provision that does not sit easily with the matter of training. However, it is welcome even though it does not go as far as I would like. The provision invites the applicant to say to what extent he proposes to situate any office, studio or staff within the area for which the proposed service is to be provided.

There was much debate in Committee about an applicant's commitment to the region that he or she proposed to serve. It seems to us that there must be such a commitment if regional television is to mean anything. We were anxious about what might happen if someone based in London or perhaps abroad were simply to put a brass plate on a door in a region and claim to be of that region. If regional television is to thrive and if there is to be a proper commitment not just to training but to the production of programmes that do not necessarily reflect the region but are clearly made outside the main centres of film making and broadcasting, it is necessary for the franchise holder to be firmly rooted in the region that he proposes to serve. We were all concerned about the dominance of London in the context of film making and broadcasting.

I know that some regions have a greater identity than others and the nations of Wales and Scotland have clear and self-evident identities. One can imagine the anger that would be aroused if, for example, the Scottish television service was wholly owned, operated and controlled not just from another part of the United Kingdom but from abroad. The same feeling exists in the north-west of England. Even in East Anglia, which is not that far from London, there is a strong regional identity. People want to be assured that the programmes produced will use local talent. The programmes do not have to be about the area but must give strong emphasis to the area that the applicant seeks to serve. I am not saying that it is necessary to have been born and brought up in an area, and to have lived nowhere else, to achieve that; it is, however, necessary to have some knowledge of the area, and some affinity with it. We explored the issue in a number of debates in Committee, but to little effect.

Nevertheless, the Government seem to have recognised the strength of our argument—to a limited extent—and the ITC is, at least, entitled to know applicants' proposals. I hope that it will take into account the strong feeling that the regions deserve a firm commitment. Staff should be

[Mr. Darling]

encouraged to live and work in the regions concerned, for instance. After all, the Bill is about regional broadcasting services combining to provide another national network.

I warmly welcome the Government's proposals, and also their additional provisions for training.

Mr. Mellor: I am grateful to the hon. Member for Edinburgh, Central (Mr. Darling): I took the suggestions made in Committee very seriously, as I hope that amendment No. 244 shows. Applicants for Channel 3 licences will be required to set out their proposals for training or retraining programme production staff, and to demonstrate the extent to which offices, studios and staff will be located in the area that the service will cover. I think that that deals adequately with the issues of training and regional identity. The provision will also help the ITC to determine whether applicants have crossed the quality threshold: for example, an applicant claiming to set up a regional programme production centre would clearly lose credibility if he had no arrangements for training or retraining, and only a hazy idea of where his centre would be based.

The training requirement covers not only the specific training initiatives that applicants intend for their own staff, but the policy that they adopt in commissioning programmes from other production centres, or from independent producers. The ITC will, of course, be able to use the information that they receive to assist them in determining whether an applicant can produce the programmes that are necessary to cross the quality threshold. I hope that that will achieve the necessary balance between a lighter-touch regulatory system and the clear indication to broadcasters that they will need trained staff if they are to produce the programmes that are required of them.

I am not persuaded of the need for a broadcasting training fund—financed, presumably, by some kind of levy on ITC licensees. I believe that the programme-making companies must take the lead on training. If they need an industry-wide training body, there is nothing to prevent them from setting one up, but I would need a good deal of persuading before I would agree to impose such a structure on them. I do not think that training will suffer; if the companies are required to state their training arrangements categorically, their appreciation of the significance of training will, I think, be sharpened. The fact that my proposal is not coupled with a fund for the purpose will not, I trust, lead anyone to believe that the Government have denied companies the means to achieve the highly desirable end of a well-trained work force, which has already benefited British broadcasting.

I hope that the House will see amendment No. 244 as a considerable step forward, and that the Opposition will not think it necessary to press the new clause.

11.15 pm

Mr. Austin Mitchell: The Minister has come some way —courtesy of the Committee, in the sense that that is an educational process bringing the Minister towards the Opposition's point of view which, on most matters, has been correct—but he has not come far enough.

Amendment No. 244 is welcome, because it places an obligation on the regional ITV or Channel 3 companies to make a specific commitment to training. For too long, the regional ITV companies have been parasitic for training on the BBC. The industry has come to depend heavily on the BBC which has devoted considerable, well-organised efforts to training. The problem is that just to impose that requirement on ITV, which has muddled rather than organised its way through training, is not enough.

First, we now have a number of newcomers, the independents in particular, who are not in a position to provide training on their own because they do not have the size of one of the ITV or Channel 3 companies or the financial means to do so. As I understand it, the independent producers support a provision for industry-wide training as outlined in the new clause, but they do not have the resources to do it themselves. The other newcomers, the satellite companies, which will eventually be on the same scale, should also be required to participate in a training effort which needs to be organised industrywide.

Secondly, because of the tight financial constraints that the Government are imposing on the BBC—the process of slow strangulation by an RPI-geared licence fee—the BBC will be making less of a contribution to training on which the rest of the industry has depended.

This is the time to make a provision for an industrywide training council to be financed by levy and joint, industrywide training schemes to be developed with the companies. The industry is developing rapidly. When I go back to a television studio after a mere decade away, I do not understand what is going on. We need continuous training and retraining and upgrading of skills for the industry to keep up. We are talking about a highly competitive area, and unless we maintain our skills, Britain will be left badly behind. The only way to do that is to have an industrywide council such as we have specified.

Training is a crucial area for which the market, on which the Government rely so much, does not provide. We have seen that in industry outside television. The market provides for quick speculative efforts for the get-rich-quick mentality, not for the long-term laying down of skills and training. This is the moment to provide for that by establishing such a council. The Minister's words are welcome, but they are not enough. We need a positive commitment to a training council.

Mr. John Greenway: I shall not detain the House, but I want to place on record my appreciation that my hon. and learned Friend the Minister has brought forward the amendment, particularly the second part of it which refers to "offices, studios or staff" which a would-be licensee proposes to establish within the region to which the licence is to be granted. My hon. and learned Friend will recall that he kindly accepted a similar amendment, incorporated in the Bill, which in the allocation process will require the ITC to ask would-be licensees what facilities they propose to establish in the region for their licence.

It is important that, as we are still looking at a regional structure for ITV—its great strength—there should, in appropriate cases, be a proper opportunity for those facilities to be maintained. There will be regions where that is more important. I wanted to make the point that the amendment is very important, and that I greatly welcome the point that my hon. and learned Friend made.

Mr. Tony Banks: I can see the attraction of amendment No. 244, but I prefer new clause 25. My reservations in

respect of amendment No. 244 relate to what will happen if the holder of a new franchise does not subsequently honour training undertakings made in the original round of applications. I suspect that that will constitute one of those minor omissions that will not result in a major penalty.

When it comes to local government, the Government say that it is right that everyone should contribute. One could almost understand that if contributions were based on some equity, but they are not in the case of the poll tax. *[Interruption.]* My hon. Friend the Member for Newcastle-under-Lyme (Mrs. Golding) need not worry —I do not intend to draw the House into a debate on the subject of the poll tax. I am merely trying to demonstrate that the argument used by the Government in respect of one issue is not applied in another.

We have seen with the abolition of training boards that an employer who chooses not to train but to poach instead lives off the backs of enlightened and progressive employers who are prepared to invest in training. The employer who does not do that can afford to up the wages he pays, because he has made savings elsewhere, and take trained staff away from other companies.

My hon. Friend the Member for Great Grimsby (Mr. Mitchell) mentioned that the BBC has provided the greatest poaching ground for skilled and trained staff among ITV companies, and among many others in the broadcasting industry in this country and abroad. He referred also to satellite television companies.

The impression that I gain on my rare visits to Sky Television—about which my hon. Friend knows a great deal more than I do—is that it has a high percentage of Antipodeans on its staff, and that Sky has brought a large number of Australians and New Zealanders into this country. It could be that Sky Television is not prepared to train staff, and instead chooses to attract them from elsewhere. It could also be that Britain is running out of skilled broadcasters and technicians. There are certainly a large number of skill bottlenecks throughout British manufacturing industry, and another could exist in broadcasting.

The Minister's assurances and the provisions of amendment No. 244 do not go far enough. It is a matter of trying to maintain standards, and of trying to ensure that the burden of training is shared equitably across the whole industry. It is not right that certain companies should be able to live off the backs of those that provide training. A training fund would benefit the whole industry and guarantee that everyone made some contribution to that aspect—which I thought would be very much in line with current Government thinking.

Mr. Cryer: Can the Minister clarify Government amendment No. 244? It does not make clear whether the applicant's proposals for training or retraining should cover solely the applicant's operations or also those of the independents that it intends to use.

The Bill makes provision for the use of independent production companies, and I suppose that the applicant would refer to making use of their output. The amendment does not make it clear that an independent company would have to provide training.

Mr. Mellor: I had to think about that issue carefully. It is difficult to place a formal requirement on the independents within the mechanisms provided because there is no direct relationship between them and the ITC. That is why the Bill does not purport to do that, although I am glad to say that during the consultations with the Independent Producers Association and others, they showed willingness to recognise that they had a role in training, and I hope that that will be followed up. But the ITC would have no direct relationship with them of the kind that would allow me to do for them what amendment 244 does for the franchise holders, who will have a direct relationship with the ITC and will have committed themselves to obligations which can be enforced. I hope that that is helpful.

Mr. Cryer: That is helpful because it clarifies the position, and it is as I thought. The amendment reflects discussions which took place in Committee, but I and my hon. Fiends do not think that it goes far enough. What the Minister has just said justifies that criticism because, while it is agreeable to have an understanding—and I am sure that the Minister is well-intentioned—the difficulty is that we have to legislate for people who are not well-intentioned and who give assurances to the Minister when he seeks them but in subsequent years allow them to slide away and ignore them.

That is why I thought that this would have been a helpful clause for the Minister to incorporate in the Bill, for two reasons. First, the independents will be involved and, as the Minister rightly says, the ITC will have no direct relationship with them and cannot provide any guarantee of training. Secondly, the industry uses freelances a great deal, and if there is no solid core of training more freelances will be used. More and more freelances tend to be used when companies cut costs in the sort of competitive situation envisaged in the Bill and the source of trained and expert technicians who are so valuable to the industry will then dry up. That is of great concern.

I recall that when the National Film School was established at Beaconsfield the ITV companies ignored it for years, although it provided film and video training in the hope that ITV companies would use the facilities. They did, but it took a long time.

In the circumstances I previously described, where ITV companies are undoubtedly building up funds, perhaps training will take a back seat in the company's order of priorities.

A levy helps small companies. Good firms in all industries complain bitterly when they provide decent training facilities and a recently-established company without adequate training facilities, or the get-rich-quick cowboys, who do not want to establish facilities, poach employees from the good companies and act like parasites. New clause 25 would obviate that by ensuring that every company made a contribution according to turnover, which would ensure a supply of good quality technicians. That is important.

The Minister has made one tepid step in the right direction, but it will be unsatisfactory, and it will mean that over a period of years the number of skilled technicians in the industry will diminish. The second part of amendment No. 244 states that the

"offices, studios or staff to be used or employed by him in connection with his proposed service should be located within the area for which that service would be provided".

I share the view of the hon. Member for Ryedale (Mr. Greenway) that regional productions are important. They reflect regional values and attitudes and we still have not,

[Mr. Cryer]

thank God, developed universal Surbitonese in language styles, attitudes and way of living. We still have recognisably different regions, and, rather than deriding it, we should cherish this important fact. By locating studios, personnel, and offices in the regions—for example, Yorkshire Television has an important presence in its region—the companies emphasise the value of regional television productions. Many of these have sufficient merit to go on to be networked. The merit, such as it is, of the famous, long-running saga of "Coronation Street" is based on the fact that it is a reflection of the idiosyncratic northern life rather than the life of Tunbridge Wells or Lewisham. It started out as a risk many years ago, and has become successful, and that was helped by the fact that the production facilities were based in the region. I am pleased that that has been recognised by the Minister.

11.30 pm

Mr. Darling: The emphasis on training has been well put by my hon. Friends, and is accepted by the Minister. We welcome his amendments, which have gone some way to meeting the criticisms and suggestions made in Committee.

The point that we are making in new clause 25 is that we have some doubts about whether the industry will train the people that it needs. That is true of all industries, which have not trained as they should, with the result that we do not have people with sufficient skills in the right place at the right time, which has allowed competitor countries to get the better of our industries. We do not want that to happen in broadcasting or the film industry, and that is why we thought that a broadcasting training fund might go some way to meeting the gap.

I would not want to set up such a fund. I hope that the industry would do it for itself. However, my fear is that the very regime that the Government have created will lead to the industry cutting corners, one of which may be training. The requirement that 25 per cent. of the production should come from the independents is another factor, because many of them do not have the facilities, scope, intention or wish to embark on elaborate training schemes. They rely on the bigger companies to do that for them. One cannot base the future of the industry on a fervent wish.

We tabled the new clause in an attempt to get some regulation. I recognise that the forces of the Government are such that, were we to press the new clause to a Division, it might be defeated. As it would be better if it were to survive to fight another day in another place, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 26

RESEARCH INTO BROADCASTING

'( )—(1) The Commission may undertake, or arrange for other persons to undertake, research into matters related to or connected with—

(a) standards of accuracy and fairness in broadcast journalism; and

(b) the portrayal of violence or sexual conduct in television or radio programmes.

(2) The Commission shall publish the results of any research undertaken in pursuance of subsection (1), and any such report may include an assessment of the following, namely—

(a) the attitudes of the public at large towards the standards of accuracy and fairness in broadcast journalism;

(b) the attitudes of the public at large towards the portrayal of violence of sexual conduct in programmes to which this Part applies; and

(c) the potential effects on attitudes of particular categories of persons of the portrayal of violence or sexual conduct in such programmes or of any failure on the part of such programmes to attain such standards.'.—*[Mr. Fisher.]*

Brought up, and read the First time.

Mr. Fisher: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Harold Walker): With this it will be convenient to take the following: New clause 27 —*Code of broadcasting practice*—

'( )—(1) It shall be the duty of the Commission to draw up and from time to time review, a code giving guidance to viewers and listeners as to—

(a) standards of accuracy and fairness that should reasonably be expected of broadcasters;

(b) the extent to which privacy of individuals should be expected to be respected by broadcasters;

(c) practices which should reasonably be followed by broadcasters in the portrayal of violence in programmes to which this Part applies;

(d) practices which should reasonably be followed in connection with the portrayal of sexual conduct in such programmes.

(e) other relevant legislation to which they might refer in deciding whether or not their complaint is legitimate.

(2) It shall be the duty of each broadcasting or regulatory body, when drawing up or revising any code relating to standards and practice for programmes, to reflect the general effect of so much of the code referred to in subsection (1) (as for the time being in force) as is relevant to the programmes in question.

(3) The Commission shall from time to time publish the code referred to in subsection (1) (as for the time being in force).

(5) Before drawing up or revising the code the Commission shall consult—

(a) each broadcasting or regulatory body; and

(b) such other persons as appear to the Council to be appropriate,

including professional associations and other representative bodies to which broadcasters may belong.'.

Government amendments Nos. 232 and 233.

Amendment No. 202, in clause 12, page 10, line 20, at end insert—

'(1A) In the case of programmes included in non-domestic satellite services and licensable programme services, those arrangements shall only be made for undertaking research which, in the opinion of the Commission, will assist them in discharging their duties under sections 6 and 7.'.

Government amendments Nos. 235 to 238, 644, 645, 646.

Mr. Fisher: New clauses 26 and 27 are self-explanatory, so I shall not need to detain the House for long. When discussing quality and standards in Committee, we used certain hallmarks by which to judge them—accuracy, fairness, privacy and restraint in the portrayal of sex and violence. Although a great deal was said in Committee, many hon. Members spoke subjectively. New clause 26 would permit the commission to undertake research into

broadcasting so that it, and the companies, should know rather more precisely what the public feel about these important matters.

New clause 27 sets out a commitment to a code of broadcasting practice. I believe that the Minister accepts most of these hallmarks of quality. Given that clause 90 puts an obligation for audience research on the companies and that the new clause only puts a gloss on it, makes it more precise, and focuses on the important areas about which there is a great deal of public concern, he has no reason for rejecting it.

Mr. Simon Coombs: Sharp-sighted Members will have noticed that among the professionally drafted Government amendments grouped with the new clause is an amendment prepared by the do-it-yourself brigade; that amendment stands in my name.

My amendment to clause 12—amendment No. 202—would ensure that non-broadcasting programme services such as non-domestic satellite services and licensable programme services would bear only the proportion of any ITC research costs that relate to the ITC's consumer protection functions. Unlike broadcasting services, those services are licensed automatically by the ITC, so they may be made subject to the basic consumer protection requirement that all programmes must obey.

The quality, range and variety of non-broadcasting services is immaterial to their licensing requirements, and what the public think of them is irrelevant to the ITC's responsibilities. Public opinion will determine whether they succeed or fail, and that is a commercial matter solely for the channels concerned. It is not appropriate, therefore, that those services should bear any of the ITC's costs associated with research investigating the content of programming immaterial to their licensing requirements. I hope that my hon. and learned Friend the Minister will give fair consideration to what is intended to be a fair proposal to help those companies that I have described.

Mr. Buchan : Some of us have waited a long time for the chance to discuss this important part of the Bill. I do not intend to be brief or perfunctory. This part of the Bill is too important for that.

There are two basic problems in the Bill. The first is the problem of quality. We fought that long and hard in Committee, and we have fought it long and hard again today. The second problem relates to the increase in censorship and regulation in a Bill that purports to be deregulatory. In place of the IBA's code and authority, we have introduced six or seven methods of control and censorship over broadcasting. It would have been bad enough if the Government had simply toughened an existing code; at least that would have been honest and could have been understood. With the proliferation of codes and authorities, that which all censorship tends to create—uncertainty on the part of the broadcaster—is created.

The problem facing the broadcasters—by which I mean the writers, producers, directors and all those involved in draconian legislation in connection with investigation into their work—is how they can present material that will not be covered by one or other of the varying codes or authorities. As I understood it, an attempt was made to deal with that problem in this group of amendments. That point has not been made clear yet, although I am sure that my colleagues on the Opposition Front Bench will make it clear. The new clauses are an attempt to get rid of the proliferation of authorities.

When I read the new clauses in this group, I thought that they were an attempt to replace the Broadcasting Standards Council. The new clauses are meant to cut down the number of authorities and the number of codes. Therefore, the role of the Broadcasting Standards Council would be subsumed within that of the ITC or, as I believe was the original intention of the new clauses, replaced by the Broadcasting Complaints Commission, because that is the body to which problems can be brought.

Mr. Austin Mitchell: The Broadcasting Complaints Commission is a more natural forum, because it deals with complaints. If it is developing codes and standards at the same time, it can better advise people on the areas of difficulty and form a view of the needs of the industry. It has the knowledge and expertise to do that.

Mr. Buchan: That is exactly right, and that is what I had thought the new clause was intended to do. It brought forward the perfectly natural method of complaints being brought in that way. The idea of a complaints commission will be yet another element that is good in itself, but which becomes another area of potential difficulty for the broadcaster. If the Broadcasting Standards Council was however subsumed in the Broadcasting Complaints Commission, it would give it a more democratic and popular role. It would not be an officially appointed group, but would develop from the popular attitude. That would go a long way to establishing a proper understanding for the broadcaster of the role of the commission—if it had to have a repressive role—and what its code would be. That is why I hope that the Minister will accept my suggestion. If he feels that we are wrong to refer to the ITC here, let us call it—as it could be if it was placed properly in the Bill—the complaints commission.

New clause 26 refers to the ITC undertaking "research into matters". That is because areas of research are so spread out. The ITC and other bodies set up by the Bill are entitled to instigate research. The Broadcasting Standards Council itself instituted research to formulate a code. If there is to be research, let us leave it in one area. The Broadcasting Research Unit is a good and objective body, and would be competent to undertake this task for one authority—not for several, or for conflicting codes. I appear to the Minister to understand the seriousness of his proposals.

The Bill goes beyond research, to create a code of practice. That is why there must be a single code applying to all broadcasters. Even if the Minister does not understand that, why does the Home Office not understand it? The Home Office has one criminal code, not several. It has one immigration code, not several. If dog licences are introduced, there will be one code, not one for rottweilers and one for Alsatians. Why in heaven's name have we this proliferation of codes? One or the other should go. Even if the Government want a tough code —and I do not—it should at least be a single code, rather than a conflicting set of codes. The proper body for the role would be the Broadcasting Complaints Commission, so the codes should be brought under the one heading of that commission.

That proposal would put the questions of privacy, sexual conduct and violence into the area where they

[Mr. Buchan]

should be considered. Individual complaints could be brought and considered, but the people doing so could be the people who initiated research.

The Bill has two main aspects: quality, and increasing repression and censorship. The repression and censorship are not because the Bill contains a series of draconian criminal provisions but because it inhibits and represses. It will have failed if action needs to be taken. The effectiveness of censorship is not to take action, but to inhibit the thinker and the writer from coming forward, and to make the publisher afraid. My God, we have seen enough pressure on publishers in the past 12 months. That is how censorship works and that is why we should have a single commission. That is what my hon. Friend the Member for Great Grimsby (Mr. Mitchell) was saying, and I support him completely.

Mr. Cryer: Does my hon. Friend accept that an element of accountability is involved in standards of broadcast journalism in particular? I share his concern about censorship, but the new clauses also provide for a degree of public accountability—for example, research into the extent to which broadcast journalism is attaining the standards of accuracy and fairness that should reasonably be expected of its broadcasters. That would hold them to account, at least to a certain degree. Is my hon. Friend surprised to learn that the NUJ supports the proposals, because it wants standards of fairness and accuracy to be subjected to such scrutiny?

11.45 pm

Mr. Buchan: My hon. Friend is absolutely correct, and brings the matter into its proper focus. There is a widespread feeling that such scrutiny is desirable, although we are concerned that there should not be a proliferation of bodies dealing with different aspects of it. The new clause would introduce an element of public accountability. I am pleased to learn that the NUJ supports the proposal; it has become so used to authorities that it has tended to oppose them in the past.

The best of all possible worlds would be to introduce these sensible changes in the Bill. Is the Minister prepared to look at the proposals again? Perhaps our reference to the commission is confusing, but I hope that in these two clauses, "the Commission" can be read as the Broadcasting Complaints Commission.

Mr. Austin Mitchell: I declare an interest as a member of the National Union of Journalists, which supports the proposals.

Given the Government's obsessive desire to interfere in moral matters by setting up a standards council with the ability to Moggify programmes, it is both important and logical that we should show some concern for what we should really be talking about, which is quality and standards of accuracy, journalism and news coverage.

Nowhere does the Bill—for all its fussy, meddling, moralistic interference in the form of the powers conceded to the Broadcasting Standards Council—show any concern for the basic qualities of television. Those matters are dealt with in the new clauses. We propose to give the powers to the Broadcasting Complaints Commission because, given its experience of complaints and the research that it can commission, it has the ability to build up expertise and lay down codes and standards.

We seriously need codes and standards for broadcast journalism, and the Broadcasting Complaints Commission is the logical authority to develop them. I would go so far as to say that, if the new clauses are accepted, as I hope they will be, they will make the Broadcasting Standards Council superfluous, unnecessary and liable to be scrapped, as it should have been at the outset of our proceedings on the Bill. I strongly support the new clauses, because we should maintain a concern for standards.

Mr. Mellor: Given the hour, I shall deal briefly with the new clauses.

New clause 26 is unnecessary, because research is already well provided for in the Bill. For instance, clause 12 already enables the ITC to commission audience research for any licensed service programme. Moreover, amendment No. 233 provides for the ITC to commission research into the effects of programmes on viewers and into the type of programmes that the public would like to see included in future schedules. Clauses 139 and 142 also provide for the Broadcasting Standards Council to monitor broadcast standards and undertake or commission research into the portrayal of sex and violence and general standards of taste and decency.

Mr. Austin Mitchell: You can do better than that.

Mr. Mellor: The hon. Gentleman is very bouncy for the time of night. I do not know how he spends the rest of his week.

Mr. Tony Banks: In bed.

Mr. Mellor: I shall not inquire too closely into that.

The singling out of matters to be researched, which new clause 26 proposes, would conflict with an appropriate general policy of leaving such decisions to the ITC's discretion. In enabling the commission itself to conduct research, the new clause raises issues that we discussed at length in Committee. We believe that it is better that research should be commissioned rather than done in-house, although I accept that that is not a central point.

The trouble with new clause 27 is that it blurs the areas of responsibility for the ITC and the BSC. Essentially, the ITC codes are aimed at the performance and behaviour of the licensees and are not designed to give guidance to viewers. I hope that I can safely say that the matters raised by the new code are already dealt with either in other ITC codes or in the BSC's duties. The BSC's duties relate very much to viewers. That is why, with respect, new clause 27 would not add to the clarity of the Bill.

My hon. Friend the Member for Swindon (Mr. Coombs), in amendment No. 202, raises an interesting and useful point. He wishes to have it made explicit that research commissioned by the ITC must be relevant to its regulatory functions. That is implicit, but I am perfectly content to make that explicit, and I shall do so in deference to what my hon. Friend has had to say.

Mr. Tony Banks: I take the Minister of State's point that the Broadcasting Complaints Commission has sufficient powers in the Bill to do various things as set out in new clauses 26 and 27. It might be helpful if he would say that he favours the commission looking into those

various matters in the manner set out in the two new clauses. It is important. Clearly, the commission, in judging its programme of work and its attitude towards various matters, might be guided by the words that the Minister of State uses in the House this evening. I hope that the Minister of State will say that the provisions of new clauses 26 and 27 contain a great deal of sense, and that these matters would be worthy of consideration by the commission when it comes to commissioning research.

Mr. Mellor: I do not go quite as far as the hon. Gentleman. I have not actually examined every single part of the new clause with a view to knowing whether I think that it would otherwise be desirable. I certainly happily undertake to discuss the intentions of the new clause with the BSC and, where relevant, the BCC, so that we might take a view on that matter. I shall write to the hon. Gentleman with the outcome of those deliberations.

Mr. Fisher: I am grateful for the way in which the Minister of State has responded. I accept that there are several places in the Bill where audience research is not only mentioned but specified—clauses 12 and 90, for example. Clause 12 allows only for research into programmes. The Minister of State referred to the Broadcasting Complaints Commission's responsibility to look into matters of sex and violence. That is true, but clause 12 relating to programmes and the new commission as it relates to sex and violence ignore the matter on which new clauses 26 and 27 home in. As has been said, the requirements of accuracy and fairness are supported by the National Union of Journalists. The Minister of State underestimates the importance of those matters for research. They are not covered by research responsibilities or obligations in the Bill.

My hon. Friend the Member for Paisley, South (Mr. Buchan), in a powerful contribution to this short debate, made the good point that, as the Bill progressed in Committee, we stumbled across more and more restrictive aspects. We have a confusing plethora. Not only do we object strongly on grounds of civil and human rights to that enormous paraphernalia of organisations, but we believe that new clause 27 would be a great deal more coherent and give a more considered view about responsibilities.

Obviously on those points the Minister of State is not yet fully convinced, but I am grateful that he has undertaken to consider them. I hope that he will accept that, whereas we understand what he says about clause 12 and clause 19, accuracy and fairness are not covered. Those are matters of considerable public concern. It would benefit everybody involved in broadcasting if there were objective research into those matters as much as into matters of preference and taste in programming. I hope that the Minister of State will bear those remarks in mind. I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 31

PROSCRIPTION OF NON-DOMESTIC SATELLITE SERVICES (NO. 2)

'(1) Without prejudice to the provisions of section 13, if any person provides a non-domestic satellite service without a licence or continues to provide such a service when a licence has been revoked, the provisions of sections 165 and 166 shall apply to such services as if they were foreign satellite services.'.—*[Mr. Buchan.]*

Brought up, and read the First time.

Mr. Buchan: I beg to move, That the clause be read a Second time.

I shall endeavour to be brief in dealing with what is a complicated matter. Since I have been raising the issue, a number of amendments have been tabled, including amendment No. 8 which stands in the names of Conservative Members.

I have talked of the introduction of repressive measures of censorship, but another type of censorship occurs when we have too tight a monopoly on ownership, a problem that has been envisaged almost since the commencement of commercial television. As far back as 1955, the Pilkington committee, to which I gave evidence, began to appreciate the problem that would arise as a result of what we now call cross-media ownership, a concept which now exists to a high degree. Pilkington said:

"The threat is thought to reside in the fact that, because two of the media of mass communication are owned in some measure by the same people, there is an excessive concentration of power to influence and persuade public opinion".

That was said partly because of the evidence that I gave more than 30 years ago—in relation to control by a press monopolist, Roy Thomson, over Scottish Television. He discarded the criticism in the Pilkington report on the ground that it had come from two folk lorists from Glasgow, of whom I was one and my wife was the other.

That was the beginnings of an understanding of the problem of mass media which we are now witnessing to a greater degree. Pilkington was concerned that it might have two results. One was that when issues were covered by broadcasting or the press, being in the same hands, they might be subjected to undue and uniform editorial influence. The second was that the choice of issues to be reported—the setting of the agenda, as it were—could become distorted. There was a third reason, and Pilkington might have been prophetic, for it said:

"Newspapers might unduly publicise and praise, or avoid adverse criticism of, the television service provided by companies in which they had an interest, and might disregard or criticise unfairly any exercise by the authority of its powers against these companies."

In other words, one section of the media could be used to denigrate or support another element of the media—press and television—which is exactly what has been happening with the development of Sky Television, being under the ownership of a major press owner. *[Interruption.]* The monopoly element involved is enormous. Indeed, it is such that the Government have taken steps in the Bill to deal with cross-media ownership, because they recognise the problem, a problem that we have seen in practice—in the *Sunday Times*, *The Times* and *The Sun*—with the over-pushing of Sky Television and the praising of programmes in articles about the pick of the week and so on, so that even within itself it is unhealthy, not to mention the political control that can be exercised.

There is a huge hole—*[Interruption.]* If the hon. Member for Thanet, North (Mr. Gale) or any of his hon. Friends want to interrupt—if they want to defend Rupert Murdoch—perhaps they will get to their feet and do so. Let them say where they stand. If not, perhaps they will allow me to proceed.

[Mr. Buchan]

Later, the Broadcasting Act 1981 included some measures to deal with the matter. It does not explicitly preclude control of a television franchise by newspaper interests, but the IBA and the Home Secretary have power to suspend or end a franchise if it appears that the existence of the shareholding has led or is leading to results that are contrary to the public interest. That is the position at which we have now arrived. While the legislation has no explicit prohibitions on cross-media ownership, the underlying philosophy is clear. Restrictions have been thoroughly entrenched through an enabling statutory framework and by the IBA through its own regulations.

12 midnight

We have seen the experience in other countries such as America where the problem led to a decision in the Supreme Court against cross-media ownership. Who was involved? It was Rupert Murdoch. He had to divest himself of some of his holdings as a result. We have seen the problem in Australia—which I have just visited for a week to see the broadcasting system. Who was involved? It was Rupert Murdoch. What we face in Britain has had to be dealt with by at least two other countries.

If the Government had mentioned Rupert Murdoch, News International or Sky Television, the Bill would have been hybrid and would have had to be dealt with in an entirely different way. That is why I raised the matter. I was given a ruling that was constitutionally inevitable—that the Bill was not hybrid because it did not mention a particular company. It exempts from the monopoly ownership rule what is called broadcasting by non-domestic satellite television stations. There is only one such station. All of us here could own our own stations and call it non-domestic broadcasting by satellite. The only problem is that we cannot afford to do it. It is like saying that everyone is entitled to eat in the Ritz every day.

Almost the worst aspect of the Bill is that, according to *The Guardian*, the Minister has said that he will not pull the plug on News International. He can deny it later if he wishes. The Government intend to exclude from the Bill the operation of News International. We should remember that every other television company will be subject to the restrictions imposed by the Bill on holding. They are also restricted in terms of nationality. Proprietors must be either British or members of an EEC country. That is deliberate. Sky Television and any others which broadcast via the Astra satellite are excluded from the restrictions in the Bill.

Mr. Mellor: I am sure that the hon. Gentleman's arguments will sound even more exciting when they are made in the debate that we are due to have, and which no one can avoid, on the subject of whether it is right that there should be cross-media ownership restrictions on Sky Television and others. The hon. Gentleman's remarks would be relevant to the amendment only if Sky continued to broadcast without a licence. He is dealing with a relatively limited regulatory point. Perhaps after the number of hours of debate that we have had, what he is saying about Sky might be better placed in the debate on that specific point.

Mr. Deputy Speaker (Mr. Harold Walker): I am grateful to the Minister for confirming what had been lurking in my mind for several minutes. I was shielding my ignorance about the complexities of the Bill. My suspicions are now confirmed that what the hon. Gentleman has been saying does not have an awful lot to do with the new clause before the House.

Mr. Buchan: I usually agree with your suspicions and sometimes even with your rulings, Mr. Deputy Speaker, but neither your suspicion nor a consequent ruling on it would be correct in this case. If someone behaves in such a way that the ITA has to intervene, the application of the clauses applying to foreign satellite stations should apply to the non-domestic broadcasting station.

It is late at night. I welcome the Minister's intervention to discuss the topic in the amendments to be debated tomorrow. An element of the matter can be dealt with then and I shall take great joy in repeating my arguments, hopefully at an earlier time of night. I thank the Minister for his intervention.

The amendment proposes that if News International is to be exempted from the nationality rule that applies to everyone else and the control on the amount of monopoly holding, it should be treated as a non-British or foreign satellite television. If the ITC object to it, it can not only proscribe it, but take action on the advertisers and people who make the programme from Britain. It is a draconian measure, but we have been dealt a draconian measure in reverse by the Minister, and that is why I advocate this provision.

Mr. Austin Mitchell: I am a little puzzled by the new clause's consequences. I am not here to praise Rupert Murdoch, but I want to know whether my hon. Friend intends to bury him because I would object to that. The amendment makes Sky Television subject to licensing, as I take it. What is the effect of that licensing? I presume, since the cross-media ownership factor does not apply to satellite, that it would not have any effect.

Mr. Buchan: It says that, without prejudice to clause 13, if a non-domestic satellite service is operating and its operator does not choose to seek a licence or continues to provide such a service after a licence has been applied for and the ITC has decided to revoke it, the legislation referring to a foreign satellite shall apply.

Mr. Mitchell: I am grateful to my hon. Friend for giving way again; it is good of him. What consequences and restrictions are placed on the operator if he applies for a licence?

Mr. Buchan: If he applies for a licence within the normal regulations there would be enormous consequences with regard to holding. If he does not apply for such a licence, but continues to have a satellite broadcast from abroad, different provisions prevail. I am asking for that to happen if he continues to provide such a service when a licence has been revoked. If he does not have a licence, there is nothing we can do about it, except to treat his satellite as foreign-based. That is how Mr. Murdoch would be treated because he broadcasts from Luxembourg. If he applies for a licence and what he broadcasts is not liked by the ITC it can be discontinued and the licence revoked. It can be treated in the same way as a foreign satellite. I agree that it is a most draconian measure and good, quiet resolutions will come in tomorrow in the form of amendments, to which I shall give verbal support and my vote.

Mr. Dennis Skinner (Bolsover): On a point of order, Mr. Deputy Speaker. I do not suppose that in your position as Deputy Speaker you have had a chance to look at today's edition of *The Guardian* which has just come out and has a headline,

"Parliament 'misled' on Rover deal".

I wonder whether you have been informed about whether a statement is to be made by the appropriate Trade and Industry Minister about the Select Committee report, which reveals that there has been a gigantic fiddle by the Government over the Rover sweeteners of £38 million, as revealed in this morning's paper. Surely we are discussing the Broadcasting Bill——

Mr. Deputy Speaker: Order. I have not received any request for a statement. Mr. David Mellor——

Mr. Skinner: Further to that point of order, Mr. Deputy Speaker. Since we are discussing the Broadcasting Bill and people outside want to know what is happening in Parliament, surely it would be right and proper for a Minister to come and tell us about this gigantic fiddle.

Mr. Deputy Speaker: Order. The hon. Gentleman knows the form, and that I am not responsible for the attendance or otherwise of Ministers in the House.

Mr. Mellor: The hon. Member for Paisley, South (Mr. Buchan) referred to clauses 165 and 166, which are draconian clauses intended to catch satellite services which do not originate in the United Kingdom and which thus cannot be regulated by the ITC. The clauses are backstop provisions designed to deal with such a service. It is not necessary for the non-domestic satellite services with which the hon. Gentleman is mainly concerned to come within the ambit of clauses 165 and 166, because they will be regulated by the Independent Television Commission on matters such as taste, decency, balanced news reporting and so on.

Where a licensee was providing an unacceptable service, the ITC would have substantial powers to enforce licence conditions, including ultimately the possibility of withdrawing the licence. If the operator continued to provide a service after his licence had been removed, he would be guilty of an offence, under clause 13, of providing a licensable service without a licence. He would therefore be liable to prosecution. With respect to the hon. Member, I think that that is a sufficient deterrent.

The point about clauses 165 and 166 is that this apparatus is not available in the case of services originating outside the jurisdiction. It is for those services that they are needed. In the light of that, and knowing that the hon. Gentleman has just been warming up his tonsils for his assault on the substantive issue of satellite cross-media ownership tomorrow, I hope that he will feel able to withdraw the new clause.

Mr. Buchan: I thank the Minister for his generous invitation. That is twice that I have been invited to talk tomorrow, once by the Minister and once by you, Mr. Deputy Speaker. With the kindness that is about, I will make a long speech tomorrow.

If it were not so late, and if all the troops had been on duty, I would sadly have pushed this to a vote. I will not do so. I will resume the argument tomorrow. Of course, there will be yet another stage—before their Lordships. Listening to the reactionary nature of the Conservative party, we sometimes have to look to their Lordships for a liberal attitude. I look forward to that.

I beg to ask leave to withdraw the new clause.

Mr. Deputy Speaker (Mr. Harold Walker): I do not recall any words of mine that were an open invitation to the hon. Gentleman to speak, at length or briefly, on any future occasion. We must wait until that occasion.

Motion, and clause, by leave, withdrawn.

New Clause 32

CHRISTIAN BROADCASTING SERVICES

'(1) An applicant for a licence to provide any of the services mentioned in subsection (2) may declare that he intends to provide a Christian broadcasting service under this section; and in that case, if his application is successful, his licence shall (in addition to any other conditions which, subject to this section, apply to that licence) be subject to the conditions set out in subsection (5) (in this section referred to as "christian broadcasting conditions").

(2) The services are—

(a) A non-domestic satellite service (as defined by section 38(2));

(b) A licensable programme service (as defined in section 41(1));

(c) An additional service (as defined by section 43(1));

(d) A sound broadcasting service to which section 78 applies;

(e) A licensable sound programme service (as defined by section 104(1)).

(f) An additional service (as defined by section 106(1)).

(3) Where an applicant for a licence for a service mentioned in paragraphs (a) to (c) of subsection (2) makes a declaration under subsection (1), paragraph 2 of Part II of Schedule 2 shall not apply to him; and accordingly the persons mentioned in that paragraph shall not be disqualified from holding a licence for such a service subject to Christian broadcasting conditions.

(4) A licence subject to Christian broadcasting conditions may not be issued to or held by any person except a body which is a charity registered under the Charities Act 1960 whose principal object is the propagation of Christianity.

(5) The Christian broadcasting conditions are that

(a) a substantial proportion of the programmes shall be directed to—

(i) explaining what the Christian faith is and its relevance in the modern world;

(ii) encouraging an improvement in moral standards in private and public life and an awareness of Christian ethics; and

(iii) providing Christian counselling services.

(b) the programmes broadcast shall be predominatly of European origin;

(c) there shall be no broadcast appeals or requests for finance or other material benefits for the licensee or any person connected or associated with the licensee.

(6) Where the licence for any such service as is mentioned in paragraphs (a). (b) or (c) of subsection (2) is subject to Christian broadcasting conditions.

(a) section 6(4) shall apply with the omission of the words from "and they shall also" to the end; and

(b) without prejudice to its powers under section 42(4) the Commission may, if they consider it appropriate to do so, determine that section 6(1) shall, in its application to that service, have effect with the addition of the following paragraph—

"(e) that undue prominence is not given in its programmes to the views and opinions of particular persons or bodies on religious matters."

(7) So far as it relates to religious matters section 84(2)(b) shall not apply to any service which is licensed subject to Christian broadcasting conditions.

(8) In the application of
(a) section 6(1)(c) (as substituted by virtue of section 42(4));
(b) section 6(1)(e) (as added by virtue of subsection 6(b) above); and
(c) section 84(2)(a),
to any service which is licensed subject to Christian broadcasting conditions, those provisions shall not be construed as imposing any duty on the licensed service which is inconsistent with those conditions; but shall be construed as prohibiting dominance by one particular church or ecclesiastical group.

(9) In its application to an application for a licence to provide a licensable sound programme service subject to Christian broadcasting conditions, section 105(2) shall have effect as if the reference to section 84(2) were a reference to that subsection as modified in accordance with subsections (7) and (8) above.'.—*[Mr. Michael Alison.]*

Brought up, and read the First time.

Mr. Michael Alison (Selby): I beg to move, That the clause be read a Second time.

At first sight, the proposed new clause might seem to be somewhat sweeping and ambitious, particularly as the Minister of State has already offered so much that was not originally in the Bill on religious broadcasting. I make no apology for initiating through the new clause a brief debate, I hope, on religious broadcasting and Christian broadcasting in particular.

Large numbers of our constituents regard this aspect of the Bill as easily the most interesting and important part of it. Letters to colleagues reinforce that view. The Christian religion and Christian broadcasting are still very important in Britain. For example, 62 per cent. of the population see at least one religious television programme a month, and that is a very high proportion.

As for radio, BBC Radio 4's "Sunday" programme has a larger audience than "The World this Weekend", while the alternative on BBC Radio 2, "Good Morning, Sunday", has twice the audience of "Sunday". These compete with a number of local radio religious broadcasts. We are not talking about a marginal interest.

It follows from those figures that the idea that Britain is largely a secular nation cannot be sustained. Indeed, ascertainable evidence shows exactly the opposite. It is true that only 11 per cent. go to church weekly and 20 per cent. monthly—a much higher figure, incidentally, than those who attend sporting events the day before. But, according to the IBA itself, the strength of support for Christian views and values in Great Britain is extremely high. The latest IBA survey on religious beliefs says:

"In total claimed membership of any Christian faith accounted for 79 per cent. of people. Even amongst people who are not at all religious, two out of three describe themselves as 'Christians'. 13 per cent. of people admitted having no religion."

A MORI survey in October of last year showed that 84 per cent. of people claimed that their religion was "Christian", while a Gallup survey of last December gave the figure as 77 per cent. On those percentages Britain is a Christian country.

12.15 am

I said earlier that my hon. and learned Friend the Minister of State had shown himself to be generous in his response to the Christian and more widely religious broadcasting lobby. He has also been painstaking, perceptive and sensitive in his response to lobbying. Those qualities take time and effort and many hon. Members as well as many people outside are deeply obliged to him for his personal interest in these matters.

The lobbying group with which I have been associated, which includes CARE campaigns, the Evangelical Alliance and Christian Standards in Society, lobbied for three objectives. First, we requested, in the words of the Bishop of St. Albans, who is a member of our group, and nine other denominational leaders, that

"religious programmes be specified among those which would comprise a properly diverse output."

I am glad to see that Government amendment No. 114 specifically responds and gives effect to that request. We shall debate it later, but suffice to say at this stage that we are grateful to the Minister for honouring the undertaking that he gave in Committee and elsewhere about that improvement to the Bill.

Secondly, we expressed concern that Christian and other religious bodies were being restricted in a way unprecedented in previous broadcasting legislation. The Bill excluded them from holding any ITC licence and thus from the possibility of managing their own programme schedules and competing in the market place. In the long term, this exclusion would mean inadequate funding for religious programmes and consequently a decline in quality. Therefore, we asked the Minister of State to think again about the exclusion of responsible Christian bodies from the management of television channels. The Minister thought again and to good effect.

Government amendment No. 352 makes the radical, fundamental change to the original Bill by lifting the disqualification of religious bodies from holding television service licences for both non-domestic satellite and cable services. Such bodies are thus to be enfranchised as owners and managers in their own right in this area. This matter will be debated when we come to the Government amendment, but my hon. and learned Friend has given us everything that we could possibly ask for and we are deeply obliged to him.

In the light of these two major changes and improvements to the Bill, secured with the full co-operation and active assistance of my hon. and learned Friend the Minister, it might seem churlish to land him with this lengthy new clause at a quarter past midnight. However, there remains a third objective which my group has not yet secured. It relates to certain restrictions in the Bill that have been dubbed with the code phrases "no editorialising" and "no undue prominence." Clause 84(2)(a) says:

"undue prominence is not given in its programmes . . . to the views and opinions of particular persons or bodies on religious matters".

Clause 84(2)(b) says:

"there are excluded from its programmes all expressions of the views and opinions of the person providing the service on religious matters".

In the view of the group that I represent, those limitations are unacceptably restrictive and inhibiting and incompatible with that very generosity towards religious broadcasting, more widely, as represented by the proposed Government amendment that I have mentioned. Thus it appears paradoxically, to our legal advisers at least, that even if a Christian group were to be granted a licence, while it would be free to broadcast programmes on materialism or easy sexual morals or something quite incompatible or foreign to the Christian religion, it could

not broadcast about the Christian faith. A radio station run by a local church would not be able to broadcast its own worship to the community that it served. That seems ludicrous, to put it mildly.

I know that the Minister believes that the Bill's provisions in this regard are not as restrictive as we fear, but our anxieties about restrictions on religious matters were reinforced when the shadow Radio Authority contradicted the Home Office. In January, the Home Office was good enough to listen to a tape recording of a typical programme broadcast by a sane and Christian radio station from the Isle of Man, and said that it would be acceptable under the Bill: it certainly did not want such broadcasts to be banned. In March, however, the shadow Radio Authority was asked for its views about the programme. It said that the "editorialising" clauses in the Bill would prevent such programming, and would be the death knell of the service as it currently functioned.

Incidentally, the Home Office—and my hon. and learned Friend the Minister in particular—may be interested to know that the governor of the prison on the Isle of Man thought that the programmes were so good for his inmates that he extended radio listening hours for the sole purpose of tuning in to them. That was the programme that the shadow Radio Authority deemed "unsuitable" and likely to be caught by the Bill's "editorialising" provisions.

That is why I have tabled the new clause—drafted with the assistance of the National Council for Christian Standards in Society and the particular help of Mr. Gareth Littler and Lady Watherston,who are members of the society,and designed to provide for an active but responsible propagation of the Christian faith by respectable, charitable, non-profit-making European licence holders, subject to all the safeguards against abuse that are already in the Bill.

John Wesley had the freedom of the open air in the 17th century, largely because he was banned from more official channels of communication. He made good use of the open air. We want to ensure that, if John Wesley were alive today, officialdom would not ban or inhibit him from the airwaves. If the Minister of State can show us a more satisfactory way forward than the new clause, I will gladly seek leave to withdraw it.

Mr. Mellor: I am grateful to my right hon. Friend the Member for Selby (Mr. Alison) for the cogency with which he has set out his case, and for the generous and handsome tribute that he has paid to my efforts. I am very touched by what he has said; but I like to think that what we have done was done with the approbation of every Member of the House. The aim was to strike a fair balance between ensuring that responsible Christian broadcasters had the opportunity to participate in the expanded access granted to, in particular, local radio and television services, and maintaining adequate protection against the exploitive religious programming that might be provided by religious cults—or by the American evangelists who have almost brought our religious broadcasting into disrepute.

Lest anyone should imagine that these are fanciful concerns, let me draw attention to a provocative letter in today's *Times*, in which a director of the Unification Church says how important it is for the country's moral welfare that the Moonies should be able to broadcast more widely to the nation. I trust I am not alone in the House in thinking that we should resist that.

As my right hon. Friend has said, as a result of the letters that we have received, and of representations made by hon. Members on both sides of the House, responsible Christian broadcasters will be permitted to own local radio stations, local cable channels and on-DBS satellite channels—subject to the discretion of the ITC or the Radio Authority, as appropriate. They will not be permitted to own national television or radio stations; I think that that is a fair distinction.

So far so good, but my right hon. Friend is right to point out that there is a problem in relation to the "no editorialising" and "no undue prominence" arrangements which were not geared specifically to religious programmes and which might appear to take away with one hand what we have given with the other. That is not our intention.

The Home Office has sought to argue, because it is what we believe, that neither of the provisions would preclude, say, a local group of churches with their own community radio station from broadcasting their own services. It would be ludicrous if it had that effect.

But I acknowledge that there is a grey area here. There are a number of opinions, not all of which are mutually consistent. Therefore, it would be to everyone's advantage if the matter were sorted out in a different way. That is what I propose to do, and I want briefly to give the House details of how we propose to tackle that.

First, there will be a requirement relating to fit and proper persons, offensiveness, advertising and restrictions on donations. All those will apply to religious broadcasting. That is right. Advertising will be allowed, but it has to be subject to a tight code. We do not want to see the free and easy approach to donations that has appeared in the United States. People not regarded as fit and proper persons should be excluded and the ITC and the Radio Authority will have the power to do that.

I propose to remove completely the "no undue prominence" and "no editorialising" arrangements from religious broadcasting and to replace them with a concept yet to be fully worked out. There would be a new requirement for all licensees that the ITC and the Radio Authority are prepared to see go forward as owners of stations that any treatment by them of religious matters must be responsible and not exploitive—concepts that will be fleshed out by the ITC and the Radio Authority in codes on programme standards.

I hope that that will prevent the inappropriate abuse of the airwaves by extreme religious groups while at the same time making it clear that legitimate Christian broadcasters have nothing to fear by the public protection devices made necessary in order to prevent any movement across the Atlantic of the unacceptable manifestations of religious broadcasting which are all too prominent there.

I am grateful to my right hon. Friend and others who have continued to point out to me that, although we have moved considerable distances on the issues, there is nevertheless scope for moving yet further. It is a difficult and elusive balance to strike to allow those who are responsible free rein while restricting those who are irresponsible. I hope that we have got nearer that elusive balance in what I have had to say, and I hope that on that basis my right hon. Friend will be prepared to withdraw his new clause.

Mr. Darling: It may be appropriate to state the Opposition's position on the new clause, although if it is not to be pressed it may be academic.

[Mr. Darling]

Many of the problems that we are discussing would not have arisen if the Government had at the outset said that it would be necessary for broadcasters to provide a wide range of programmes which would include religious programmes. In other words, there should be something similar to the present requirement for broadcasters to produce religious programmes of the sort that we see today. It is because the Government made no such provision that, understandably, a number of religious organisations and churches wrote to hon. Members asking that suitable amendments be made.

The feeling was that somehow religious organisations were being banned from access to the airwaves under the new television and radio regime. I do not think that that was ever the Government's intention, but it would have been far better if at the outset it had been clear that broadcasters would be required to produce a wide range of programmes, not just religious but including religious programmes, so that people could have access to programmes that they undoubtedly want to see, such as "Songs of Praise".

But there is a difference between acknowledging that fact and going on to say that they want something more akin to a television or radio station the object of which is to promote one particular view of religion.

There is not a single Christian view on anything. Christianity is but one faith, but there are many different churches within that religion. It would be impossible to create a Christian radio or television station that was even slightly acceptable to all who profess to practise the Christian faith.

12.30 am

I am not sure whether the amendment was intended as a stalking horse or to be enacted, but on the basis that it was meant to find its way into legislation, I offer the following observations. It would be impossible to accept a proposal that allowed a Christian church or organisation access to radio or television without at the same time permitting other religious interests precisely the same facility—to argue that Christians should enjoy access but that those who follow the Islamic faith, for example, should not. Such a proposition would immediately fall foul of the European Convention on Human Rights.

What is to prevent religious cults from gaining access to the airwaves in the way that the Minister described? I am sure that few right hon. and hon. Members would like to see the Moonies or similar organisations enjoying such access. I feel sure also that the majority of right hon. and hon. Members and the general public would not want to see in this country the situation that obtains in the United States, where television stations are owned and operated by organisations claiming to be of a religious or even Christian nature but which are really fronts for other, wholly undesirable groups that should never be given access to our airwaves.

Many people in this country who never go near a church from one year to the next may still consider themselves to be Christians or adherents of another faith. I am sure that even they would feel uneasy if they learned that all kinds of "churches" were to be given unrestricted access to our airwaves without question, and without any promise of a balanced approach—running mere propaganda stations for publicising views that might not command anything like popular support.

If new clause 32 ever finds its way into an Act, it would create wholly unwelcome problems in British broadcasting. I am glad that the Government's view appears to be that it should be resisted. I was pleased to infer also from the remarks of the right hon. Member for Selby (Mr. Alison) that he does not intend to press his proposal. He indicated one of the difficulties that could arise when he spoke of the Christian view. I do not agree that such a thing exists. The right hon. Gentleman gave an example of sexual morals, but I do not believe that there is a concluded view on what is right or wrong in terms of matters that the hon. Gentleman would describe as being concerned with sexual morality. It would be wrong unquestioningly to hand over the airwaves to any group in the way that the right hon. Gentleman described.

The analogy with John Wesley is wholly misplaced. No one seeks to prevent individuals from gathering wherever they choose to debate particular views. That is quite different from giving someone the ability and the right to reach into the sitting room of every house throughout the country. I feel sure that the right hon. Member for Selby acknowledges that that is so.

Mr. A. J. Beith (Berwick-upon-Tweed): The hon. Member for Edinburgh, Central (Mr. Darling) talks as though the country's entire airwaves are to be handed over to some religious group or another. He fails to acknowledge the new situation in which a large number of radio and television outlets will be opened, giving rise to the possibility that a particular point of view or subject matter may be concentrated on one channel far more than has ever been possible with the traditional forms of broadcasting with which we are all familiar, and which the hon. Gentleman may prefer. In addressing ourselves to the new structure, it is surely reasonable to consider whether a channel could reflect a predominantly Christian outlook, as understood by the people running it.

Mr. Darling: I do not take that view. I agree that in future there will be more and more opportunities for broadcasting, both on television and on radio, but I would be reluctant for people to tune in to the Catholic station, the Protestant station, the Muslim station, the Hindu station, whether it was cable, satellite or any other kind of television. I would also be reluctant to have a Labour party station or a Conservative party station. We really——

Mr. Roger Gale (Thanet, North): We have four BBC channels.

Mr. Darling: The hon. Gentleman's paranoia is getting the better of him. Perhaps it is not surprising at this early hour in the morning.

I do not like the idea of dedicated radio and television channels on which all that one gets is propaganda. Surely that is not the future of broadcasting. Surely, even in the Government model of broadcasting, there is some sense of balance and questioning. It would be wrong to throw up our hands and say that, because there are many more channels on television and radio, we should hand them over to whoever wants them, without question.

Many Conservative Members, having achieved a Christian channel, would find that there was a request for

a channel that put forward the views of Islam and they would howl for it to be closed down because they disagreed with what it said. I daresay that those who disagreed with what the Christian channel was broadcasting would be asking for that to be shut down. Sooner or later someone would say something which caused offence to someone else.

I do not think that the majority of people in this country want channels to be dedicated to a single view, although I agree that the opportunity for that exists—as the hon. Member for Berwick-upon-Tweed (Mr. Beith) suggested—but it is not an opportunity that I want to take.

I prefer the model that we have developed which has a sense of balance and questions any views which are put forward, so that we do not end up with channels broadcasting propaganda, and people tuning in to the propaganda channel that suits them.

The majority of people find religious broadcasting satisfactory at present. At the risk of sounding conservative, that is how I would prefer to see it remain and I see no need for the type of change that the right hon. Member for Selby was promoting. The change frightens me, many other hon. Members and many people outside this place.

Rev. Ian Paisley (Antrim, North): I should like to congratulate the Minister on considering the representations made to him and going a long way towards meeting them. I welcome the fact that he will take editorialising in hand and make a definite statement about where the line should be drawn on that issue.

Surely, when we are discussing the widening of broadcasting, it is only right that we should consider the widening of religious and Christian broadcasting. I cannot agree with the Opposition spokesman who put forward the view tonight that we can discuss the widening of broadcasting in the Bill, but for some reason Christianity should not be allowed to widen its net within the scope of broadcasting as it is envisaged in the Bill.

I should have thought that Christianity had as much right as any other section of the community to make its views known. I agree with the hon. Member for Edinburgh, Central (Mr. Darling) that it is hard to define the Christian view because each denomination would put forward its own interpretation of the Christian religion, and I can well understand that. That gets us into debate and into controversy.

I was slightly amused when the right hon. Member for Selby (Mr. Alison), who moved the new clause, referred to John Wesley. If John Wesley had been living today, the BBC would not have allowed him on its channels. He had only a tiny following to start with, and until he had a respectable number of followers, meeting houses and churches, he would have been banned from the airways.

We then have to define who are the extremists. John Wesley was looked on as being very extreme in his day. We all have to decide where we stand. We all know whom we consider to be extreme, but from where they stand, they see their view point. Christianity and the Bible doctrines make their way by arguments and the proclamation of the gospel message. Broadcasting should make it possible—within reason, for there must be reason in this—for the preaching of the gospel of Jesus Christ.

If one does not like something on the radio or television, one can always turn it off. No one is compelled to listen or watch anything. I cannot agree with the argument that it was all right for John Wesley to be an open air preacher, but one would not want him to preach in one's drawing room. If one does not want him in one's drawing room, one can always shut off the set. One does not need to listen to him there.

Christianity should have the same rights as all other religions. I should have no objections to Islam broadcasting its teachings. As a Protestant, I believe in civil and religious liberties for everyone, and it has a right to broadcasting. If it said things with which I did not agree, I should not say that its broadcasts should be stopped—I should say that it was entitled to put forward its view.

Christianity is not a plant that needs greenhouse treatment. It can stand on its own legs and make its own way forward. The Christian religion, which was up against everything when Jesus Christ rose from the dead and sent forth his apostles, carried the world before it—a world of temples, paganism and false religion. Without any establishment, finance or anything that the world could do for it—it was on its own—it was able to carry the day. I have no doubt that Christianity will make a vital contribution to properly controlled religious broadcasting.

I trust that the Minister will persevere. As a Calvinist, he may know something about the perseverence of the saints, although my Arminian friends would know nothing about that. I hope that we shall end up with an Act that deals sensibly with religious broadcasting, so that all people who want to hear the gospel of Jesus Christ proclaimed will be satisfied that they were at least listened to and respected, and got the same deal as others. That is all that we are asking for. We are not asking for patronage or a special place. We are asking for our rightful place, so that the message of the gospel can be proclaimed in broadcasting.

Rev. Martin Smyth (Belfast, South): I welcome the opportunity to contribute to the debate. I add my tribute to the Minister's response to the different approaches made to him. I support the plea made by the right hon. Member for Selby (Mr. Alison). Perhaps it is worthwhile asking why there is concern that there should be freedom of Christian and religious broadcasting. Over the years, there has been censorship. For example, it was not until the advent of ITV that I got the opportunity to broadcast, because the establishment keeps its own grip on the issues.

We must consider what happened in the BBC this year. During Lent, the period before Easter which is one of the most sacred periods in the Christian calendar, it was the task of the religious division of the BBC to get a response from the unbelievers to that most sacred period, which should have been an opportunity for Christians to meditate.

12.45 am

As the hon. Member for Edinburgh, Central (Mr. Darling) said, the Bill as it appeared originally led many people to believe that there would be a limitation beyond understanding on Christian broadcasting. I welcome the assurance that the Government will consider the matter further. I trust that they will remove the ambiguities. If those who are responsible for implementing the changes in the legislation have their own interpretation, there is obviously a need for clarification. With regard to freedom of choice, I am amazed that the Government, who believe in market forces, and the official Opposition, who regularly speak on behalf of minorities, argue that we must

be careful lest we open doors and allow other people to put their views forward. If we dismiss the concept of a Christian perception of issues, perhaps we misunderstand a broad consensus of Christian morality and aspects of Christian teaching.

I can certainly understand finer distinctions of theology. However, many of us may have a perception of the Christian aspects of a particular situation. If secular writers are right to present their interpretations of Christianity—and quite often they are critical of it with justification—it is equally proper that Christian writers and producers should be presenting their views so that people can make their own choice.

With regard to censorship, is it not amazing that when issues are raised about the standard and quality of secular broadcasting the reply is that people can always turn off? Why is the same standard not applicable for those who dislike Christian broadcasting? In the past, the Christian Church was prepared to go to the market place, to the Forum and even into Caesar's household. I welcome the fact that the Christian Church is beginning at last to awaken to the use of modern media to extend its message so that men and women can believe.

Mr. Julian Brazier (Canterbury): I thank my hon. and learned Friend the Minister for the two major concessions that he made earlier and particularly for the concession that he has announced tonight. It is a particularly difficult balance to strike to find a way of excluding—to put it bluntly—the Moonies while allowing people to preach the gospel. It is important to say "preach the gospel" rather than "give an objective, distant view of Christian ideas."

It is a pity that Opposition Front-Bench spokesmen have chosen to resurrect once again the old multi-faith issue. That was satisfactorily put to bed in the Education Reform Act 1988 and a perfectly satisfactory formula was found to take account of the legitimate interests of other faiths while bearing in mind that this is still predominantly a Christian country. If the ideas expressed by my hon. and learned Friend the Minister are developed along similar lines, I am sure that they will be fruitful.

The compromise, upon which my hon. and learned Friend the Minister spent much time working, on the old "no editorialising rule" was widely accepted as it was originally interpreted. The religious advisory body for TVS, which has representatives of the major Churches and is chaired by a bishop of my church, Bishop Murphy-O'Connor, was in favour of the Government's compromise. It is only in the past couple of weeks, since the Radio Authority made its revelations, that it has become clear where the flaws are in this approach. We should be likely to eliminate genuine Christian organisations from putting over a genuinely Christian point of view.

In developing his constructive and positive further concessions, I suggest to my hon. and learned Friend the Minister that it is important that we do not leave the whole power of interpreting the concept of responsibility to the broadcasting authorities. It is important that it is enshrined in law that the basic distinction is not whether people are allowed to put a view over responsibly or not, in some secular sense of the word, but whether radio stations owned by Christians put over views that are fundamentally Christian but also inter-denominational when giving different Christian Churches a go, or whether they are giving a narrow plug to their own sect. That must be the key distinction. Providing a station offers a reasonable amount of inter-denominational access, it should be deemed to be responsible. I say that only because the examples given by the hon. Member for Belfast, South (Rev Martin Smyth) suggest why there are good grounds for not wholly trusting the secular broadcasting authorities to interpret rules favourably to the Christian Churches.

I am certain that my hon. and learned Friend has been as patient with other hon. Members as he has been with myself. He has replied to several long letters, point by point, and I am sure that we shall resolve the issue satisfactorily, thanks to his efforts.

Mr. Simon Hughes (Southwark and Bermondsey): I thank the Minister for his concessions and for the seriousness with which he has dealt with the representations so far. I must reflect, slightly amusedly, on the alternatives open to people when confronted with religious broadcasts—either those transmitted on the radio or personal appearances. It is easy to turn off a religious broadcast on the radio, but less easy if one is listening to a live speech by John Wesley or the hon. Member for Antrim, North (Rev. Ian Paisley) outside one's window. The argument must be, therefore, that it is perfectly proper to give people the choice.

The option that has been argued for is either for the majority religious group in the country or for the largest minority one. If we are properly to allow the broadcast media to transmit the range of our culture, it would be ludicrous to exclude religion and programmes that intend to broadcast and share the message of religion. If we allow radio to broadcast music, drama and current affairs, it would be unfair and illogical to do that, just as it would be unfair and illogical to allow the transmission of radio and television programmes to the ethnic minorities without them being able, as appropriate, to have their proper religious content so that the Muslim, Hindu and Sikh minorities could also have their way. Those of us who argue for Christian broadcasting permission do not seek to exclude that for other faiths as well. Of all the faiths that should have that opportunity historically and numerically in this country, it must be the Christian faith.

It has not yet been pointed out to the Minister that, if we are allowing freedom of choice, one alternative that it is right to allow to be broadcast over the airwaves is a spiritual alternative. I have had the experience, as I am sure other hon. Members have had, of being at home late in the evening and wanting a restful alternative on the radio. One cannot find one. One either finds talk, which is not what one wants, or unsuitable music. People may want consolation, support, guidance, help or even prayer. All that should be available. It is only proper that we allow the spiritual side of everybody's life, which is available at different times and in different degrees, to be reflected in those who own and transmit through our radio and television network.

I take seriously the Minister's point that some sects would seek to use the power that ownership in the radio and television media gave them to broadcast propaganda, including evil propaganda. Like everyone else, I oppose the idea of recruitment into closed sects such as the Moonies and other similar denominations, with all the disadvantages that it entails for the recruit. Surely the answer to that problem is that those who broadcast religious programmes should be required, under properly

regulated arrangements, to declare who they are, who owns and runs the programme and what name their sect goes by. That will make it perfectly possible for people to understand who is in charge. If we required that, we should still take the risk—as we do now—that some people will be betrayed into something that they do not entirely understand, but the risk will be far less substantial if there is a requirement to sign and identify what is being provided in a proper and effective way, and if people are then allowed to choose.

Mr. Darling: I am interested in the hon. Gentleman's remarks. Most hon. Members who have spoken have agreed that having the Moonies on the radio or television is a bad thing and that we are not very keen on it. How does one draw the line between an organisation such as the Moonies and an organisation to which none of us would object—the mainstream Church perhaps? Even under the scheme that the hon. Gentleman proposes, I do not suppose that the Moonies would say, "We are Moonies. We are out to con and brainwash people to get lots and lots of money. That is our true intention." They are a little more sophisticated than that. How does one draw the line? Are we not stuck with the fact that if we use the "You can switch it off" argument, it must apply to all denominations and not just to one or two?

Mr. Hughes: That is a perfectly proper question, to which there are two answers. First, some of the activities of certain sects have been ruled illegal and would be governed by other parts of the law. Certainly, the Unification Church falls outside the law in some respects. Secondly, I should be happy to entrust a decision about the distinction between a small, perfectly proper sect and a small sect that may be regarded as improper by a majority of people to a proper advisory body, which could at all times have an accountable reporting function.

Of course it is a difficult distinction, but our case is that one starts with the faith for which there is substantial current demand. The right hon. Member for Selby (Mr. Alison) made it clear that we are talking about large numbers of people. Of course, with small denominations, the distinction is more difficult but it cannot be beyond the wit of humans to determine a pragmatic method of deciding, always subject to revision.

I listened to the Minister's remarks about what he hoped to do in relation to the third proposal that had been put to him. I should like to explain what those of us who wish him to adopt that proposal are seeking to achieve.

Let me quote from the IBA's fifth background paper, produced for the Report stage:

"We agree that the prohibition of control of mainstream television services at a national level by bodies whose aims are wholly or mainly religious should be maintained. We would not consider it unreasonable in principle, however, for permission to be granted to such bodies to hold a licence for cable and satellite channels, particularly where these services are provided on a subscription or pay per view basis. Clause 6(4) would be a restraint on possible abuse. We do not believe that the 'no editorialising' requirement of Clause 6(4) would prevent the broadcasting of religious services or acts of worship which coincided with the religious affiliation of the owner of a service. Clause 6(4) would only be infringed if the service was used to promote the particular religious views and opinions of the person providing the service."

We should not allow the matter to depend on what the IBA believes; it should be a matter of law, and clear in law. Moreover, I do not think—I hope that it is not the view of the House—that we should prevent someone who owns a service from preaching or teaching or sharing a religious service that reflects his view. For example, I refer to a Nonconformist view, a Presbyterian view, a Roman Catholic view, a Methodist view, an Anglican view or anything else—even a different view and a known different view on key tenets of the Christian faith. Surely those matters must be able to be transmitted, irrespective of whether they are the views of the owner of the station in question.

I presume that the Minister of State would hope to address the link problem—the micro version of which my previous point is the macro version, which was pointed out by the Isle of Man authorities when it looked as though they might be running foul of the law—so that, as was made clear in a briefing that the Minister will have seen, small radio stations which transmit at Christian festivals such as the Greenbelt festival or the other examples cited and Llandudno Methodist Easter festival can do their job without running foul of the law.

1 am

Is it right, as has been put to me in one of the letters that I have received, that it is still illegal to advertise sales of the Bible on television? If that is the case, is it not ludicrous that we can allow advertising of many other things—literature and so on—all of which, of necessity, must be less valuable? If that is the case, do we not need to do one last bit of tidying up of the law as well?

Mr. Kenneth Hind (Lancashire, West): I appreciate that the hour is late, so I shall not unduly detain the House. I thank my hon. and learned Friend the Minister of State for the tolerance with which he has listened to the arguments in Standing Committee and recognised that the undue prominence provisions in the Bill, mainly clause 84(2), should be amended. Clearly, as my right hon. Friend the Member for Selby (Mr. Alison) said, we have been guided by the National Council for Christian Standards in Society and Mr. Gareth Littler, who have indicated the strength of the arguments about over-editorialising and undue prominence. Many hon. Members will recognise that the major problem is that religious broadcasting has been sanitised. I was quite surprised by the secular controls of the present regime upon religious broadcasting and the impact it has on the simple matter of spreading the gospel.

In Standing Committee we removed the worst aspects of American religious broadcasting. At the same time, we created a framework that is acceptable to the majority of society, giving freedom of religious broadcasting. This is the last piece in the jigsaw. I urge the House to endorse the views of my right hon. Friend the Member for Selby. His clear, strong and well-thought-out ideas should be introduced into the other place so that we can then commend them when they return here.

Mr. Gerald Howarth (Cannock and Burntwood): It looks as though it has fallen to me to deliver the epilogue in the debate. Therefore, I shall be as brief as possible. I pay tribute to my right hon. Friend the Member for Selby (Mr. Alison), who has fought a distinguished and persistent battle in a worthy cause. I pay tribute also to my hon. Friends who fought hard in Committee, athough I was not a member of the Committee.

My right hon. Friend the Member for Selby is absolutely right to draw attention to the considerable number of letters that many hon. Members have received on this matter. The tenor of letters that I have received

[Mr. Gerald Howarth]

from my constituents is that the Government are bringing forward a Broadcasting Bill, yet they seem to be penalising the Christian faith. I inform the hon. Member for Edinburgh, Central (Mr. Darling) that this is a Christian country, and it is right and proper that our constituents expect that we should ensure that the Christian faith occupies a central role in broadcasting religious matters. I am not opposed to opportunities for minority faiths, but we must remember that we must not ignore the majority —the Christian people of this country.

I appreciate that the Minister has concerns. I like to think that he is concerned not so much about the Moonies as about the heresies of some of our bishops and that he is anxious to keep some of those off the air. I have no doubt that, being a good lawyer, he will keep his own counsel on that issue.

The Bill is before us to provide a framework to cope with the advance in technology that has taken place. The diversity is already there. The hon. Member for Berwick-upon-Tweed (Mr. Beith) pointed that out. We are trying in the Bill to create the framework within which that technology can be made to work to advantage and without risk of abuse.

I congratulate the Minister on the moves that the Government have made. This is yet a further example among the legion of examples that exist of the Government listening. I am fed up hearing about how the Government do not listen. The Minister has worked extremely hard on this issue. We agree that it is a difficult area on which to tread. He has acted with great distinction.

Concern has been expressed about his proposals for dealing with the problem of no editorialising. I hope that he will ensure that hon. Members have a proper opportunity to examine his detailed proposals so that we may satisfy ourselves that we shall not end up with, as he called it, the ludicrous situation of having a channel run by the Church of England but being unable to broadcast its own services for the reason that the hon. Member for Southwark and Bermondsey (Mr. Hughes) pointed out, quoting from the IBA briefing which says it all:

"Clause 6(4) would be infringed only if the service was used to promote the particular religious views and opinions of the person providing the service."

What on earth is a sermon for if it is not to promote the views of the Christian faith? With that caveat, I warmly welcome the Minister's proposal and hope that he will pilot it through with the success that he has achieved so far.

Mr. Alison: My hon. Friend the Member for Cannock and Burntwood (Mr. Howarth) said that he had the epilogue, but I have an even more welcome epilogue to his epilogue, which is to say that, in the light of the Minister's helpful response, I beg to ask leave to withdraw the new clause.

Motion and clause, by leave, withdrawn.

Clause 1

THE INDEPENDENT TELEVISION COMMISSION

Amendment made: No. 225, in page 2, line 2, leave out 'six' and insert 'eight'.—*[Mr. Mellor.]*

Schedule 1

THE INDEPENDENT TELEVISION COMMISSION: SUPPLEMENTARY PROVISIONS

Amendments made: No. 226, in page 134, line 16, at end insert—

'(aa) a member or employee of the Corporation;'.

No. 227, in page 136, leave out lines 1 to 14.—*[Mr. Mellor.]*

Clause 2

REGULATION BY COMMISSION OF PROVISION OF TELEVISION SERVICES

Amendment made: No. 612, in page 2, line 30, at end insert—

'(2A) Subsection 2(a)(ii) shall not be construed as affecting the discharge by the Director General of Fair Trading, the Secretary of State or the Monopolies and Mergers Commission of any of his or their functions in connection with competition.'.—*[Mr. Mellor.]*

Clause 3

LICENCES UNDER PART I

Amendment made: No. 229, in page 3, line 36, at end insert—

'(6A) Without prejudice to the generality of subsection (6), the Commission shall not give their consent for the purposes of that subsection unless they are satisfied that any such other person would be in a position to comply with all of the conditions included in the licence throughout the remainder of the period for which it is to be in force.'.—*[Mr. Mellor.]*

Clause 4

GENERAL LICENCE CONDITIONS

Amendments made: No. 119, in page 4, line 16, leave out 'fee or'.

No. 120, in page 4, line 17, after 'be', insert—

'in accordance with such tariff as may from time to time be fixed by the Commission; and the amount of any fee which is to be so paid by the holder of a licence of a particular class or description shall be'.

No. 121, in page 4, line 18, leave out 'licence holder' and insert

'holder of such a licence'.

No. 122, in page 4, line 21, at end insert—

'(3A) The tariff fixed under subsection (3) may specify different fees in relation to different cases or circumstances; and the Commission shall publish that tariff, and every revision of it, in such manner as they consider appropriate.'.—*[Mr. Mellor.]*

Further consideration of the Bill adjourned.—*[Mr. Durant.]*

Bill, as amended (in the Standing Committee), to be further considered this day.

STATUTORY INSTRUMENTS, &c.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Standing Committees on Statutory Instruments, &c.).

INDUSTRIAL TRAINING (NORTHERN IRELAND)

That the draft Industrial Training (Northern Ireland) Order 1990, which was laid before this House on 14th March, be approved.—*[Mr. Durant.]*

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Standing Committees on Statutory Instruments, &c.).

NORTHERN IRELAND (EMERGENCY PROVISIONS)

That the Northern Ireland (Emergency Provisions) Act 1978 (Amendment) Order 1990 (S.I. 1990, No. 758), dated 28th March 1990, a copy of which was laid before this House on 28th March, be approved.—*[Mr. Durant.]*

Question agreed to.

Baltic Gold

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Durant.]*

1.9 am

Sir Jim Spicer (Dorset, South): Today might be considered an appropriate day on which briefly to discuss the disposal of gold that was owned and stored in London for safe keeping by the three Baltic states in the early 1920s. It is appropriate, first, because it is the day on which we have seen the arrival in London of the Prime Minister of Lithuania. I am sure that my right hon. Friend the Minister of State, Foreign and Commonwealth Office and other hon. Members will give her a warm welcome. Secondly, today follows upon a weekend which has seen all the Baltic states announce their independence from the Soviet Union. Finally, it is the anniversary of VE day in 1945 which brought freedom and happiness to many but brutal subjugation for the people of the Baltic states under the Soviet yoke.

I shall briefly outline the background to the Baltic states and what happened to them during their brief period of independence between 1919 and 1939. In 1919 the Baltic states were beset on all sides by foes—the White Russians, the Red Russians, the Poles and briefly the Germans. However, they fought through and bravely declared their independence. But they were still under threat, so in the early 1920s they decided to transfer their gold reserves to the United States, London and Paris for safe keeping. I emphasise that the reserves were transferred for safe keeping. Not merely gold bullion was transferred. The people of Latvia, Lithuania and Estonia also gave to their new Government their rings and heirlooms as a mark of their determination to help their country through the difficult period that they knew must lie ahead.

I have heard various figures put on the value of the gold deposited here. It was about £500,000 plus at that time. Between 1919 and 1939 those three small but independent states watched with some horror—they were close enough to see what sort of state was operating alongside—what was happening and the evil doings in the Soviet Union, its big neighbour next door.

Then came August 1939, the date of the infamous accord between the Soviet Union and Hitler which gave the three small states to the Soviets under the hidden protocol. The occupation of Latvia, Estonia and Lithuania took place in 1940. From 1941 to 1944 they suffered German occupation. In 1944, just when the rest of us were looking forward to peace and freedom, the Baltic states saw the return of Stalinist forces to their countries. That was followed by massive deportations, killings and torture plus an inward movement of Russians and Ukrainians in an attempt to break down the national coherence of the Baltic states.

For all those years until 1989, the Baltic states suffered under the Soviet yoke. As hon. Members will probably remember, last year, on the anniversary of that infamous pact between Molotov and Ribbentrop, 1 million people in the Baltic states joined hands in a silent, peaceful demonstration of their determination to regain their independence. In 1990 the Baltic states, led by Lithuania, declared their independence from the Soviet Union.

Throughout the past 50 years three small countries have suffered annexation and oppression while the world looked on and took no action. In fairness, what could the

[Sir Jim Spicer]

world have done? None of us liked to see Latvia, Estonia and Lithuania swallowed up by the Soviet Union in 1945, but in the times in which we lived, there was no other way, and we could not even protest because of the position we faced. The most important point was that, although we gave de facto recognition to the Soviet annexation of the three Baltic states in the post-war world, we have always withheld de jure recognition of Russian sovereignty.

Against that general background, I turn to the unbelievable action in 1968 of the then socialist Government of this country, who handed over to the Soviets the value of the Baltic gold that had been deposited in this country for safe keeping. At that time, the value of the Baltic gold had risen to between £4 million and £5 million. That happened when Brezhnev ruled in the Soviet Union, the invasion of Czechoslovakia had just taken place, and when, as we all know, the gulags were still operational and hundreds of thousands of Soviet citizens were being detained in the gulag camps.

The Foreign Compensation Bill authorising the transfer received its Second Reading on 7 November 1968. I am proud that all Conservative speakers in the debate, particularly my old friend, the late Lord Chelwood, then Tufton Beamish, strongly attacked the disreputable deal, which handed over to the Soviet Union gold bullion that did not belong to it or to us. It was a betrayal of trust, made worse because the United States and France made no similar deal with the Soviets and, to this day, retain the funds lodged with them by the Baltic states. Her Majesty's Opposition voted against the Bill on Third Reading in 1968, and I am delighted that my right hon. Friend the Prime Minister joined her colleagues in the No Lobby, and the present Speaker of the House was a teller for the Noes.

That the British Government, in 1968, acted in a despicable way cannot be in dispute. They had no legal right to pass to a third party—the Soviet Union—funds that should have remained blocked until recognised Governments were reinstated in all three Baltic states. It would be totally unrealistic to ask the present Government immediately to right that wrong by making full restitution. However, I can ask my right hon. Friend the Minister to undertake an examination of all the papers relating to the unlawful transaction in the hope that, thereafter, a Conservative Government will give some commitment to the Baltic states that, as and when they achieve full independence, they will receive direct support and help from the United Kingdom.

My right hon. Friend has taken a major part in the setting up of the know-how fund, initially for Poland, then Hungary and now eastern Europe. It would be only right and proper for the Government to consider setting up a special know-how fund for the Baltic states that could be given to them to help them in the difficult days that will inevitably follow the transfer of full independence back to them. That is the very least that we, as an honourable Government, can do to help those people who have suffered so much and so grievously during the past 60 years.

1.18 am

The Minister of State, Foreign and Commonwealth Office (Mr. William Waldegrave): I am grateful to my hon. Friend the Member for Dorset, South (Sir J. Spicer) for giving me the opportunity to respond to the subject of the debate which, as he rightly says, is potentially one that is coming out of the history books and back into reality.

The origin of the gold and its deposit in London was accurately described by my hon. Friend. On the essence of the action taken by the Government in 1967 and 1968 I would only say that it is no part of my job to defend a previous Labour Government, but, just as it must have seemed inconceivable at that time under Brezhnev that there was any hope of freedom for the Lithuanian, Estonian and Latvian republics, it must also have seemed more immediately pressing that there were British citizens and others with claims which had not been met. It must have seemed at least pragmatic sense to write off the claims for the original loans, which had been lost, and which had been taken out by the Lithuanians in London, against the gold which was then available and which was doing nobody any good. So a pragmatic view, which it is not my job to defend, was taken for the benefit of those British citizens.

Mr. Whitlock, who was the junior Minister responsible for the legislation, repeated in column 608 of the *Official Report* for 22 January 1969 what he had said in Committee:

"nothing contained in or done under the Bill would preclude any independent Baltic republic at some time in the future from submitting a claim to the British Government of the day in respect of the property in question if it considered that it had such a claim"—[*Official Report, Standing Committee A*, 19th November 1968, c. 23.]

Therein lies the heart of the matter.

My hon. Friend correctly said that we had never recognised de jure the incorporation of the states into the Soviet Union. We believe that independence now can be achieved only by a process of negotiation. Doubtless that is the course of action which my right hon. Friend the Prime Minister will discuss with the elected Prime Minister of Lithuania at their meeting tomorrow. Doubtless she will wish to urge and explore the possibility of a route to successful negotiation.

If such negotiations were successful, if independent statehood was achieved and if recognition could be accorded, there would be nothing to preclude that state, or any of the other Baltic states, bringing action if they believed they had a claim and could prove title in succession to the original Governments. They would then have to accept that if they were in a position to make claims they would also be in a position to accept their obligations. That would be a matter for the courts at the time.

My hon. Friend referred to the know-how funds for eastern European countries. If the happy outcome which I have described were to be achieved, we and, I am sure, other western countries would not be backward in bringing help and know-how to independent Baltic states. Sadly, we are some way from that, although Baltic independence is now a real possibility which would have seemed inconceivable in 1968.

If there is a happy outcome, and if the Baltic states win back their legal right to independence, the matters may come before the courts again. Nothing in the action of the Government in 1968 could prevent that from happening. The outcome would be a matter for the legal jurisdiction at that time.

That is about all that I can say to my hon. Friend. He has recorded our party's opposition to the Bill at that time and reminds us of our country's opposition to the

incorporation of the Baltic states. That opposition has remained clear and unwavering, although the practicalities of how to achieve a solution are more difficult to see clearly.

Question put and agreed to.

Adjourned accordingly at twenty-four minutes past One o'clock.

House of Commons

Wednesday 9 May 1990

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

FOREIGN AND COMMONWEALTH AFFAIRS

Hostages

1. **Mr. Harry Barnes:** To ask the Secretary of State for Foreign and Commonwealth Affairs what action he is taking to seek to secure the release of John McCarthy.

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Douglas Hurd): We are delighted that the former American hostage, Mr. Frank Reed, has confirmed that John McCarthy is alive and in reasonable health. Mr. Reed's release indicates that Iran and Syria can, if they wish, secure the release of hostages in Lebanon. We shall persevere with our efforts to persuade them that continued holding of hostages is in nobody's interest. We believe that this is true both in Lebanon and elsewhere.

Mr. Barnes: Just what are the efforts that the British Government are involved in? Will they stop taking an intransigent stance and seek to develop a position in which they can at least talk about the possibility of diplomatic relations being established with the problematic regimes of Iran and Syria? Will they take a lead from the President of the United States, who has condemned all hostage taking in the middle east, including the Israelis taking Palestinian hostages, and will he be willing to use third parties such as the United States to achieve results similar to those that that country has achieved?

Mr. Hurd: We follow up every lead and piece of information which we think might be promising and we use every contact that we think might bring results. I have discussed our position with the United States Secretary of State, Mr. Baker, in the past few days and it is on all fours with United States policy. If the hon. Gentleman had listened to the answer that I gave, he would have heard me say that I believe that the principle that the continued holding of hostages is in nobody's interest is true in the Lebanon and elsewhere.

Mr. Temple-Morris: Does my right hon. Friend agree that the best way to approach this matter is this? There are three British hostages, one Irish British hostage, and Roger Cooper who has been languishing in prison in Tehran for some four years and was near release last year when certain events took place. How far can we get towards effectively implementing their release without the restoration of diplomatic relations with Iran and Syria? I ask about the two countries separately.

Mr. Hurd: I am glad that my hon. Friend mentioned Mr. Cooper. It is true that we have three substantial problems with Iran: the hostages; Mr. Cooper, who has been in prison for four and a half years; and the Rushdie affair, in which the Iranians maintain their threat to the life of a British citizen as well as making demands of the British Government which we could not meet. It is worth recalling that it was the Iranians who broke with us. To be precise, the Majlis passed a resolution in February last year demanding that we show respect for Islam, withdraw our support for Rushdie and his book and express regret at the offence caused to Muslims. When we rejected that, they broke off relations. I have made it clear that we have indirect contacts with Iran, and I do not rule out the possibility of direct talks if we felt that they were likely to produce results, but the restoration of diplomatic relations against such a background is certainly not a matter for the British Government alone.

My hon. Friend also mentioned Syria. We broke with Syria in 1986 over state-supported terrorism and that issue remains unresolved. We have had indirect contacts with Syria since then on behalf of hostages.

Sir David Steel: As the Foreign Secretary correctly said, we broke off diplomatic relations with Syria and Libya some time ago for good reason, but now that other Governments have acknowledged the helpfulness of the Syrian and Libyan Governments with the release of hostages, is not there a case to reconsider reopening diplomatic relations with those two countries?

Mr. Hurd: As I said in my original answer, according to what we have heard the Syrians have been helpful with the release of the American hostages. I welcome that, as do the Americans, but it does not remove the background that I mentioned. Obviously, the future nature of our contacts with Syria must depend on their prospects for success.

Mr. Adley: We all utterly deplore without reservation the taking of hostages, but do not the Israelis take hostages just as the Iranians have done? Is not one of the problems the fact that in the middle east we are not perceived to be even handed in the way in which we deal with people who behave in that way?

Mr. Hurd: I hope that my original reply to the hon. Member for Derbyshire, North-East (Mr. Barnes), which I have already repeated once, will reassure my hon. Friend when he studies it. The process of hostage taking is a dangerous and criminal affair by whomever it is done.

Mr. Kaufman: Does the right hon. Gentleman agree that there must be no deals that reward hostage taking or give incentives to further hostage taking? That being so, will he respond to the charges made by the released United States hostage Mr. Frank Reed and by Mr. al-Shara the Syrian Foreign Minister that the British Government are not being sufficiently active in their efforts to release the hostages? Will he assure the House that the Government are active day in and day out in their efforts to secure the release of the British hostages? Does the right hon. Gentleman also agree that the British people, seeing hostages of other nationalities being released, have every right to expect the release of the British hostages?

Mr. Hurd: They have every right to expect what the right hon. Gentleman asked for—day in and day out efforts on our part with that aim. I can assure him that

those efforts continue. I have every sympathy with Mr. Frank Reed, who has survived a terrible ordeal, but of course he is in no position to know anything about our efforts on behalf of the British hostages.

I do not regard the Syrian Foreign Minister as an entirely objective observer. I can tell the right hon. Gentleman what our policy is. I think that it is a policy which he accepts, and it would be useful to have it on record as the policy of the House. We shall do everything that we can to bring about the release of all hostages, short of making concessions or striking bargains with those who hold them. That is because we want a safer world and not a more dangerous one.

Mr. Lawrence: Is not there a world of difference between doing a deal, striking a bargain and making an offer of something substantial which Iran and Syria want in return for release, and carrying on discussions and talks with a view to resolving differences between countries? Is not my right hon. Friend doing the latter and perfectly properly refusing to do the former?

Mr. Hurd: My hon. and learned Friend draws the borderline exactly where I do. It is perfectly right to have contact and discussions and it is utterly wrong to strike bargains or make concessions with those who have taken hostages.

German Unification

2. **Mr. Skinner:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he next intends to meet West Germany's Chancellor Kohl and the Foreign Minister to discuss German unification: and if he will make a statement.

Mr. Hurd: My right hon. Friend the Prime Minister and I meet Chancellor Kohl and the Foreign Minister of the Federal Republic often. We did so at the special European meeting in Dublin on 28 April where we discussed German unification. I also met Herr Genscher at the NATO Council on 4 May and the two-plus-four meeting in Bonn on 5 May. I expect that there will be further contacts soon. We have made clear our long-standing support for German unity on the basis of free self-determination.

Mr. Skinner: Is not it a sad sight to see the Tory Government and politicians of all parties grovelling at the feet of the West German Chancellor about reunification? Will the Foreign Secretary confirm that at the weekend the Tory Chancellor of the Exchequer allocated the No. 2 spot at the IMF to the Germans, along with the Japs, and Britain was relegated to No. 4? Is the Foreign Secretary aware that a large body of British people understand all too well that the West Germans are turning their economic power into political muscle and getting too big for their jackboots?

Mr. Hurd: I am not sure that there has been much grovelling. That is certainly not the accusation usually made against us. We have played a good and consistent role. We have maintained our support for the principle of German unification, as have successive Governments for many years, and we have helped to establish the machinery for making it clear that the external aspects of unification should be decided and pursued in an orderly way.

Sir Peter Blaker: Is it the judgment of my right hon. Friend that the new and negative Soviet attitude in the negotiations on arms control and reduction is due to the Soviet Union's desire to put pressure on the west in connection with German unification and membership of NATO? If so, is that not rather unwise in view of the state of collapse of its economy and its need for economic help from the west?

Mr. Hurd: My right hon. Friend is right. There has been a stiffening of Soviet attitudes in the arms control negotiations, at the open skies conference and at the two-plus-four talks in Bonn. That stiffening owes much to the pressures on President Gorbachev and the Soviet Government, of which they now speak more openly. We wish to see perestroika and those policies succeed, but we shall not follow that aim at the expense of western interests or principles. It is in the interests of Britain and Europe that a united Germany should be a member of NATO.

Mr. Rowlands: Will the Foreign Secretary take the opportunity to clarify the position following the two-plus-four talks as there appears to be some difference in interpretation between Chancellor Kohl and his Foreign Secretary? Where does the Foreign Secretary stand on the proposal made by the Soviet Foreign Minister to decouple external security issues from German unification?

Mr. Hurd: That proposal was not put forward by the Soviets at the talks—it was put to Herr Genscher by the Soviet Foreign Minister before the talks. Herr Genscher reported it to the allies and we agreed that we should examine it. I agree with Chancellor Kohl's comments. It would be wrong and possibly dangerous to uncouple or delink the internal and external aspects of German unification.

Mr. David Howell: My right hon. Friend spoke of his hopes that perestroika would succeed, although many people feel that it has failed. What view does he take about the increasing talk of the ungovernability of the Soviet Union? What effect will that have on the two-plus-four process? If it has delayed and slowed the settling of the external security position of a united Germany, will it also delay the unification process within Germany which is moving ahead so strongly?

Mr. Hurd: The latter point is not likely to prove correct, but my right hon. Friend is right about the link between what is happening inside Soviet Union and the effect of its policies on the rest of us. The Soviet Union has three big problems—the national problem, the economic problem and the problem of the disintegration of the one-party state, all of which are developing rapidly and there is a limit to our influence on them. We must deal with the external aspect and maintain our principles and interests.

Mr. Kaufman: With regard to the implications of German reunification for NATO, does the right hon. Gentleman recall that the Prime Minister said after her meeting in Bermuda with President Bush that she continued to advocate the modernisation of short-range nuclear weapons? President Bush has now announced that they will not be modernised. With whom does the Foreign Secretary agree—the President or the Prime Minister?

Mr. Hurd: The right hon. Gentleman has manufactured a difference which simply does not exist. A replacement for Lance has been abandoned by the United States and by the

alliance because circumstances have changed, but the President and the Prime Minister—in Bermuda and since—have been absolutely clear that NATO will continue to need a sensible mix of nuclear and conventional weapons in Europe. I hope that the Opposition concur with that.

Lithuania

3. **Mr. Jack:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Her Majesty's Government's policy on the present situation in Lithuania.

4. **Mrs. Margaret Ewing:** To ask the Secretary of State for Foreign and Commonwealth Affairs what further representations he has made to the Soviet Union about Lithuania.

The Minister of State, Foreign and Commonwealth Office (Mr. William Waldegrave): We have repeatedly stressed the need for progress through dialogue between the Soviet authorities and the Lithuanians so that a settlement acceptable to both sides can be reached, enabling the Lithuanian people to decide their own future. That was the theme of my right hon. Friend the Prime Minister's message to the Prime Minister of Lithuania when the latter made a very welcome call on her at 10 Downing street this morning.

Mr. Jack: Many of my constituents would encourage my right hon. Friend the Minister of State in his endeavours to encourage the brave people of Lithuania in their fight for freedom. To that end, do the British Government properly recognise the legitimate claims of Lithuania, Estonia and Latvia in their quest for freedom? Will my right hon. Friend tell us more about the practical steps being taken to encourage them in their quest?

Mr. Waldegrave: My hon. Friend is right and it is well known on both sides of the House that no British Government have ever accepted the incorporation of the Baltic states as a result of the infamous Molotov-Ribbentrop pact. We must now advise on and address from outside the question of how it is most likely that their right can be achieved. It would be irresponsible to lead them to believe that help of a kind that cannot in reality be forthcoming from the west could be so forthcoming. We are urging on both sides a diplomatic and constitutional process that will lead to their right being made a reality.

Mrs. Margaret Ewing: As the Government recognise the importance of negotiations, have they stressed to President Gorbachev in particular the need to recognise the Helsinki agreement and the rights of people to determine their own internal and external political status? If we are to encourage the President of the USSR to come to the negotiating table, will the Minister stress that the west wants to speak with one voice and to achieve a resolution through integrity and dignity and not through force? We will not stand by and see any more Munichs or Czechoslovakias.

Mr. Waldegrave: The hon. Lady is entirely right. I am happy to say that we see no prospect of that, but if there were to be suppression in the way that the Czechoslovakian, Hungarian or East German people were suppressed by tanks and overt force, all the gains that have been made in east-west relations would surely be lost. I am sure that Mr. Gorbachev understands that. It is worth remembering that it is very unlikely that the Baltic states would have this glimmer of real hope ahead of them if Mr. Gorbachev was not in place in the Soviet Union.

Mrs. Currie: Is my right hon. Friend aware that some of us were able to meet Mrs. Prunskiene, the Lithuanian Prime Minister today, and were very impressed with what we saw and heard? Will my right hon. Friend comment on the Lithuanian view that pressuring Mr. Gorbachev helps rather than hinders him in his fight to maintain democracy and reform in his country against the reactionary forces which would prevent not only independence for the Baltic states, but any reform throughout the Soviet Union?

Mr. Waldegrave: I am happy to say that the two Prime Ministers left their meeting this morning saying that they saw eye to eye on those issues. Both were more optimistic and they agreed that there was no reality of progress without the development of a diplomatic and negotiated process. We see eye to eye on that.

Mr. Robertson: Does the Minister accept that there is widespread sympathy in the House for the ambitions of the people of the Baltic states for greater autonomy, but that the future of President Gorbachev and of his reform programme, both of which have contributed to allowing the Lithuanian, Estonian and Latvian people to express their views now, are of acute concern to the Baltic states and to the world in general? Will the Minister adopt the wise and cool approach of the American Administration and continue efforts to get dialogue and negotiations going in a spirit of compromise between Moscow and the Baltic republics?

Mr. Waldegrave: It is very pleasant to hear from Opposition Members for the second time today the belief that American policy is our best touchstone in these matters, and I agree. The American President has behaved wisely and I am glad that the hon. Member for Hamilton (Mr. Robertson) joins us in stating that our exactly parallel policy—which has, of course, been discussed with the Americans—is the right one.

Mr. Quentin Davies: As it is clear that we have never recognised the annexation of the Baltic states by the Soviet Union and, therefore, that we still recognise those nations as independent states, may we have an assurance that the Foreign Office will apply without bias its usual criteria in recognising democratically elected Governments in those countries and will deal normally with them?

Mr. Waldegrave: My hon. Friend conflates two things. We recognise states, not Governments. It is perfectly clear at present that there is no independent state of Lithuania to recognise. We wish to encourage the processes that could lead to that rightful outcome.

Kashmir

5. **Mr. Lewis:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Government of Pakistan concerning the situation in Kashmir.

8. **Mr. Madden:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of India concerning the situation in Kashmir.

10. **Mr. Allan Stewart:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the Government of India concerning the situation in Kashmir.

The Parliamentary Under-Secretary for Foreign and Commonwealth Affairs (Mr. Tim Sainsbury): We are in regular contact with both the Indian and Pakistani Governments who are aware of our views on the current situation in Kashmir.

Mr. Lewis: I am grateful to the Minister for that answer. Does he recognise that Britain has a special role to play because two Commonwealth countries are in conflict? Does he agree that the most important thing is to make sure that that conflict does not reach the point at which armed conflict takes place? Has not the time come to bring in the United Nations as a mediator in that terrible conflict?

Mr. Sainsbury: I am sure that the whole House shares the hon. Gentleman's desire that we should seek a peaceful resolution of the conflict. I hope that he accepts that it is primarily a matter for the two Governments involved. Indeed, under the 1972 Simla agreement, India and Pakistan resolved to settle their differences by peaceful means through bilateral negotiations or by any other peaceful means mutually agreed between them.

Mr. Madden: Why do the British Prime Minister and Government cheer the struggle for self-determination by the people of Lithuania but ignore the struggle for self-determination by the people of Kashmir? Will the Minister urge the Prime Minister and the British Government to persuade the Government of India to allow the people of Kashmir an early opportunity to determine the destiny of their own country? Will he also urge the Indian Government to lift the news blackout and allow a British parliamentary delegation to visit Kashmir at an early opportunity?

Mr. Sainsbury: If the hon. Gentleman considered the history of the position in Kashmir he would realise that there are few parallels with Lithuania. In the various United Nations resolutions on Kashmir over a long period the issue was always whether Kashmir should accede to Pakistan or India—not independence, which was never on the table.

Mr. Stewart: Will my hon. Friend confirm the importance of the New Delhi-based report from the committee for initiative in Kashmir, which has confirmed not from Pakistani or international sources but from Indian sources the scale of the atrocities and repression that the people of Kashmir are suffering at the hands of Indian forces? Does he agree that the propaganda from India that the conflict is wholly caused by infiltrators from Pakistan is the most absurd nonsense? Can he tell the House why the Commonwealth seems incapable of taking any action in a dispute involving two Commonwealth member states?

Mr. Sainsbury: We are aware of the recent report on events in Kashmir, compiled by a four-member team on behalf of the committee for initiative in Kashmir. We are worried at the report from Jammu and Kashmir of abuses of human rights. My noble Friend the Minister of State made clear when speaking to the Indian Foreign Minister the importance that we attach to respect for human rights. We have also made it clear that we cannot support those who use violence for political ends.

Mr. Oppenheim: Bearing in mind the disgraceful way in which the Indians have behaved in Kashmir and other areas, is not it surprising that Opposition Members have not called for sanctions, as they do for countries in other parts of the world?

Mr. Sainsbury: I share my hon. Friend's surprise to some extent. We should all combine to urge both sides of the conflict to show restraint and to follow up what they agreed to do in the Simla agreement, which is to seek to resolve their differences by peaceful means through bilateral negotiations.

Visas

6. **Ms. Armstrong:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received concerning delays in the processing of visa applications at United Kingdom high commissions and embassies.

11. **Mr. Worthington:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received concerning the procedure for processing visa applications at United Kingdom embassies and high commissions.

Mr. Sainsbury: We receive a number of representations, both from hon. Members and from the public, about entry clearance procedures and delays at our embassies and high commissions.

Ms. Armstrong: Will the Minister give the House some assurance that Government policy will be changed soon to ensure that people who are applying for visas to this country are treated in a humane way rather than a squalid one and are not subject to the delays in which many representations have said the present policy results? Such practices do the British Government and the British people no credit and I hope that the Minister will ensure that the current situation is not allowed to continue.

Mr. Sainsbury: I can assure the hon. Lady that we keep our systems, procedures and facilities under constant review. I look into any complaints about individual cases that are brought to us. If the hon. Lady has any, perhaps she could let me know so that I can have them investigated.

We strive to treat the different categories of visa applicants on a different and fair basis. The House may be aware that the vast majority of visit visa applications in the Indian sub-continent are dealt with within 24 hours, but settlement visa applications obviously require a longer procedure and more inquiries.

Mr. Worthington: Is not it obvious to the Minister that something more needs to be done, as the complaints are always from black countries rather than white ones? The Government should get rid of the suspicion that their immigration policy, either operated at Lunar house in this country or at their overseas embassies, seeks to ration applications and treats unfairly those applications from members of the black Commonwealth. Something more active needs to be done than what the Government are now proposing.

Mr. Sainsbury: I totally reject the suggestion that there is some discrimination on grounds of colour in our visa policy. We get complaints about delays and the procedures from many countries, including eastern European ones. It is not without significance that the total number in the queue awaiting interview at the end of 1979 was 42,800, whereas now it is 7,104.

Mr. Dickens: Was not it the Labour party that gave two amnesties to illegal immigrants? Was not it this Government who promised firm but fair immigration controls? When issuing visas for visiting the United Kingdom, we must take great care and that means taking time. Sometimes it is understandable that such care means taking time at our embassies.

Mr. Sainsbury: On that matter, as on many others, my hon. Friend is entirely correct when he states the Opposition's policy. In the case of applications for settlement in this country, we need to make certain inquiries, and if we are to do that fairly, a little time is required. Equally, we seek to deal with all applications for visit visas as quickly as possible, and the greatest number of those are dealt with within 24 hours.

Mr. Boswell: Bearing in mind the recent events in eastern Europe and the large number of people who will want to travel from there either for holidays or for working holidays, will my hon. Friend keep in mind the possibility of relaxing the visa provisions so that, apart from anything else, we do not build up large quantities of unconvertible foreign currencies to match the visa applications that are extremely expensive for the applicant?

Mr. Sainsbury: We keep the possibility of relaxation under constant review and we have just agreed, under a European Community initiative, that we are prepared to negotiate a visa abolition agreement with the German Democratic Republic. We are responding to the increasing demand from eastern Europe wherever possible by allocating increased resources for the visa-issuing procedures in those countries.

Mr. Foulkes: But does not the Minister accept that there is widespread and genuine concern both in the House and beyond about the confusion, overcrowding, long waits and delays that many hon. Members, including my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) on his recent visit to India, have experienced? They have seen the queues, the confusion and the unfortunate circumstances in which people have to queue. Instead of dealing with this in an ad hoc way, as the Minister implied in his earlier reply to my hon. Friends, would he seriously consider initiating a special and systematic review of the staff complements and procedures in our embassies and high commissions for dealing with the problem, to see if we can alleviate it and treat people in the civilised manner they deserve?

Mr. Sainsbury: I hope that the hon. Member will appreciate that there are substantially fewer people queueing now than 10 years ago and delay times are substantially less than they were a year or two ago. I do not think that a review at any one moment is a sensible way forward, because we wish to allocate resources to meet requirements that change from time to time, even from month to month, and vary between different countries and different posts in the same country. Therefore, we believe that the best way forward is to keep under constant review the queue lengths, number of applicants and resources we have, particularly of manpower, at each post.

Hong Kong

7. **Mr. Ian Bruce:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions have been held with the Chinese Government in respect to Hong Kong; and what confidence-building measures Her Majesty's Government have urged the Chinese Government to implement.

The Minister of State, Foreign and Commonwealth Office (Mr. Francis Maude): The Chinese ambassador called on the Prime Minister on 16 March to discuss Hong Kong and other issues of common concern. Our ambassador in Peking is in frequent contact with the Chinese Government; and the Sino-British joint liaison group met in Peking from 24 to 27 April. There is therefore a close and continuing dialogue. The Chinese Government have reiterated their commitment to the joint declaration and its implementation.

Mr. Bruce: Does my hon. Friend agree that the unhelpful, if not belligerent, comments coming out of China about the government of Hong Kong only cause instability that is not in the interests of Britain, Hong Kong or China? Does he agree that, if the Chinese Government were to continue such comments, they might invalidate the Sino-British agreement of 1984 by doing so?

Mr. Maude: As I have said, the Chinese Government have consistently reaffirmed their commitment to the joint declaration, which binds us and the Chinese Government to work together for the stability and prosperity of Hong Kong. We shall continue to work together to achieve that.

Mr. Tony Banks: When next discussing Hong Kong matters with the Chinese Government, will the Minister raise the issue of trade in ivory between China and Hong Kong? Dr. Leakey has recently been saying that there is to be an extension of the reservation on behalf of Hong Kong. As the Minister has an opportunity today, will he make it quite clear that in no circumstances will there be an extension of the reservation allowing further trade in ivory from Hong Kong beyond mid-July?

Mr. Maude: I am glad to take the opportunity to reassure the hon. Gentleman that there will be no extension of the reservation. We said that there would not be, and there will not.

Mr. Banks: Thank you.

Sir Hal Miller: Does the Minister agree that it was because the events in Tiananmen Square undermined confidence that China accepted the principle of one country, two systems that there was such a loss of confidence in Hong Kong? What measures have our Government suggested to the Chinese Government to demonstrate to the people of Hong Kong that the concept of one country, two systems is alive and well?

Mr. Maude: The Chinese Government have specifically said and done nothing to undermine their commitment to the separate maintenance of the capitalist democratic system in Hong Kong. They have constantly reaffirmed

their commitment to the joint declaration, which retains that separate way of life in Hong Kong. We and the Hong Kong Government have taken a number of steps within our powers to reaffirm and reassert confidence in Hong Kong, and support by the Chinese Government for those moves would be helpful.

Mr. Michael Welsh: Will the Minister ask the ambassador to tell the Chinese leaders, when he meets them again, that it would help to build confidence in Hong Kong if we had a reassurance that after 1997 they will send into Hong Kong just the police and not the army? If they were to send in the 27th, I would not like it.

Mr. Maude: It was always understood that, once Chinese sovereignty over Hong Kong returned in 1997, there would inevitably be a right for the Chinese Government to station troops in Hong Kong, should they choose to do so, but that troops could be there only for external defence purposes. We have constantly said that the way in which troops are deployed will affect confidence in Hong Kong.

Romania

9. **Mr. Andrew Mitchell:** To ask the Secretary of State for Foreign and Commonwealth Affairs what progress has been made towards free and fair elections in Romania.

Mr. Waldegrave: There has been some progress. The interim authorities have passed an electoral law and welcomed outside observers. But we remain concerned at the continuing allegations by some opposition parties that they are being unfairly treated during the election campaign.

Mr. Mitchell: Will my right hon. Friend bear in mind the concern expressed, not least by the Church, which, after all, fired the revolution in Romania, about the unfairnesses to opposition parties? Will he make it absolutely clear to the Romanian authorities that continuation of reconstruction funds, and in particular know-how funds, will be dependent upon the election being seen as fully free and fair?

Mr. Waldegrave: I confirm that we have received a number of allegations, from both representatives of the Churches and from a wide variety of opposition groups. I am also delighted to reaffirm that not only Britain's support but the support of the European Community and the Group of 24 is clearly conditional upon progress and upon the legitimacy of the next Government in Romania. That depends on the fairness of the election. We have not released know-how funds to Romania. We do not yet believe that we should do so. We have given some humanitarian aid. We will watch the election carefully to see whether the conditions which we have all laid down are truly met.

Mr. John D. Taylor: In connection with travel between Romania and the United Kingdom, what progress has been made towards the abolition of the requirement for visas?

Mr. Waldegrave: These matters are discussed jointly with our European partners, because it is obviously sensible to try to move in step. So far, we have made a move in relation to the German Democratic Republic because that is a special case.

Sir Bernard Braine: Surely my right hon. Friend is now aware that the situation in Romania is deteriorating fast and that the prospect of the election later this month being either fair or free is fast disappearing. Is he aware that there is widespread intimidation, including physical harassment, of democratic parties and their leaders by the Communist provisional Government, and a refusal to provide them with the normal facilities of newspaper publicity and a share in broadcasts? Is he further aware that there will be no independent scrutiny of the voting or counting procedures in the election itself, and that the army will be taking the ballot boxes away for six days before the announcement is made? *[Interruption.]*

In those circumstances, will my right hon. Friend persuade our European partners——

Mr. Cryer: Send an observer from the Lords to discuss abortion.

Mr. Speaker: Order. The hon. Member for Bradford, South (Mr. Cryer) should not barrack the Father of the House.

Sir Bernard Braine: In these disgraceful circumstances, will my right hon. Friend ensure that our European partners make it crystal clear that, unless the position changes quickly, there can be no aid or support after a fraudulent Government are returned?

Mr. Waldegrave: I wholly sympathise with the vehemence of my right hon. Friend's concern. No one in the House has done more than he has to support dissident minorities in eastern Europe. I am aware of many of the allegations that my right hon. Friend has repeated today, not least because he has brought them to my attention. That means that they have been brought clearly to my attention.

Because of the very concerns that my right hon. Friend expresses, we are paying for 12 additional observers from local government in Britain to go and observe the election, and the formidable duo of the hon. Member for Liverpool, West Derby (Mr. Wareing) and my hon. Friend the Member for Derbyshire, South (Mrs. Currie) is going from the House. I calculate that there will be about 100 other western observers, from a variety of countries and organisations. All this will help us to warn the Romanian authorities of the importance of having a free election, and will enable us to judge whether that election has been free.

Dr. Reid: Does the Minister accept that it is an unfortunate corollary of the development of free and democratic procedures in eastern Europe, including Romania, that views which are in themselves highly distasteful and highly dangerous are nevertheless tolerated lest it be felt that here is some impingement on the new freedoms? In exactly that context, we are seeing a new wave of anti-Semitism in Romania and throughout eastern Europe. What representations has the Minister made to combat the spread of this poisonous creed?

Mr. Waldegrave: I accept the implication at the start of the hon. Gentleman's question. It is perhaps inevitable that growing freedoms bring some of the unpleasant aspects of freedom. The only way to put down these unpleasant aspects is through true democratic parties fighting and winning the elections. We have been closely in touch in the Soviet Union and in other eastern European countries with groups that are trying to monitor

anti-Semitism and the resurgence of fringe fascist groups of one kind or another. The best guardians against all that are free and fair elections.

Mr. Colvin: My right hon. Friend is right when he says that the Government are correct to offer encouragement and help to Romania and to other countries as they move towards what we hope will be free and fair elections. The news media also have a role to play. What are the Government doing to improve the quality and quantity of the broadcasts to eastern Europe by the world service of the BBC, as the countries in that area move towards the democracy that we all want to see?

Mr. Waldegrave: We have recently somewhat increased broadcasting on the world service to eastern European countries. However, there is in addition an important role for what we might call the more ordinary media of the west to spotlight through television and newspapers what is going on in those countries. I hope that representatives not only from this House and from other democratic Parliaments but many journalists will be observing those elections.

Guatemala

12. **Mr. Tony Lloyd:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has received about human rights in Guatemala.

Mr. Sainsbury: We have received a number of representations in recent months expressing concern about human rights violations in Guatemala.

Mr. Lloyd: Is the Minister aware of the concern of various groups in Guatemala that there has been an increase in the activities of the death squads in that country? Many people expect that that increase in activity will increase further as Guatemala heads towards the elections. What steps will the Government take to monitor the situation there, and how will they put pressure on the Government of Guatemala to do what they can to stop the activities of these squads?

Mr. Sainsbury: I regret that there has been a marked deterioration over past months in the context of human rights, as the hon. Gentleman says. We do not think that the Government of Guatemala are themselves responsible for abuses, or that they encourage or condone violations. The problem is rather one of that Government's ineffectiveness in dealing with violations. We have made our views clear on the issue of human rights abuse and have expressed our concern about it on a number of occasions. In the past few months I have spoken about it to the Foreign Minister of Guatemala, to Vice-President Carpio and to the Interior Minister, Mr. Morales, when he was in London. On those three occasions, I emphasised the importance that we attach to an improvement in human rights.

Mr. Jacques Arnold: In considering these important matters, will my hon. Friend bear in mind the fact that President Cerezo is the first directly elected President after 29 years of military rule? He has to cope with the murderous activities of far left guerrillas as well as with the activities of frustrated military potentates.

Mr. Sainsbury: My hon. Friend is right to draw attention to the abuses of human rights by the Unidad Revolucionara Nacional Guatemalteca. We welcome the democratic elections of President Cerezo and hope that the elections to be held later this year will also be free and fair and will continue the tradition of democracy recently established in Guatemala.

EC General Affairs Council

13. **Mr. Home Robertson:** To ask the Secretary of State for Foreign and Commonwealth Affairs what items he expects to be raised at the next meeting of the European Community General Affairs Council.

Mr. Maude: The Foreign Affairs Council on 18 June is likely to discuss, among other matters, political union, preparations for the European Council meeting, EC-EFTA relations, EC-eastern Europe and EC policy towards the Mediterranean.

Mr. Home Robertson: Will the Minister take the opportunity of those and other meetings to register the strongest possible protest at the prolonged detention of Mr. Paul Ashwell as a hostage for his lorry's cargo in Greece? May I voice the growing protests of thousands of British lorry drivers that Mr. Ashwell is becoming the fall guy for the incompetence of the Department of Trade and Industry? May I invite the Minister to contrast the efficient and fair actions of the Turkish authorities in relation to the consignments bound for Iraq with the antics of the Greek authorities, who are supposed to be our European Community partners?

Mr. Maude: We have taken a number of opportunities to express to the Greek Government our concern about Mr. Ashwell's circumstances: my right hon. Friend the Prime Minister raised the case with the Greek Prime Minister on 28 April, our ambassador in Athens raised it with the Greek Minister of Justice on 2 May, and I raised it with the new Greek ambassador in London on Thursday last week. Our embassy in Athens remains in touch with Greek officials, and we hope that Mr. Ashwell's release will be secured before long.

Mr. Ashby: Will my hon. Friend impress on the Ministers the fact that Britain is the only truly European country, as we have put most EC directives into law? Countries such as Italy speak loudly of political union, but until last summer it had passed only seven directives. It recently passed another 100, but still has about another 350 to go. While other countries do not keep to their European obligations, we do.

Mr. Maude: Certainly any scrutiny of the implementation of Community agreements shows our record to be exceptionally good—usually the best in the Community. Some other countries—my hon. Friend mentioned one—have a far poorer record. We attach great importance to meeting European obligations, and we are making a proposal to the European Commission that should emphasise the importance of so doing. Details will emerge before long. If we are to make a reality of Europe, we must ensure that agreements are implemented.

Mr. Ernie Ross: When the Minister attends the meeting, will he raise with our Community partners the appalling events that took place in the Jabaliya refugee camp on 26

April, when, as a result of excessive force used by the Israeli military, three Palestinians died and 215 were wounded? Will he remind our Community partners that they, like us, are signatories of the fourth Geneva convention and have a responsibility towards those Palestinian people? Will he encourage them to take the appropriate action?

Mr. Maude: We regularly raise those matters, and they are frequently discussed among the Twelve.

Sir Jim Spicer: Will my hon. Friend also ensure that membership applications from Malta, Austria and Norway are not lost sight of?

Mr. Maude: At present, two applications are in front of the Community. There is general agreement among the Twelve that the Community has some major tasks to undertake in the near future. It would not be right to consider negotiations for further accessions for the next couple of years. It would be a surprise to most of us if it was still a Community of only 12 countries at the end of the century.

Mr. Winnick: Do the Greek authorities understand the immense harm that is being done to relations between our two countries as a result of the way in which Mr. Ashwell is being treated? If anyone is totally innocent in this whole miserable affair, it is him. Why are the Greek authorities insisting that there can be no bail? Is not it important for the British Government to make perfectly clear the strong feelings in Britain over what has happened? Great harm could be done—which is most unfortunate, as Britain and Greece are friends—to relations between our two countries if Mr. Ashwell stays in prison.

Mr. Maude: As has been said repeatedly, we fully accept Mr. Ashwell's innocence and have made that clear to the Greek authorities. We shall continue to press that case to make it clear to the Greek Government—as the hon. Member suggests—that there is strong feeling about this in the United Kingdom.

Mr. Lester: In any other business that is discussed in the Council, will my hon. Friend consider the elections in Burma later this month? We have already heard indignation expressed about elections in Romania, but in Burma we have seen——

Mr. Speaker: Order. Is this to do with Europe?

Mr. Lester: Yes. The European Community has already made a demarche to Burma about its elections, and it is concerned. Not only have the Burmese Government killed more people than died in Tiananmen square but they have enforced massive resettlements, imprisoned the official opposition and will take three weeks to complete the count. Should not the European Community represent strongly its views on elections that are no longer free or fair?

Mr. Maude: Certainly it is difficult to contemplate that an election during which the opposition are imprisoned is likely to be fair.

Mr. Anderson: Does the Minister share the sense of frustration at the stalling of the peace process in the middle east, in large part because of internal developments in Israel? Will he take this opportunity to urge our European partners to increase pressure on Mr. Shamir, and in particular, to show that, if he persists in the policy of increasing or enlarging the existing, settlements in the occupied territories, or allowing Soviet immigrants to go there, that can have only a negative impact on the prospect of peace in the middle east?

Mr. Maude: Certainly recent events have stalled proceedings for the time being, but we shall urge that the new Israeli Government should pursue the Baker plan and get down to discussions with the Palestinians at the earliest possible date.

Angola

14. **Dr. Goodson-Wickes:** To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has on the use of chemical weapons against UNITA forces in Angola by the MPLA.

Mr. Waldegrave: We are aware of the allegations that chemical weapons have been used by both sides in the Angolan conflict, but we have seen no proof of this.

Dr. Goodson-Wickes: My hon. Friend will recognise that the continuing conflict in Angola is in stark contrast with the agreeable trend towards peace in Namibia and southern Africa generally. Will he consider using the information that he has to bring international pressure on the parties involved to come to a negotiated settlement?

Mr. Waldegrave: Yes. It is encouraging that the first direct contact between the Angolan Government and UNITA took place last week in Lisbon. We hope that that will be followed by further contacts. If it is, that will be thoroughly welcome to us and, I am sure, to both sides of the House.

Mr. Tom Clarke: Does the Minister accept that those of us who have seen children whose legs have been blown off by UNITA-planted mines and who understand the problems of both sides will encourage him in trying to find a solution to this dreadful war and in supporting the United Nations and Perez de Cuellar in so doing?

Mr. Waldegrave: Yes. The hon. Member draws attention to the fact that, as in Afghanistan, there will be a terrible task of rebuilding in Angola, even if war is successfully brought to a conclusion. I fear that the sort of casualties that he describes will go on for many years.

Eastern Europe (Elections)

15. **Mr. Thurnham:** To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received about democratic elections in eastern Europe; and if he will make a statement.

Mr. Hurd: The elections in the GDR on 18 March and in Hungary on 25 March and 8 April were free and fair. We hope that the forthcoming elections in Romania, Bulgaria and Czechoslovakia will be so too. I am glad that Members of this House are observing most of these elections under the auspices of the Inter-Parliamentary Union. We shall be sending teams of local government electoral officials to observe the elections in Romania and Bulgaria.

Mr. Thurnham: Will my right hon. Friend ensure that our increasing levels of aid to eastern Europe are conditional on free and fair elections in countries there?

Mr. Hurd: Yes, this is extremely important, and we have made it clear to the countries concerned that the level of help, co-operation and friendship that they can expect to receive from us and from members of the European Community will be directly related to their progress in democratic and economic reform.

Mr. Heffer: Will the right hon. Gentleman draw the attention of the Soviet Government to the fact that there have been free elections in Latvia, Lithuania and Estonia? Will he also draw the attention of President Gorbachev to the fact that, while many of us support what he is doing, up to a point, Lenin in the early days of the Soviet state argued strongly for the self-determination of all peoples? That is why those three states got their self-determination. Even Stalin—it must have been an aberration—wrote a pamphlet on the rights of nationalities and said that self-determination was acceptable. Since those three states were democratic and free until they were occupied by the Soviet Government in 1940, let us make it plain that perestroika, democracy and freedom must apply when the people themselves decide what they want.

Mr. Hurd: The hon. Member is right. Stalin allowed into the Soviet constitution—I think that it was in 1936—a provision that republics could leave the Soviet Union. Unfortunately, he omitted to provide any way in which they could actually do that. That omission has recently been repaired by the Supreme Soviet. The principle of self-determination is accepted, as is the right of people in the republics to leave if that is their freely expressed wish. We now need a discussion or a dialogue between the Baltic republics—first, Lithuania—and the authorities in Moscow to bring that about in an orderly and sensible way.

Hostages

16. **Mr. Latham:** To ask the Secretary of State for Foreign and Commonwealth Affairs what progress is being made in establishing the whereabouts and procuring the release of British subjects held prisoner by Arab or Iranian terrorist groups in Lebanon.

Mr. Waldegrave: We are encouraged by the recent release of a number of hostages in Lebanon. We are especially pleased that one of those released has confirmed that Mr. McCarthy and Mr. Keenan are alive. We very much hope these turn out to be the first moves towards freedom for all hostages. There has certainly been progress, but there have been previous disappointments. It could be a long process.

Mr. Latham: Stripped of diplomatic verbiage, is not the honourable course for Iran and Syria to get these entirely innocent people released forthwith and the death threat to Mr. Rushdie lifted, following which it will be possible to consider the resumption of normal diplomatic relations?

Mr. Waldegrave: My hon. Friend draws clear attention to some of the difficulties that lie between us and Iran.

BILL PRESENTED

Safeguards for Residents in Registered Homes

Ms. Harriet Harman presented a Bill to extend legal safeguards for residents in registered residential care homes and nursing homes; to extend the Registered Homes Act 1984 to cover homes with fewer than four residents; to require the police to disclose to registration authorities any relevant criminal convictions of someone applying to register a home; to require all registered homes to have a complaints procedure; to give residents in registered homes the right to an advocate on their behalf; to require that nursing procedures in registered homes are only carried out by trained nurses; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 15 June and to be printed. [Bill 136.]

Numbering of Premises

3.32 pm

Mr. Hugo Summerson (Walthamstow): I beg to move,

That leave be given to bring in a Bill to require that commercial, industrial and certain other premises in built-up areas shall display the street or other number of the address of such premises.

Although my intention is that the Bill should apply to the whole country, London is governed currently by the London Building Acts (Amendment) Act 1939. Section 11(1) of that Act provides:

"The Council"—

in those days, that meant the London county council—

"may order that any buildings in any street way, place row of houses or block of buildings shall for the purpose of distinguishing them be marked (whether already marked by a number or name or not) with such numbers or names or numbers and names as may be specified in the order or shown upon a plan referred to in the order and that any existing numbers or names which differ from those specified in the order shall be abolished."

As if that were not enough, section 12 states:

"The Council shall make regulations with respect of the marking of the numbers or names or numbers and names of buildings . . . and without prejudice to the generality of the foregoing provision such regulations may provide for the number or name . . . of any building to be marked in some appropriate position either on the building or on some part of the premises of which the building forms part as may be prescribed by the regulations."

As I am not a lawyer, I do not, thank God, have to attempt to understand all that. Indeed, if my Bill were given leave to proceed, there would never be any need for any lawyer to attempt to understand those provisions ever again. The problem with the sections to which I have referred is that there are too many "mays" and not enough "shalls". The result is complexity of legislation and ignorance of the regulations. This has led to widespread indifference.

I emphasise that the Bill would cover commercial and industrial premises only. It does not attempt to cover houses, and nor does it attempt to cover places in the country. For example, Rose cottage, Great Snoring in the Marsh, would not have to be called No. 10 The Street. It could retain its picturesque name, which doubtless adds greatly to its value.

I seek leave to introduce the Bill because there must be many, many people throughout the country who, every day, set out to find certain premises that they have not visited before. They may want to go to a travel agent. They look up the address in the telephone directory, and see it listed as No. 133 High street. London is full of high streets, and some of them have numbers going up to 1,000 plus.

People are at a disadvantage because they do not know at which end of the street to start because most of the premises do not display street numbers. They either walk or drive along the road, but perhaps only one in every 10 or 12 premises has a number. Even if they find No. 100, for example, they would not know which way to go. They would have to walk past another 10 or 12 premises until they found the next number, which might be No. 90—so they would have to turn around and walk back again. Some roads have odd numbers on one side and even numbers on the other; others are numbered consecutively. People do not know which side of the street they are on. They do not know whether they are going this way or that way, or whether they are coming or going.

I am glad to see my hon. Friend the Minister for Roads and Traffic in his seat because there are well-documented instances of people driving their cars into other cars because they are concentrating on looking for street numbers. That has caused a number of accidents. If I were given leave to introduce the Bill, and it was allowed to proceed, people would no longer have to put up with the aggravation of trying to find premises. Their blood pressure would go down, which would benefit the National Health Service, insurance premiums would go down, and any number of other benefits would flow.

I hope that I shall be given leave to introduce my Bill and that the House will allow me to proceed with it.

Question put and agreed to.

Bill ordered to be brought in by Mr. Hugo Summerson, Mr. Joseph Ashton, Mr. Julian Brazier, Mr. Ian Bruce, Mr. Simon Burns, Mr. James Cran, Mr. Jerry Hayes, Mr. Keith Mans, Dr. Lewis Moonie, Mr. Jonathan Sayeed, Mr. Robin Squire and Mr. Patrick Thompson.

NUMBERING OF PREMISES

Mr. Hugo Summerson accordingly presented a Bill to require that commercial, industrial and certain other premises in built-up areas shall display the street or other number of the address of such premises: And the same was read the First time; and ordered to be read a Second time upon Friday 6 July and to be printed. [Bill 139.]

Orders of the Day

Broadcasting Bill

As amended (in the Standing Committee), further considered.

Clause 4

GENERAL LICENCE CONDITIONS

3.38 pm

Mr. Timothy Raison (Aylesbury): I beg to move amendment No. 729, in page 4, line 32, at end insert—

'Nothing in this Act shall authorise the Commission to require any Channel 3 licence or licence to provide Channel 4 or 5 to include any conditions requiring the licence holders to include party political broadcasts in the licensed service.'.

Mr. Deputy Speaker (Sir Paul Dean): With this, we shall discuss the following: Government amendment No. 491.

Amendment No. 730, in page 29, line 4, leave out clause 33.

Government amendments Nos. 670 to 672, 540, 471 and 543.

Mr. Raison: Coupled with amendment No. 729 is amendment No. 730, to leave out clause 33. That clause contains the power for independent television commissioners to require party political broadcasts.

My objective is to abolish any statutorily based requirements to carry party political broadcasts on independent television. I should like to see the end of party political broadcasts on independent television. If anyone is prepared to consider the matter from an objective point of view, he is bound to concede that I am putting forward an overwhelming case.

I am dubious about party political broadcasts on any channel. I do not want to see them at all and I do not think that anyone could possibly defend them on the ground of popularity. I have yet to meet anyone who said that he liked to see political broadcasts as part of his regular fare. I am sure that all hon. Members know from anecdotal evidence that that is the case. It is difficult to establish a scientific basis for what I say. It is well known that regular research is carried out on party political broadcasts by the BBC. They look into the number of viewers for each broadcast and find out what people think of them. I believe that political parties also carry out research on such broadcasts and how they go down, but I have discovered that there is a notable lack of willingness on all sides to reveal the results of all that research. I wonder why.

Most of us suspect that if we got the results they would not look very impressive. I am told by one authority that one reason why research is not published is that there is an enormous variation between one broadcast and another and that publishing varying figures would give a misleading impression. I do not think that that is a persuasive argument. Results of research on any other type of programme would be published, and if they showed a variation one would say that it was rather useful research.

There are many popular legends about what happens when party political broadcasts come on. I shall not give details but none of the legends is based on the supposition that people want to stay glued to their sets.

Party political broadcasts have become slicker during the past few years. They are technically better managed than they used to be. I cannot help recalling the time in the mid-1970s, when I was shadow Minister for the Environment, and once or twice I was commissioned by Conservative central office to make a party political broadcast. It consisted of marching on to College green or St Stephen's green on a day when there was a howling gale and the wind was blowing about us—I am sure hon. Members today are familiar with this—to utter a few, well-chosen platitudes.

It is one of the more futile forms of broadcasting by any standards, but to try to do a party political broadcast against the background of a howling gale was not easy. It was not that I was not promoting a good cause. I was promoting the sale of council houses, which is one of the great achievements of our time. Somehow I could never bring myself to believe that the popular response to that cause had anything to do with what I said on St Stephen's green in a howling gale during a party political broadcast. It is perhaps relevant that shortly afterwards my right hon. Friend the Prime Minister decided that my right hon. Friend the Member for Henley (Mr. Heseltine) would be rather better than I at standing on St Stephen's green in a howling gale to promote the cause and I retreated to the Back Benches.

Party political broadcasts have never been one of the highest art forms, although they have certainly become more skilful. I gather that the policy in such broadcasts now is to relegate the politicians and to bring in actors, who resemble what is deemed to be the common man.

Sometimes such broadcasts are skilfully done. I saw a Conservative broadcast last week about the community charge which was technically rather good. I suppose that it is possible that it was good enough to persuade some people how to cast their vote, but I doubt it. I do not believe that what changes people's minds about their voting behaviour has anything to do with party political broadcasts.

As a matter of principle, I do not believe that that is the way in which we should be putting our policies before the electorate. It is not the way in which we should be presenting our arguments, and it is not in accord with our notion of adult democracy. I should prefer the time allocated to party political broadcasts to be used for broadcasting the House of Commons. I looked into the possibility of inserting a provision to the effect that the time saved by not having party political broadcasts on ITV could be transferred to broadcasting the House. The trouble is that the Bill implements a decision by Parliament operating through an Act of Parliament, whereas the decisions about broadcasting the House are taken by resolutions of the House and it was rather difficult technically to incorporate such a measure.

3.45 pm

In general, I am sceptical about party political broadcasts, but if we must have them, and if there really is a need and a demand for them, why on earth should we have to have them on four, and now five different channels? Surely one or perhaps two transmissions of any party political broadcast must be quite enough. Surely it is quite reasonable to confine them to the BBC, as I propose. After all, as my hon. and learned Friend the Minister of State has said time and again, the Bill is about choice and diversity. To transmit the same party political broadcast

on five different channels in any one week cannot be said to have much to do with choice or anything to do with diversity. Even the FA cup final and the Derby are not broadcast on every channel, so why on earth should party political broadcasts be so broadcast? I really cannot believe that we as politicians require to bind to ourselves a semi-captive audience.

Having put the case, which, considered objectively, must be conceded to be a powerful one, may I say that what amazes me about the Bill is that my hon. and learned Friend, in amendment No. 670, proposes to make the powers in the Bill stronger and to insist more firmly on the provision of party political broadcasts on independent television. His amendment changes the provision in clause 33, which states that a licence for Channel 3, 4 or 5 "may" include a requirement for party political broadcasts, to say that it "shall" include such a requirement. It introduces compulsion.

According to an article by Mr. Alan Boyle, entitled,

"Political Broadcasting, Fairness and Administrative Law",

the present position is that

"Neither the BBC nor the IBA is obliged to carry party political broadcasts, but they have in practice always done so."

Until now there has been no legislative requirement for party political broadcasts, but amendment No. 670 proposes to change the "may" provision into a "shall" provision. It would be a regressive step to impose party political broadcasts so that all viewers of independent television were bound to be faced with them sooner or later.

I hope that my hon. and learned Friend will think again that the Government will relent in their view and, will let us all off what by any standards would be an unloved imposition.

Mr. Robert Maclennan (Caithness and Sutherland): The issue of party political broadcasts arose in Committee almost inadvertently, because it appeared that the Bill as drafted might by a side wind have done away with the established practice of providing party political broadcasts, which, as the right hon. Member for Aylesbury (Mr. Raison) said, is not rooted in the law.

It is important to consider why we have party political broadcasts and do not rely on other communications media to get across the message of different political parties.

Democracy depends very much on the direct communication of the messages of the parties that the public must evaluate in deciding how to vote. Other methods of communicating with the public at large depend on a filtering process, a process of editorialising and a process of comment. Although that is necessary and desirable, it is not sufficient. Political parties should be able to convey their message to the public by the most modern means of communication available—broadcasting—unadorned by the intervention of editorial comment.

The right hon. Member for Aylesbury suggested that more parliamentary coverage might suffice, but that argument cannot be sustained for a minute. In deciding what images from this place to portray on the television screen, we are properly seeing the editorial process at work, but we are not seeing the direct communication of a message. Those who view the proceedings of this place —no doubt it is a powerful image and a clear message —form their own judgment. The case for maintaining party political broadcasts is strong.

It is not entirely surprising that a Conservative Member is attempting to do away with party political broadcasts, because, by and large, the Conservative party commands the ownership of the written media of communication, and the editorial policy of most of the newspapers is extremely sympathetic to it. A predominance of coverage of the Government flows from that. It is clear from the studies that have been carried out, including that recently published by the Hansard Society, that the Government of the day overwhelmingly dominate the broadcast proceedings of the House. Inevitably, a bias in favour of the Government is built into the system, because, through their announcements and comments on what is happening, they make the news. It is important to have another source of political opinion—that of the parties.

The right hon. Member for Aylesbury rather frivolously suggested that the party political broadcast is an art form. Few people would subscribe to that view. It is widely recognised to be the deadliest of boring topics, but that does not mean that it is not worthy of being seen.

The right hon. Gentleman recognised that the party to which I have the honour to belong produced one of the most informative party political broadcasts on the virtues of fair voting and proportional representation. It was entertainingly and memorably presented by John Cleese. It was extremely effective in showing that it is not necessary to be dull to convey a message. It is right that the format of the broadcasts in which the right hon. Gentleman participated more than a decade ago was different from that which has become common under Mr. Peter Mandelson and other skilled performers.

Any attempt to curtail the direct communication of political parties with the public by the most modern medium of communication, which has the greatest coverage, would be a retrograde step and not, as the right hon. Gentleman suggested, a progressive one.

Mr. Julian Critchley (Aldershot): Compared with the hon. Member for Caithness and Sutherland (Mr. Maclennan), all hon. Members are irredeemably frivolous.

My right hon. Friend the Member for Aylesbury (Mr. Raison) deserves the gratitude of the nation. It will not have escaped your notice, Mr. Speaker, that our great party—perhaps I might even say, "my" great party—is not well loved at the present time. I need only remind the House of the Mid-Staffordshire by-election, the public opinion polls and the local election results, although I confess that in certain parts of the country there were lights at the ends of all sorts of tunnels. None the less, at the moment the Conservative party is not particularly popular.

Many of my colleagues in the Conservative party and in the 1922 Committee are worried about their fates. What would they do if they were to lose their seats? Newspaper advertisers from California and Phoenix, Arizona are looking for footmen and butlers. Who better than a Conservative Member of Parliament to take red wine out of the fridge and who better than his wife to do the gardens for them? The only other possible option for a defeated Conservative Member is to read the weather on British television. How splendid it would be if we Conservative

Members who must have a publicity fix every morning in order to function could end our days as weathermen on BBC1.

Mr. Maclennan *rose*——

Mr. Dennis Skinner (Bolsover): Here is a frivolous intervention.

Mr. Critchley: In that case, I will give way.

Mr. Maclennan: Regardless of what other career might be suitable for the hon. Member for Aldershot (Mr. Critchley), he would fail at broadcasting the weather if he did not have a Scottish accent.

Mr. Critchley: I confess that I would be comprehensible. My message to the country each day would be to wrap up warmly. Having done that before the 9 am news, I would be my old self.

I have a suggestion or two for my right hon. and learned Friend the Leader of the House which, if they were to be adopted, might bring about a remarkable revival in the fortunes of the Conservative party. First, the British sausage must be defended at all costs against the Common Market. There is every sign that, on the issue of the British sausage, our great leader stands firmly in her place.

The second practice that the Conservative Party might adopt to recapture the affection of the electorate is, as my right hon. Friend the Member for Aylesbury suggested, to do away with the party political broadcast. Having had high tea at 5.30 pm, we all know that the British wish for nothing more than to slump in front of the set from 6.30 pm until 11.30 pm, rising only for calls of nature or to switch channels halfway through a programme.

However, as soon as the news dawns on them that a much-loved politician of any party is about to embark on a five-minute broadcast of mendacity, assertion and amplification, up they get. They go into the kitchen; switch on the stove and brew a hot milky drink. They take no notice of the pleas of our political masters, whether they be in Smith square or in Walworth road.

At the moment, the Tory party has earned the gratitude of the manufacturers of Ovaltine. Let us set our sights higher. Let us look for the resumption of our natural popularity. Put the British sausage first and with the cancellation of party political broadcasts, my right hon. Friend the Prime Minister may even get a fifth term of office.

4 pm

Mr. Bruce Grocott (The Wrekin): The hon. Member for Aldershot (Mr. Critchley) is persuasive on many issues, but not on this one. The right hon. Member for Aylesbury (Mr. Raison) presented the more accurate face of the Conservative party. I was not surprised, but I was concerned, by the way in which the right hon. Member for Aylesbury was anxious to move towards a free market in the dissemination of news to the electorate from political parties.

I should regard the abolition of party political broadcasts as a step backwards. For all their faults of production and presentation, they are an established means of communication and the best means we know of mass communication with large sections of the electorate. They reach more people than any other method could achieve. I should find it worrying if we moved towards ever greater deregulation of the way in which political parties can communicate with the electorate.

There is already an astonishing paradox in our electoral laws. There are the strictest controls over what candidates can spend in their constituencies, but no controls whatever over the amount of money that can be spent at national level on advertising by the various political parties.

I am not surprised that far and away the richest party —the Conservative party—is basically in favour of a free market. The one area of news coverage and communication where there is some regulation, where party political broadcasts have been developed over the years, and where news coverage is required to be fair and impartial is BBC radio and television, and ITV. In that area, the Government are moving towards greater deregulation. Although it is not spelt out in the Bill, I fear that, before long, some Conservative Members may argue that parties should be allowed to pay for commercials on television in the horrendous fashion that we see in other countries.

The great advantage of the party political broadcast is that it enables political parties to reach the maximum possible audience fairly and in a regulated way. The practice has developed over a long period and it is a part of our democratic process. It may be a part which one can deride in some respects—I acknowledge that some of the party political broadcasts are dreadfully bad—but it is a part of our democratic process which has been worked on over the years. It is worrying to notice the ease with which hon. Members can recommend in apparently innocuous amendments to a Bill that an important part of our democratic process should be discarded.

What is particularly worrying about the whole Bill is that, if the philosophy behind it is allowed to develop—I shall do all I can to see that it does not—and a less regulated system is created, the method by which our people receive news information will become less and less reliable. Some of that information is gained from the admittedly partisan means of party political broadcasts. Information will come from more and more channels with smaller audiences and there will be fewer requirements for fairness and impartiality.

The general election that we are approaching could be the last in which we can be fairly certain that the vast majority of the electorate receive at least an attempt at a fair exposition of the news, governed by regulations on balance between the parties. Again, the party political broadcasts are a manifestation of that

I fear that we shall have a system with numerous channels, many without any news programmes or without news programmes in prime time, and with no guaranteed means by which people can obtain political information. I am profoundly relieved, and impartial and fair Members of Parliament should be relieved too, that all the opinion polls show us that most people in Britain are more likely to trust the broadcast media than the press for their information about politics. Thank heaven for that. The press is not subject to any requirements for fairness and impartiality.

If we accept the amendment, we shall be in danger in a few years of leaving only one area of competition between the parties that is strictly regulated for fairness. That will be the area of expenditure by individual candidates in constituencies—a regulation which everyone regards as absolutely essential to the democratic process. After the abolition of party political broadcasts, everything else—

[Mr. Bruce Grocott]

national expenditure by the parties, advertising, access to the news media—will be deregulated apart from that one, relatively unimportant, area of competition.

Mr. Jonathan Aitken (Thanet, South): Given the hon. Gentleman's curiously old-fashioned view about the wonderful nature of party political broadcasts, he has failed to note one important change. He argues that strict impartiality is the key. Now that the House is broadcast and Mr. Speaker maintains a strict impartiality over all of us, those broadcasts are a far better way in which to transmit political messages fairly than any party political broadcast.

Mr. Grocott: Hon. Members may enjoy their own speeches, and I am sure that most of the demand for cassettes are from Members wanting a record of their speeches—I am sure that there is little demand from the public. A properly presented party political broadcast is a much more effective way in which to present the views of a party to the electorate than a random selection of speeches from individual hon. Members.

We all know that the party political broadcast is open to fun and jest, but if we slung that part of our democracy aside, we would be abandoning the best established means of communication, bearing in mind the millions that television can reach. We would abandon such broadcasts in favour of a free market view of competition between the parties, and we would never achieve fairness and impartiality. I hope that we throw the amendment out.

Mr. Bob Cryer (Bradford, South): I have always believed that the allocation of time for party political broadcasts on television and radio is at least an attempt at fairness that is never matched by the daily national press. Arangements for allocating as fair an amount of space in the press would be an important development and would ensure some degree of equality between the political parties. However, we know that most of the daily press, national and provincial, tends to support the Conservative party and therefore there have been no efforts to introduce even a shadow of fairness and equality into the press.

The party political broadcast is a fair target for criticism and mockery. Although the right hon. Member for Aylesbury (Mr. Raison) has set his target on the party political broadcast he has not evidenced any criticism of the interruptions to programmes from advertisements. Such advertisements are far more mendacious than party political broadcasts and the advertisers unscrupulously abuse every human emotion on which they can lay their hands in order to sell products. Any criticism should be levelled against such advertisers rather than against party political broadcasts.

Mr. Critchley: Is the hon. Member aware that all the evidence shows that commercials are far more popular than any of the programmes?

Mr. Cryer: I have seen no such research and the right hon. Member for Aylesbury did not adduce any research about party political broadcasts. He merely said that there was an absence of such research and that, therefore, such broadcasts must be unpopular. Whatever people may think of advertisements must involve an element of masochism on their part because most adverts tend to abuse every decent human emotion.

Mr. Raison: A lot of research is carried out, but the interesting feature about it is the great reluctance to publish the outcome of it.

Mr. Cryer: What I am saying amounts to the same thing. The right hon. Gentleman was unable to invoke that research because of a lack of publication.

Party political broadcasts invoke a certain degree of fairness. I accept that the level of quality varies greatly. The Labour party is extremely short of money and often it must use the most limited means to produce a party political broadcast.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Does my hon. Friend accept that the objections to party political broadcasts arose only once the Labour party started to turn out some extremely good ones?

Mr. Cryer: I was about to say that occasionally the Labour party has scaled the heights of stimulating public interest in television broadcasting. In the early 1980s there was a growing problem of racism in our society and the Labour party produced a broadcast about the association of racism, the far right fascist political parties and football supporters in such a way that it stimulated discussion virtually nationwide.

I can also recall when the Labour party took its courage in its hands and produced a party political broadcast about unilateral nuclear disarmament. I know that that is not the sort of thing that is much talked of in the Labour party these days. but it was a stimulating broadcast which challenged ideas. On occasions, those five-minute slots can produce debate, dissent and challenge in an entertaining way so that the ideologies capture the viewer's imagination. It is worth retaining that opportunity and the degree of fairness rather than discarding party political broadcasts and leaving them to what would inevitably be the free marketplace.

I share the suspicion of my hon. Friend the Member for The Wrekin (Mr. Grocott) that this is a precursor to giving political parties the opportunity to buy advertising space on television channels. That would mean that we would revert to the American system where the cost of elections is massive because the limitations on advertising costs in television and other media are extremely sloppy. We do not want to see that. I recognise the difficulties of producing party political broadcasts, but I certainly wish them to continue. I should like to extend the principle of fairness to our newspaper industry, but that seems a long way off.

Mr. Alistair Darling (Edinburgh, Central): It strikes me that this short debate is like having a party political broadcast in the middle of prime time evening viewing. We are between major debates on matters that are quite clearly of concern to people inside and outside the House. I make no criticism of the point raised by the right hon. Member for Aylesbury (Mr. Raison) because the matter was raised in Committee.

I do not join in the eulogies for party political broadcasts that we have heard this afternoon. I am ambivalent about them. I do not know whether they are effective, and I suppose that it is not for us to judge, as we tend to be cynical about broadcasts produced by our opponents and by our own parties. However, they do have an effect and have moved on from the days when a grey man addressed the camera and told the audience what a

wonderful thing his party was doing to mini films, such as Mr. Mandelson's magnum opus, "Kinnock—the movie." There was a memorable occasion during the elections last year when the hon. Member for Greenwich (Mrs. Barnes) was filmed clutching a baby rabbit. I often wonder what happened to the rabbit: perhaps it went the same way as the mould breakers.

I do not know whether party political broadcasts work, but I believe that on balance we should keep them. They provide an opportunity for parties, especially at election time, to make their pitch, whether good or bad. Until someone persuades me that the disadvantages of showing them outweigh the advantages, I think that they should be shown, even if it means a boost for the Ovaltine industry.

I commend the Government for bringing forward the amendment promised in Committee to make it clear that if party political broadcasts are shown anywhere, they must be shown everywhere. It would not be right to force the BBC to carry them and to let other channels off, as has been suggested by the right hon. Member for Aylesbury.

I was concerned about the provision in the Bill that it might be possible for Granada Television to carry party political broadcasts and the neighbouring television franchise, Central Television, not to do so. Everyone must be favoured or cursed with the same thing, or no one at all, or there will be great inconsistencies. We welcome the Government's amendments and should not delay the House much more before pressing on to matters that, on any view, are of greater moment.

The Minister of State, Home Office (Mr. David Mellor): Party political broadcasts, like the British weather or English cricket, are a target for mockery. I could contemplate living in a world without party political broadcasts, but that day has not dawned. As the hon. Member for Edinburgh, Central (Mr. Darling) has been kind enough to make clear, the Bill reflects agreement between the parties on arrangements for the showing of party political broadcasts.

It is important that parties should have direct access to television. The extent of the direct access is fairly limited. It is not too high a price to pay for the absence of political advertising on television, which otherwise would have to come about; nor is it too high a price for the viewer to pay for the privilege of living in a democracy in which he has the luxury of choice, a luxury denied to well over 100 member nations of the United Nations. If part of the price that we pay for democracy is the party political broadcast, I cannot help feeling, when we look at the human misery in countries which have to suffer the broadcasts of one party incessantly, that we make a modest imposition on our broadcasters and fellow citizens.

4.15 pm

The reason for the Government amendments is to take account of the fact that the IBA was the broadcaster and could therefore direct the various constituent companies of the ITV network to show party political broadcasts. The ITC will not be the broadcaster. Therefore, we require a statutory framework.

The hon. Member for Edinburgh, Central was right in saying that the amendments make a requirement for all channels to show party political broadcasts but that they allow some regions to show different ones. Obviously the political position in Scotland is different from that in England. The political message of a party may not be so relevant in Land's End as it is in John o'Groats. For that reason flexibility is allowed.

I hope that my right hon. Friend, having aired this interesting topic, will feel able to withdraw his amendment.

Mr. Raison: With the leave of the House, may I reply to the debate?

The hon. Member for Edinburgh, Central (Mr. Darling) said that he felt ambivalent about party political broadcasts. That has been the keynote of the debate. We have had some rum contributions. The hon. Member for The Wrekin (Mr. Grocott) admitted that party political broadcasts could be dreadfully bad but somehow he saw them as a pillar of the constitution. I thought that his speech was a hymn to regulation. He seemed to be terrified of anything other than the orderly provision by central authority of information on politics. I assure him that I am not a Tory stalking horse on this or any other matter. I was not put up by the Government to air a change. Indeed, the Government and I take different views.

I thought it strange that the hon. Gentleman should praise party political broadcasts for fairness and impartiality. The idea that they are models of impartiality is an altogether new twist to the argument which I did not expect to hear from the hon. Gentleman.

The hon. Member for Bradford, South (Mr. Cryer) seemed to be afraid of competition in the expression of opinions. I am not sure whether he was talking about commercial competition or whether he could not bring himself to bear the idea that people should express their views in different ways, without recourse to the mechanism that we are discussing.

I was not particularly persuaded by the arguments that have been put forward. No doubt the issue will rise again another day. As the House wants to get on to other business, I am happy not to press the amendment. Therefore, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Schedule 2

Restrictions on the Holding of Licences

Mr. Mellor: I beg to move amendment No. 315, in page 138, line 29, after 'means', insert
'a director of that body corporate, or'.

Mr. Deputy Speaker: With this, it will be convenient to discuss Government amendments Nos. 316, 317, 345, 346, 349 to 353 and 318 to 320.

Mr. Mellor: Amendments Nos. 315, 316, 317 and 345 are minor technical amendments to part I of the schedule. The other amendments in the group deal with the undertakings which I gave in Committee about religious ownership; they allow the ITC to waive the disqualification of religious bodies, in the case of licences, to provide non-domestic satellite services and licensable programme services. We discussed the issues in detail last night on the new clause tabled by my right hon. Friend the Member for Selby (Mr. Alison). I hope, therefore, that the House will accept the amendments as sensible and in line with well-known principle.

Mr. Darling: As the Minister has said, we welcome the vast majority of these amendments, and agreed them in Committee. I should like to ask a question about

[Mr. Darling]

amendment No. 352. Quite clearly, the idea is that, when dealing with religious organisations, the commission can at its discretion waive the normal requirements about restrictions on ownership. What criteria are to apply, and where might one find them? Plainly, there is no intention of preventing an elder in the Church of Scotland or a similar officer in the Church of England from being a director of a company. However, does it go rather further?

It would be helpful if we knew the consideration that the commission would have to apply. We have no objection to the amendment, but it might lead to some difficulty. It would be as well to know the precise position, because it might be necessary to tidy up the matter in another place.

Mr. Mellor: I ask leave of the House to speak again. The hon. Gentleman is quite right to raise this matter, and I am happy to make the position clear. For the reasons that I gave last night, there must be some filter mechanism to prevent either religious cults or unacceptable American religious broadcasters from taking advantage of an amelioration of the rules for religious broadcasting that are designed to benefit the mainstream of religious groups in the United Kingdom. The amendment provides that mechanism, and gives the ITC unfettered discretion to use its judgment reasonably about who to accept and who to reject.

We tinkered with a whole range of ideas about how to provide criteria for the exercise of that discretion. We concluded that it would be much more sensible to rely on the good sense of the ITC to separate the sheep from the goats. The obvious intention is that the ITC would permit mainstream religious groups to take advantage of the new arrangements but would not hesitate to act against organisations such as the Unification Church.

I say again that, with a cheek that I find baffling, the director general or whatever he calls himself of the Unification Church had the temerity to write to *The Times* saying that Britain needed the stimulus of the religious uplift that would be provided by Moonie television or radio. I trust that I carry the House with me when I say, "No thank you very much." These arrangements, if properly carried through—as I am sure they will be by the ITC—will ensure that that does not happen.

Mr. Darling: I entirely agree with the Minister and, on balance, I see no alternative to giving the ITC the discretion that he wants to give it. Difficult cases which are not as clear cut as the Moonies against the Church of England may arise; it may be necessary for the ITC to publish the criteria, because it may be taken to court, and there is the possibility of judicial review. The Minister should think about that, because it may be necessary to have another look at the matter before the Bill completes all its stages.

Mr. Mellor: That intervention is helpful. If the hon. Gentleman or any hon. Member has the answer to the conundrum about how we could sensibly fetter the discretion, I should be interested to hear it. Such matters can be further attended to in later stages of the Bill. The ITC will have to make a whole host of difficult judgments on, for example, the rules about religious advertising and religious sponsorship. There is nothing to stop the ITC publishing guidance—and every reason to think that it should—showing clearly how it intends to exercise its discretion. I think that the ITC will do that.

Amendment agreed to.

Amendments made: No. 316, in page 139, line 22, leave out 'taken into account as a relative or' and insert 'regarded as a relative or taken into account'.

No. 317, in page 139, line 31, at end insert—

'and, where any such reference has been amended by an order under this Schedule varying the percentage in question, this sub-paragraph shall have effect in relation to it subject to the necessary modifications.'.

No. 345, in page 140, line 5, leave out from '4' to 'House' in line 6 and insert

'An order under this Schedule shall not be made by the Secretary of State unless a draft of it has been laid before and approved by a resolution of each'.

No. 346, in page 140, line 32, after 'to', insert '(e) and'.—*[Mr. Mellor.]*

Mr. Roy Hattersley (Birmingham, Sparkbrook): I beg to move amendment No. 363, in page 140, leave out lines 40 to 44.

Mr. Deputy Speaker (Sir Paul Dean): With this it will be convenient to discuss Government amendments Nos. 347 and 348.

Mr. Hattersley: I move the amendment in part in preparation for an amendment on a similar and related subject—ownership and concentrated ownership which I hope we shall debate later. I move it in a spirit of inquiry rather than by way of condemnation in the hope that the Minister will explain the exact purpose of the words that I seek to delete from schedule 2.

Let us not mince words. As I understand part II of schedule 2, the words that I seek to delete would have the effect of removing from the prohibitions of part II of schedule 2 Mr. Rupert Murdoch and the companies that he owns in the United Kingdom. I mention Mr. Rupert Murdoch at the outset, because I do not think that it is right to be mealy-mouthed about these matters, and also because he plays a special part in these debates, not because of his character or political allegiance, but because of the size of his ownerships: the number of papers and publishing concerns that he owns, and his interest—specified and made public—in the ownership of other newspapers and magazines.

It is right to remind the House how great Mr. Murdoch's ownership is. As well as his substantial newspaper ownership and his continuous and expanding television aspirations, he owns media companies in other countries. In order to obtain the ownership of American television companies, he found it necessary to change his nationality from Australian to American. If the words that we seek to leave out remain in the schedule, while some persons will be allowed to have major television interests only if they are citizens of the United Kingdom, the Isle of Man, the Channel Islands or a state that is a member of the European Community, a local delivery licence or a licence to provide a non-domestic satellite service will be removed from that qualification. Perhaps I misunderstand the Minister's intention. There may be some general principle —political, philosophical, technical, astral——

Mr. Mellor: Transcendental.

Mr. Hattersley: —or any word that the Minister cares to invent to justify it.

I have no wish to discuss it ad hominem if the Minister assures me that that is inappropriate. However, why are so many broadcasting organisations, institutions and corporations to be limited to ownership by citizens of the United Kingdom, the Isle of Man, the Channel Islands and states in the European Community, or to those who are ordinarily resident in those places? If that is the case, why has the licence to provide a non-domestic satellite service been excluded? Perhaps it is purely coincidental that Sky Television comes into that excluded category. I look forward to hearing the Minister explain that it is all a matter of principle and that the idea that it is done with a specific intention is an unworthy suspicion that I should banish from my mind. I have moved the amendment, so the Minister will tell us whether that is the case.

My strong preference is for broadcasting in the United Kingdom to be limited to companies that are owned by citizens of the United Kingdom or the European Community. That is not simply because EC regulations require it; if we are part of an integrated community, the opportunity should be offered to all member states. I have strong reservations about ownership outside the Community, whoever the owner may be. It was quaint that Mr. Murdoch was prepared to change his citizenship from Australian to American in order to obtain American television companies. I have no idea whether he would be prepared to do it again if our amendment is successful, or what cricket team he would then support, having been Australian and then become British, via the United States.

Can the Minister convince us that it was not done with one specific company in mind, but that there is a principle behind it? If he can at least go some way towards doing that, we can wait for our major argument until we reach clause 110.

Mr. Mellor: The right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) has raised some fair points. I am grateful to him for doing so, and with such vigorous good humour. I shall endeavour to satisfy him. I entirely agree with his basic proposition that it is right that British broadcasting should be owned in the main by British interests, and—as an inevitable consequence of our EC membership—by European Community interests.

We have gone to a great deal of trouble to ensure, for instance in relation to the allocation of Channel 3 franchises, not only that that restriction applies but that firm regional commitments are built into the franchise allocations that will preserve not just national but regional characteristics, so that the companies concerned are likely to be rooted in the region. I agree with the right hon. Gentleman on that basic proposition. The relevant part of the schedule that he mentioned disapplies that general rule in two instances, not one.

4.30 pm

The first instance is local delivery operators. I recall the properly vigorous view of the hon. Member for Edinburgh, Central (Mr. Darling), expressed last night, that he would like to see more performance and less promise in the cable industry; I second that, and I believe that it is about to happen. There is no doubt that there has been a great deal of interest in local delivery operators —those who will be cabling the country—from north America, France and other countries.

It is as welcome that they should be involved in this as it is that they are investing in a range of other industries. We should be cutting off our noses to spite our faces if we prevented them from coming in, particularly when it appears that there is no great queue of British and European entrepreneurs ready to make up the difference. For that reason, we disapplied the tight rules about British or European control for local delivery operators.

Mr. Norman Buchan (Paisley, South): Is it not the case that local delivery services, rather than initiating programmes, merely carry them? Is there not a difference between those who merely deliver—a commercial operation—and those who create programmes? Is this not where we should seek a national requirement?

Mr. Mellor: That is a further distinction that could be drawn, and if I had to justify that exception, I could use that argument. However, I should not go on to say that there is no case in which programme makers, producers or broadcasters should not, if other circumstances are right, also be exempted.

The right hon. Member for Sparkbrook was interested in the second example—non-direct broadcasting by satellite services. These are international in character. They are not United Kingdom-allocated frequencies. The IBA does not allocate them, and they are brought under the control of the ITC to ensure the appropriate framework for the protection of the public—for example, from pornography and other inappropriate programming —that fits into the European framework. They make use of a non-British satellite, although a number of the channels are linked from within the United Kingdom. Therefore, they do not arrive in our homes by virtue of any arrangement to which the British Government have set their hand.

Having regard to the international character of these services, it seems inappropriate that they should be subjected to the ownership restrictions that would be thought appropriate to United Kingdom-licensed services, where one is licensing for positive requirements and not merely licensing to protect against negative programmes. That is the point of distinction. I appreciate that there are some who think that we should be wrong to do this, but I make one point clear. The best known of these non-DBS services is Sky Television, but there are plenty of others.

Mr. Austin Mitchell (Great Grimsby): Name them.

Mr. Mellor: I can certainly name them. The hon. Gentleman should not set such easy challenges. After all the months I have had to immerse myself in these matters, I should know. W. H. Smith has two channels. Mr. Maxwell—one would not expect him to be far behind Mr. Murdoch in this or any other game—has one. There is Canal Plus—I may have got that name wrong, but it is a German satellite service that is causing a little controversy.

Mr. Darling: It sounds French.

Mr. Mellor: The hon. Gentleman is a truly international figure. I withdraw my reference to that, because I am obviously misleading myself and the House. There are other services, however, which can be picked up by anyone who has an Astra satellite dish. Given the capacity of that satellite, I dare say that there will be plenty of other services. The question is whether the hundreds of thousands of persons who watch these services will watch

[Mr. Mellor]

services that are uplinked from the United Kingdom or those that are uplinked from countries other than the United Kingdom.

I have always taken the view—not because of any slavish subservience to the interests of Mr. Murdoch or of anyone else—that it would be an own goal of fairly spectacular proportions to require Sky Television to be uplinked from somewhere on the continent, with the loss of 1,000 jobs, which I expect Opposition Members are every bit as solicitous about retaining as I am.

That is why there seems to be no compelling reason why the national ownership requirements, which I believe in and have firmly advocated should be part of the United Kingdom directly regulated system, should find a part in what is a truly international service. I refer to non-DBS satellite services that can be uplinked from anywhere in Europe. We should remember that the Astra satellite is a Luxembourg venture, not a British one, and is open to all comers. Many more channels will become available on that satellite before very much longer.

The right hon. Member for Sparkbrook treated this issue as a trailer, as it were, for the main feature to which we are to come. I hope that I have given him an adequate explanation, but it would not surprise me if my explanation has not satisfied him. Nevertheless, I have set out our case for doing what we have done. I dare say that we can return to the matter later.

Mr. Buchan: I shall make a brief intervention in the debate because I accepted the offer which was made last night. I shall speak at greater length when we consider Sky.

The Minister must not believe that he has taken anyone in with his spurious excuse. We know that there is only one effective commercial satellite programme apart from Sky, and that is BSB, which is just getting off the ground, as it were. Those are the only two that matter at present. There is only one non-domestic satellite, and that is Sky. That is why some of us have regarded this measure as a de facto hybrid Bill rather than a de jure one. It seems that it has been designed to exclude Mr. Murdoch, and in the process of exclusion a complete argument has been disregarded in relation to broadcasting within Britain. Wherever it is beamed from, Sky is directed towards Britain. It does not come within the nationality requirements, which the Minister argued were useful for broadcasting within Britain, within which we are creating programmes.

Even more important is the excuse of the other disqualification, which is cross-media ownership. As it happens, Mr. Murdoch owns more than 35 per cent. of the daily and Sunday newspaper circulations. It is a power that no one has had before. Beaverbrook, for example, did not have a satellite station. It is the cross-media relationship that is the danger.

I tried to solve the problem by saying that there should be foreign station status. The Government wish to exclude because jobs are involved, but the Minister has said that we can ignore nationality and level of ownership. If he says that we cannot touch, as it were, a satellite station that is beamed from abroad, let it be treated as a foreign station. Everything else follows from that, and in that way we could proscribe such stations. We must find ways of bringing all stations within the same competitive sphere.

However beneficial the Government's proposals would be to the Tory party, we cannot allow the Government to get away with them. The Minister responded with a Tory answer and I am sure that even he did not believe in it. We shall be dealing with these issues at greater length when we reach the heart of the matter with the Sky amendments.

Mr. Hattersley: I shall not detain the House for more than a few seconds. I accept the Minister's point. Indeed, I accept without qualification his assurance that the words to which I took temporary exception were not intended to benefit Mr. Rupert Murdoch. It so happens that he is the principal beneficiary at the moment, but I accept that they were not intended for that purpose. I thank the Minister for being kind about the spirit in which I moved the amendment. However, I do not find wholly convincing his explanation of why the satellite stations, organisations and operations should be excluded. It is the nature of satellites that they are international. The place from which they are launched is hardly the appropriate criterion on which to judge how their broadcasts should be regulated.

Mr. Mellor: My point was about the place from which the satellite services are uplinked. There are 650 jobs in west London with more to come. As the Labour party has a strong regional base in Scotland, perhaps of more relevance to it are the 250 jobs in Livingston. What would be the point of Parliament passing ownership restrictions that had the effect of transferring those jobs to the continent?

Mr. Hattersley: I did not use the word "uplinked", but I understand the Minister's point. If he is saying that things must be done in this way to protect jobs it is a partial argument that I accept. However, he also attempted to make some point of principle that it would be wrong to control these matters because of the nature of satellites. He does not believe that it would be wrong to control the content—indeed, that is his intention. There is some inconsistency in his distinction between offering ownership, some degree of control over ownership or refusing a degree of control over ownership, but nevertheless believing that, despite the international character, there can be some degree of control over the broadcasts.

Mr. Mellor: The right hon. Gentleman is an experienced political figure who was in office for a number of years. Political arguments are inevitably composed of a combination of principle and practicality. The place where the satellites are uplinked within the international satellite system is very important because that is where the jobs will be. The 250 jobs in Livingston are in the constituency of the right hon. Gentleman's colleague in the shadow Cabinet. Does his colleague accept a policy that would deprive his constituency of 250 jobs?

Mr. Hattersley: The Minister is making it difficult for me to withdraw the amendment. I shall do that when he gives me the chance. If he allows me to speak the operative words, I shall seek permission to withdraw the amendment. I shall first make two points about his latest intervention. He well knows that every member of the shadow Cabinet agrees with every word that I say, as we all agree with every word that each of us says.

The more important point is that there is no reason to assume that if there were regulations relating to control jobs would necessarily disappear. They might go into other ownerships, but the idea that they exist only because some

supernatural force—satellite and Mr. Rupert Murdoch —wills them to exist is a misunderstanding of the whole industry.

That is not the main issue in the concentration of ownership. I intend to pursue the principle of the issue when we debate amendment No. 110. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendments made: No. 347, in page 140, line 41, leave out 'or'.

No. 348, in page 140, line 42, at end insert—

'(c) a licence to provide a licensable programme service, or

(d) a licence to provide a licensable sound programme service,'.

No. 349, in page 141, line 2, after '2', insert

'—(1) Subject to sub-paragraph (2),'.

No. 350, in page 141, line 11, leave out 'and'.

No. 351, in page 141, line 13, at end insert

'and

(g) a body which is controlled by an individual falling within paragraph (f) or by two or more such individuals taken together.'.

No. 352, in page 141, line 13, at end insert—

'(2) If the Commission are satisfied that it is appropriate for a person to hold—

(a) a licence to provide a non-domestic satellite service, or

(b) a licence to provide a licensable programme service,

being a person who, apart from this sub-paragraph, would be a disqualified person in relation to any such licence by virtue of sub-paragraph (1), they shall make a determination to that effect; and so long as any such determination remains in force in relation to that person, sub-paragraph (1) shall not apply to him in relation to any such licence.'.

No. 353, in page 141, line 15, leave out

'a licence granted by the Authority'

and insert

'any licence granted by the Authority other than a licence to provide a restricted service'.

No. 318, in page 141, line 45, leave out 'or 2'.—*[Mr. Mellor.]*

Mr. Maclennan: I beg to move amendment No. 609, in page 142, line 40, at end insert—

'( ) community radio service'.

Mr. Deputy Speaker: With this we shall discuss the following amendments:

No. 580, in clause 78, page 60, line 38, at end insert—

'( ) for a particular area or locality in the United Kingdom for a service that is for community not commercial benefit (a "community service")'.

No. 582, in clause 79, page 61, line 20, after 'services', insert

'both profit and non-profit seeking'.

No. 583, in clause 79, page 61, line 26, at end insert—

'( ) to facilitate the provision of local and community licensed services which (taken as a whole) in any area offer a wide range of programmes calculated to appeal to a variety of tastes and interests; and'.

No. 595, in clause 97, page 76, line 11, at end insert—

'(iii) involve persons or bodies both in programming and in the production of programmes and that would benefit the relevant communities; and'.

No. 596, in clause 98, page 76, line 49, at end insert—

'( ) the extent to which any such proposed services would involve persons and bodies living in the area or locality for which the service would be provided and to what extent programmes and other services would be provided for the relevant communities.'.

Mr. Maclennan: Our debates in Committee were productive of great change, especially in respect of television. I regret that we did not make greater progress towards reforming the provision of radio, and in particular that we did not secure the position of community radio. This batch of amendments is an attempt to deal with that issue.

4.45 pm

The amendments start from the premise that community radio and local radio are not, as the Bill would have it, the same. They are different in structure, in finance, in their purposes and objectives, and in what they broadcast, who broadcasts and who listens. Both local and community radio are worth while and we should support both. They need not be rivals and they need not dip into the same pot for advertising revenue. They can compliment each other. However, unless the Bill provides for their separate treatment, the restrictions to regulate commercial stations will merely stifle the growth of community radio, and those that are successful will quickly fall prey to takeovers by commercial companies which regard community radio's audience, if not its service, as a threat.

We can study the experience of other countries where community radio has been protected in the manner that I propose—such as Australia, where it is thriving—but where there has been an unregulated market, as in Italy and France, community radio has been swallowed up. The French recognised the problem and after eight years of deregulation the responsible regulatory authority has designated community radio as a separate category.

Even since the publication of the Bill, there has been a better understanding of the difficulties of expanding local services. Manchester's Sunset radio has been much in the news with the sacking and then the reinstatement of its founding managing director, Mr. Mike Shaft. In that case, the trouble seemed to have been a classic example of some board members wanting a higher financial return, which required a broadening of the music appeal and cuts in certain other programmes, including the provision of news —thereby making the news team redundant.

Services such as Sunset—which is aimed at an Afro-Caribbean audience—and WNK and London Greek Radio in north London won their licences because of the services that they were offering. The market is quite limited and not necessarily attractive to advertisers. For Afro-Caribbean services, there are not sufficient numbers of business men able to subsidise those services. There is a difficulty with definition because such stations are often founded or taken over by people interested in radio as a business venture. For incremental services, the proper answer would be a radio fund of some sort—we discussed that in Committee—which could be used to enable stations to carve out an audience over a period of time and to aim their rates at small, local businesses.

For such stations, reliance on national advertising would almost certainly lead to bankruptcy. They would fail to attract such advertising. That is why I do not consider that backing community radio would be damaging to local radio. Alternatively, forcing such stations to seek wider audiences will result in their specialist task being whittled away. Building a specialist audience takes time and creditors do not wait. Copyright fees and the interest from the considerable facilities and

[Mr. Maclennan]

equipment that the Independent Broadcasting Authority requires stations to install is a burden that many small radio stations find hard to bear.

The market that these stations aim for and the staff who are prepared to work long hours, sometimes without reward, might best be served if the stations were set up as community stations with the limited aspirations and equipment that that requires and the protection that it would bring. Mixing outside commercial ventures and stations providing a service for a particular community, and then treating them in the same way, as the Bill does, more often than not will place intolerable burdens on the less profitable services and lead to their demise.

An interesting example of such a service, which I commend for special treatment, is the proposed Radio Heartland in Perthshire. The service is proposed because of poor reception there due to the terrain and because the cost of improving services is high and beyond the scope of commercial financing. The population is a modest 12,500 people. The radio station will be locally owned and will draw programmes from local sources to reflect the diversity of the population, it will be legally constituted as a non-profit maximising body and will involve the community through training and the use of their facilities.

In Radio Heartland's own words:

"In many ways it will be like campus or hospital radio (Like them, it will be low budget—no hi cost hi-tech!) made by and for a special group, the people of Highland Perthshire."

The service that they intend to provide and are raising funds for could be of benefit throughout rural areas in Scotland, parts of Wales, the south-west or Northumberland and Cumbria—sparsely populated areas to which it is difficult to bring local radio. Such areas are often out of contact with the cultural possibilities offered by local broadcasting.

The amendments which have been selected do not cover finance. That is obviously crucial and we shall have to return to it if the Government accept the principle of recognising the difference between local and community radio.

The provisions that I am suggesting are in keeping with a resolution of the European Parliament passed in April 1989 which, among other things, recommended measures to safeguard and develop local broadcasting and private radio stations, which should be safeguarded at community level and not left to the mercy of market forces. Those objectives of the European Parliament seem to me to be sensible.

The amendments are more necessary than I believed them to be when we discussed the subject in Committee due to the disappointing response by the shadow Radio Authority to the Minister's request, on behalf of the Committee, for a note about how it envisaged licences would be granted following the debate in Committee on community radio.

That revealed that the incipient authority has a restricted understanding of the subject. While it talked about filling in the white areas and meeting the needs of ethnic minorities, it did not mention community radio and made no distinction between commercial and non-commercial stations. It seemed to be almost beyond its comprehension that there could be broadcasting by non-commercial stations. That response to the Minister's request cannot inspire confidence for the future.

I shall describe the amendments briefly as I do not wish to take up too much time. The issue of principle is the most important matter and the one that I want to establish. Amendment No. 609 would ensure that under the ownership restrictions of schedule 2 community radio was designated separately.

Amendment No. 580 provides that community radio should be designated separately when the authority exercises its regulatory function. Amendment No. 582 would ensure that the authority had a general duty to do all that it could to secure a range of non-profit-making and profit-making services. Amendment No. 583 would ensure that it was a function of the authority that it facilitated a wide range of local community services in an area. Under the Bill the authority could consider the country as a whole when planning services. Amendment No. 584 provides for the existence of a community licence alongside other licences.

Amendments Nos. 585 and 586 are crucial because they will allow the provisions of part III to part V of schedule 2 on ownership to be waived if the authority thought it necessary to ensure the provision of a community service. It is right that there should be protection from local authorities or from political abuse of whatever persuasion. The ownership rules for commercial stations that the Government have incorporated in the Bill should reflect that. Those provisions are appropriate for local radio but they are not appropriate for non-profit-making community radio. In the case of small community stations in an inner city or rural area, the participation of a local councillor or the active involvement of a local council, whether by providing cheap finance or the use of a council building, could make the most colossal difference to a station's existence.

There should not be hard and fast rules. The authority should have wide discretion to ensure that the needs of the area come first. If a station appears to have been operating in a manner which leads to abuse, the relevant rules should be adjusted.

Amendment No. 594 requires authorities to designate between local community services when publishing a notice of grant or licence. Amendment Nos. 597 and 598 apply to local commercial stations as much as to community stations. The companies involved should be required to say how the stations will be part of the community and use the local community and so provide local employment. We have discussed the question of employment time and again in Committee. Local and regional broadcasting can give an important injection of employment. Local and community stations can help in such a way.

If we ensure community-based radio which provided a service for a specific community, it would allow a major increase in stations which are complementary rather than rivals to existing commercial stations. There is no evidence that the market will sustain a free-for-all expansion. Falling advertising revenue suggests otherwise.

Some people who speak for local radio have expressed the fear that assisted commercial radio could constitute a threat. For the reasons that I have already given, they will not be dipping into the same pot. If it were necessary to

ensure that they did not dip into the same pot, I should be happy to contemplate further amendments along those lines if the Minister was so disposed.

The Government want growth in community radio, but the Bill—as the Minister will acknowledge—does not make specific provision for such stations. The Minister was not persuaded earlier that it should do so. I hope that on mature reflection he is now persuaded of the virtue of the separate designation procedure that I have suggested, and that he will give the Bill a fillip by agreeing, at least in principle, to the points I have made.

Mr. Roger Gale (Thanet, North): There is always a danger at times like these that we will re-run debates which have been rehearsed in Committee. However, in the light of the comments of the hon. Member for Caithness and Sutherland (Mr. Maclennan), I feel that I should be brief.

With many other hon. Members, I have been committed to the cause of local and community radio since it was first introduced in this country in 1963. I have watched its development with great interest at local level and now I am interested in the development of community radio. We are on the threshold of tremendously exciting possibilities for local communities.

Community radio does not exist in this country at the moment, and nor does local radio. Anyone who tries to suggest that it does is misreading the true nature of local and community radio. We have good regional radio stations run by independent companies and by the BBC, but they are not truly local and they are certainly not community stations as I or the hon. Member for Caithness and Sutherland understand the meaning of the word.

I have a great deal of sympathy with the arguments raised by the hon. Member for Caithness and Sutherland. I part company with him only in my firm belief that community radio can and should be commercially viable. My hon. and learned Friend the Minister is in danger of allowing a Bill to go through which in its present form might inhibit rather than assist the development of community radio by the restrictions on ownership. We have become almost paranoid about cross-media ownership and we need to examine carefully the way in which we treat local and particularly community radio stations.

5 pm

There is already a network of hospital radio stations across the country, many of which are ideally poised to become genuine community stations. In effect, they are already providing part of that service, but they need to augment their power, staffing, reporting capability and air time to enable them to serve a wider community than the hospitals to which they are "narrowcasting" rather than broadcasting. That can be achieved, but I ask my hon. and learned Friend to consider carefully between now and when the Bill reaches another place an argument that I have raised before. It is a grave mistake to bar local newspapers from ownership of or major share participation in community radio stations. There are many good local newspapers throughout the country with good reporting teams providing excellent local coverage. It would be quite wrong to seek to add to that layer of local reporting expertise—which often feeds regional and national radio and television stations—another layer of local journalism.

Community radio stations simply would not be able to afford the journalistic expertise that would be necessary to provide a good community news service. Local newspapers have that expertise and should be allowed to harness it to good effect. My hon. and learned Friend the Minister will say that there is nothing to stop a local newspaper providing the news service for a community radio station in addition to having a 20 per cent. shareholding in that station. But that would defeat the object of the exercise. If we are so concerned about cross-media ownership, clearly we should not permit that. If we apply the free market—as I believe that we should—and freedom for community and local stations to develop in harmony with and compatible with local newspapers, surely local newspapers and other local businesses must be allowed to take a stake in the community radio stations and to harness and augment their reporting expertise to provide a better service for the community radio station and for the local newspaper.

It would also be a mistake to insist on the establishment of a separate advertising sales force. Local newspapers usually have that. We are in danger of missing an opportunity. I have a great deal of sympathy with the amendments tabled by the hon. Member for Caithness and Sutherland, but they need further consideration, which I hope that they will receive from my hon. and learned Friend.

Mr. Simon Hughes (Southwark and Bermondsey): On a point of order, Mr. Deputy Speaker. When I left the Chamber about half an hour ago, I told my hon. Friend the Member for Caithness and Sutherland (Mr. Maclennan) that I would return at the beginning of the debate on his amendments, assuming that at the beginning of each new set of amendments a call would be put out by one of the attendants from the back of the Chamber into the Lobby. I was on the telephone in the Lobby. Can you confirm whether that is the case and, if so, will you ask that it be carried out on a regular basis?

Mr. Deputy Speaker: I am not quite sure what the practice is, but I will certainly inquire into the point that the hon. Gentleman has raised.

Mr. Simon Hughes: I speak in support of the amendments tabled by my hon. Friend the Member for Caithness and Sutherland (Mr. Maclennan), to which I am a signatory. I wish to make a couple of substantive points in support of the general argument for community radio. Obviously I did not follow or participate in the debates in Committee in the same detail as my hon. Friend did. I am aware that the Minister has been sympathetic to the points that my hon. Friend raised, but the Bill has not yet been amended to make concessions for the existence of community radio in the way in which we and many people outside the House would wish.

The most important point, which was touched on by the hon. Member for Thanet, North (Mr. Gale), is whether it is always necessary for community radio to be commercially self-sustaining. Community radio cannot always be commercially viable and it is wrong to expect that. One of the problems of media ownership is that access is easily available to those who can accumulate the capital to purchase it. Obviously they have to enter competitive tendering and put together a good package. So long as they can do that, however, if they cannot buy one station they will buy another.

[Mr. Simon Hughes]

As independent radio has grown throughout the country, we have seen the gradual acquisition of shares in the opportunity to broadcast by a small minority. The other common example of access to the dissemination of information is the newspaper network. Although there may be a community of interest between local newspapers, which do a good job serving a local community, and local radio stations, we cannot expect that to be the norm. It is wrong to expect that to be the norm as it concentrates the dissemination of news locally in single hands. We want to break down that concentration and to open up access across the range of people and talent in the community and not limit it to those who already have a foot in the door or a share of the market in broadcasting or the printed word.

It is important that we accept and write into the Bill the principle that there should be provision for community radio and that we do not presume that it will always be independently and commercially viable. Experiments with commercial and community radio in London have led to the development of easy music stations as the commercial arm of local radio. There have been very small community radio stations—for example, the Greek radio stations and other ethnic community radio stations. One station goes by the wonderful name of "Wicked, Neutral and Kicking". Perhaps not all Members of Parliament have listened to that station, but it is none the worse for that.

Those community radio stations broadcast for a small community. Their catchment areas tend to be small and they tend to attract a small number of listeners, so the potential financial resources available are limited. Ethnic community and local community stations will find it increasingly difficult to compete. That would be to the great disadvantage of opening up the airwaves.

If we are seeking to allow ordinary people without great capital backing to enjoy the opportunity of broadcasting —perhaps only for a short period—we must want to offer that opportunity to ethnic minority communities, particularly in urban areas. There is a whole diversity of ethnic minority communities in London. The Vietnamese community, for instance, is a refugee community but it is significant as it is the largest Vietnamese community in Britain. It has no financial resources and is unlikely ever to command any significant backing. Such communities are small but important. Their members are often isolated and do not benefit from the normal communications media because most people around them do not speak their language. They rely even more than the other people whom we always pray in aid when we stress the importance of radio—the elderly, the infirm and hospital patients—on local and community media.

I hope that the Minister understands that we cannot always expect proper community radio to be run by the big boys and girls and to secure big backing. It will need some financial support from the community. Secondly, community radio must be seen to be supported by the Government and the House and to be encouraged by the funding and other practical arrangements that the Bill provides.

I hope that the Minister will be much more positive than I understand that he has been so far and that his support will be converted into practical commitment. If that happens, my hon. Friends and I will be well pleased. Many communities are awaiting the outcome of the debate with great interest.

Mr. Mellor: It was not my wish that debate on the Bill should focus more on television than on radio. Anticipating that that would be the likely trend, on Second Reading I deliberately concentrated on the first four paragraphs of a Home Office press notice on the expansion of radio before dealing with television.

I believe in radio as a medium of communication. The Bill's effect on it and on its development will be more profound than its effect on the development of television. There will be, I hope and believe, not only three new national independent radio stations but several hundred local and community radio stations. In 10 years' time, the most obvious and noticeable effect of the Broadcasting Act will be on radio. That is not to say that it will not have a considerable effect on television, but it will be most noticeable on radio.

I am not averse to considering changing the Bill's provisions on radio, as I was not averse to changing its provisions on television. The most substantial change in the Bill is that the internal diversity test postulated for national independent radio has become an external diversity test, with the power for the Radio Authority to state what station it wants, so that not only is each of the three stations different from the others but one is speech-based and one is not pop music; but the unavoidable consequence is that the other presumably will be a pop music station. There could have been three pop stations, but the fact that there is only one is a move in the right direction.

I take issue with a theme that ran through the speeches made by the hon. Members for Caithness and Sutherland (Mr. Maclennan) and for Southwark and Bermondsey (Mr. Hughes)—that community radio is not catered for in the Bill. I am a great believer in community radio. In an earlier incarnation, I was responsible for the production of the radio Green Paper. In fairness, most of the work was done by my right hon. Friend the Member for Witney (Mr. Hurd), who was a firm believer in community radio.

I appreciate that the hon. Member for Southwark and Bermondsey speaks with much enthusiasm on these matters, but he may not have had the chance to follow them as closely as those who served on the Committee. He was under the misapprehension that finance is of the essence in the ownership of radio stations. Some financial wherewithal will be necessary, but it will be limited to the amount of equipment necessary to get the station going.

To help in that process, we have removed some of the belt-and-braces technical requirements that were a feature of the old IBA system. It will be perfectly possible to run a creditable radio station without meeting some of the high Rolls-Royce specifications that previously applied. We did that to enable local radio stations to continue. Was it Radio Woody that we came to know and love? It makes me feel quite nostalgic.

Mr. Gale: And Radio Cabin.

Mr. Mellor: And Radio Cabin. My God, how could I forget Radio Cabin?

There is no requirement to put money up front for local radio. The Government made that deliberate omission to ensure that the financial big battalions are not preferred. If there is a contest between an extremely well resourced

popular music station that wants to broadcast in one of our towns or cities and a community station that wants to produce programmes devoted to the community, there is an assumption, which we all too readily make, that the well moneyed station will win, but that is not how the Bill will work.

The criterion that is established is clear: when competing applications are to be considered, it is the extent to which the station would add to listener choice and reflect local audience demands. The test of extending listener choice is likely to be heavily biased in favour of community stations, because they are absent from the airwaves in most parts of the country. Most parts of the country have good regional radio, but they do not have genuine community radio. It therefore follows that a good community radio application is almost bound to be successful if the criterion is local choice, as it is under the Bill.

5.15 pm

The extension of choice is the right criterion. We do not want radio services offering more of the same, to use the tired old American analogy—it is not true, but as so many people say it I might as well use it—where one pushes 30 buttons and gets the same thing. To set up a radio station requires not money or technical sophistication but some proof that the people concerned can run it. I do not think that that will be difficult to establish.

Much was said in praise of ethnic stations, for which there is a case in some parts of the country. We already have them under the incremental arrangements, which shows that the system is not biased against the emergence of such stations. A false assumption has flowed through the debate—I make no criticism of it because I am saying this not in a clinical sense but merely as an observation —that it is easy to define a commercial as opposed to a community station. No commercial station will be a big money earner unless it is one of the big regional stations. Equally, no community station can afford to be oblivious to commercial realities.

It would be an interesting test to ask those who think that it is an easy distinction whether the 20 incremental stations announced by the IBA should be categorised as commercial or community stations. Having sought to do that, I can assure the House that it is not a self-evident distinction. Even the ethnic station in west London that the hon. Member for Southwark and Bermondsey mentioned plays a sufficiently high proportion of popular music for it to be criticised for not being within its remit. That is not a matter on which I would purport to comment, but I raise it simply as an issue.

The Government believe in community radio. We have provided an opportunity for the biggest expansion of radio that there has ever been. The test to be applied—broadening listener choice—is biased in favour of community stations.

I will reflect on all the points that have been made, and, to answer my hon. Friend the Member for Thanet, North (Mr. Gale), I certainly do not rule out further thinking on the amendments. The Bill will rightly be subject to the rigorous scrutiny of the other place, so there is still potential for revising it.

I hope that I have established that the mere fact that we do not purport—it is unnecessary to do so—to have a different defined category of community radio on the face of the Bill does not mean we do not profoundly believe in it. It is of the essence of the Bill that it makes provision for community radio. That is the basis on which I commend the Government's proposals to the House, and on which I hope I have persuaded the hon. Member for Caithness and Sutherland that he need not press his amendment to a Division.

Mr. Mark Fisher (Stoke-on-Trent, Central): I agree with the Minister that the changes in radio will be the most significant changes in the Bill, and not least the changes that could happen in local communities if the Bill leads to a first generation of community radio. However, I still believe that the Minister has got it wrong. He needs to consult more fully on the issue.

I accept the Minister's sincerity when he says, as he said in Committee, that he is a great believer in community radio. However, his citing of the Green Paper was not convincing evidence in support of his view. He knows very well that the Green Paper was heavily criticised, not least by the enthusiasts who have done much thinking and work on community radio. The Green Paper did not understand that community radio is not just a small-scale version of regional or local radio: it is a distinct type of animal.

In comparison to what the Minister said in Committee, this afternoon he seemed to give glimpses of that realisation. This afternoon he began to use words like "non-commercial" and "widening choice". I believe that he genuinely cares and has a glimpse of community radio, but he is not prepared to accept the logic of his position. He cannot accept that there must be a specific remit and a distinct definition of community radio on the face of the Bill to make it different from local or regional radio. Unless there is a different remit and a different understanding of its non-commercial position, the future of community radio is very uncertain.

The experts and officials in the new Radio Authority —including Mr. Peter Baldwin and his colleagues— understand that point. Within the terms of their brief, they have done well with the allocation of the first 20 incremental radio licences. At least half of those have gone to stations that have some pretension to being community stations. Whether the fragile financial base of some of those stations will survive beyond the first year is extremely uncertain. The Minister and other hon. Members will join me in wishing them well, but they face difficulties.

Without a distinct remit and financial support in training, start-up costs and quality programming to which the hon. Member for Caithness and Sutherland (Mr. Maclennan) referred in connection with his radio fund, the future for genuine community radio which widens the range of voices that can be heard and the range of local agenda and debates is very uncertain. Some stations may survive, but they will do so on the back of a great deal of music input to attract advertising.

The Minister is not creating a separate category for community radio in the Bill. To leave those stations to the vagaries of the commercial market will mean that the future of the stations will be uncertain. It will be difficult enough for the new generation of local radio stations. It will be even more difficult for community stations that have a different community brief arising from those communities and giving voices to those communities. That will not be commercially viable.

France and Italy have discovered that, if community stations are left to the free market, they wither and die or

[Mr. Mark Fisher]

they are taken over if they are profitable. Only Australia has managed to sustain a community station network, because community stations there have a separate understanding; they have financial support from the Government and the voluntary sector and a wide range of non-commercial organisations such as the trade unions, universities and ethnic groupings.

Without that kind of understanding of the distinct problems facing genuine community radio stations, the Government's good wishes and the Minister's sincere belief in community radio will be stillborn. That would be sad, because I do not believe that that is what the Government or the Minister intend.

In the later stages of the Bill, I urge the Minister to consult more fully with the Community Radio Association and other bodies in this country so that he may understand their problems and their particular concerns. I urge him also to consider the Australian model. I know that his officials have considered that model. If the Minister considers it fairly, he will see that there are distinct problems and opportunities in community radio that are different from low-scale, local commercial radio. Unless the Minister addresses that, his good wishes will not come to fruition. That would be sad.

Mr. Maclennan: I have no doubt that, in putting his confidence in the provisions in the Bill that refer to the extension of listener choice in connection with local radio and the duties of the regulatory authority, the Minister is expressing his genuine hope that community radio will be one of the benefits of the Bill. However, perhaps inadvertently, he revealed the need for my amendment in the way in which he replied to the debate and in particular when he drew attention to the difficulty of defining existing stations as either community stations or local stations.

That difficulty stems from the fact that it is proving extremely tough for genuine community stations to survive as community stations. They have necessarily become somewhat ambivalent about their role because of the financial straits in which they find themselves. The Minister referred to the example of a station in west London which began life as an ethnic community station. As he rightly said, that station has been considerably criticised for apparently going beyond its remit. It has defended its actions by asking why it should not provide pop radio to its target audience. However, it is generally recognised that commercial need has driven that station towards the provision of local rather than genuine community radio. By his example, the Minister has shown the need for a separate definition and status of community radio. We need that definition, and that need is supported strongly by many people.

I had hoped that the Minister would reveal a greater understanding of the distinctiveness of community radio. I had hoped that he would have identified the difference and the unsuitability of seeing it as an offshoot of local radio. We all pray that he will see that, but as he has not, I feel that it is right to express our commitment to the provision of community radio by inviting the House to divide on my amendment.

Question put, That the amendment be made:—

The House divided: Ayes 195, Noes 269.

Division No. 196] **[5.27 pm**

AYES

Abbott, Ms Diane
Allen, Graham
Alton, David
Anderson, Donald
Archer, Rt Hon Peter
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashley, Rt Hon Jack
Ashton, Joe
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Beckett, Margaret
Beggs, Roy
Beith, A. J.
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Blair, Tony
Blunkett, David
Boyes, Roland
Brown, Gordon *(D'mline E)*
Brown, Ron *(Edinburgh Leith)*
Bruce, Malcolm *(Gordon)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Canavan, Dennis
Cartwright, John
Clarke, Tom *(Monklands W)*
Clwyd, Mrs Ann
Cohen, Harry
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Crowther, Stan
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Cunningham, Dr John
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eastham, Ken
Ewing, Mrs Margaret *(Moray)*
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fisher, Mark
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Forsythe, Clifford *(Antrim S)*
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Garrett, John *(Norwich South)*
George, Bruce
Gilbert, Rt Hon Dr John
Golding, Mrs Llin
Gordon, Mildred
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Haynes, Frank
Heal, Mrs Sylvia
Healey, Rt Hon Denis
Heffer, Eric S.
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howells, Dr. Kim (Pontypridd)
Hoyle, Doug
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Jones, Ieuan *(Ynys Môn)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kilfedder, James
Kinnock, Rt Hon Neil
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCrea, Rev William
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Mallon, Seamus
Marek, Dr John
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Mitchell, Austin *(G't Grimsby)*
Molyneaux, Rt Hon James
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mullin, Chris
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Paisley, Rev Ian
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Rees, Rt Hon Merlyn

Reid, Dr John
Richardson, Jo
Robertson, George
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Smith, J. P. *(Vale of Glam)*
Smyth, Rev Martin *(Belfast S)*
Snape, Peter
Soley, Clive
Steel, Rt Hon Sir David
Steinberg, Gerry
Strang, Gavin
Straw, Jack
Taylor, Rt Hon J. D. *(S'ford)*
Taylor, Matthew *(Truro)*
Turner, Dennis
Walker, A. Cecil *(Belfast N)*
Wallace, James
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Watson, Mike *(Glasgow, C)*
Welsh, Michael *(Doncaster N)*
Wigley, Dafydd
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Archy Kirkwood and
Mr. Simon Hughes.

NOES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amess, David
Amos, Alan
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkins, Robert
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Clark, Hon Alan *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cran, James
Critchley, Julian
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Dunn, Bob
Durant, Tony
Dykes, Hugh
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forth, Eric
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Gale, Roger
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Sir Alan
Goodhart, Sir Philip
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Hague, William
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hargreaves, A. *(B'ham H'll Gr')*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Hordern, Sir Peter
Howard, Rt Hon Michael
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Rt Hon David *(G'dford)*
Hughes, Robert G. *(Harrow W)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Latham, Michael
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lightbown, David
Lilley, Peter
Lloyd, Peter *(Fareham)*
Luce, Rt Hon Richard
Lyell, Rt Hon Sir Nicholas
McCrindle, Robert
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, Sir Patrick
Madel, David
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Maxwell-Hyslop, Robin
Mellor, David
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Montgomery, Sir Fergus
Moore, Rt Hon John
Morrison, Sir Charles
Moss, Malcolm
Mudd, David
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raison, Rt Hon Timothy
Renton, Rt Hon Tim
Rhodes James, Robert
Riddick, Graham
Ridsdale, Sir Julian
Roberts, Wyn *(Conwy)*
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Tom
Sainsbury, Hon Tim
Sayeed, Jonathan
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Smith, Tim *(Beaconsfield)*
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Trippier, David
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waddington, Rt Hon David
Waldegrave, Rt Hon William
Walden, George
Waller, Gary
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilshire, David
Winterton, Nicholas
Wolfson, Mark

Woodcock, Dr. Mike
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Alastair Goodlad and
Mr. John M. Taylor.

Question accordingly negatived.

Amendments made: No. 319, in page 143, line 34, after 'participant', insert—

'(a)'.

No. 320, in page 143, line 35, at end insert

', or

(b) in two or more such bodies corporate.'.—*[Mr. Mellor.]*

Mr. Mellor: I beg to move amendment No. 321, in page 144, line 16, after '(2)', inset 'Subject to subsection (2A),'.

Mr. Deputy Speaker: With this it will be convenient to take also the following amendments: Government amendments Nos. 322 to 332.

No. 110, in page 146, line 35, at end insert 'or

(c) a domestic satellite service or non-domestic satellite service.'.

No. 8, in page 146, line 35, at end insert—

'(c) a domestic satellite service or a non-domestic satellite service which in either case is a designated service.

(1A) A service shall be a designated service for the purposes of sub-paragraph (1)(c) and paragraph 3(1)(c) if the Secretary of State so directs by order and the Secretary of State shall so direct if it appears to him that the service is intended primarily for reception in the United Kingdom and is broadcast for reception in three million or more dwelling-houses in the United Kingdom.

(1B) Any order made under sub-paragraph (1A) shall be so framed as to provide that the service shall not be a designated service until the expiry of twelve months after the making of the order.'.

Government amendments Nos. 333 to 335.

No. 9, in page 147, line 8, leave out 'or (b)' and insert '(b) or (c)',

Government amendment No. 336.

No. 10, in page 147, line 17, leave out '1(2)(b) or (c) or'.

No. 111, in page 147, line 26, at end insert

'or

(c) a domestic satellite service or non-domestic satellite service.'.

No. 11, in page 147, line 26, at end insert—

'(c) a domestic satellite service or non-domestic satellite service which in either case is a designated service,'.

No. 36, in page 147, line 28, at end add

'or may hold more than a twenty per cent. interest in another Channel 3 licensee'.

Government amendments Nos. 337 to 339.

No. 13, in page 148, line 6, leave out '1(2)(b) or (c) or'.

No. 12, in page 148, line 6, after 'schedule', insert

'or within sub-paragraph (1)(c)'.

Government amendments Nos. 340 to 342.

Mr. Mellor: The amendments reflect a further trawl through schedule 2 and deal either with commitments entered into in Committee or with further thoughts that we have had about the framing of schedule 2—a highly technical one—to make it clearer what are the arrangements in it.

The principal controversy in the debate will, I suspect, centre around not the Government amendments, but the amendments in the name of my hon. Friend the Member for Slough (Mr. Watts) and others. I believe that it would be best if I listened to what he and others had to say and perhaps had the opportunity to catch your eye later, Mr. Deputy Speaker.

5.45 pm

Mr. John Watts (Slough): My hon. Friends and I have tabled amendments Nos. 8 to 13 to try to address a loophole in the Bill's safeguards against excessive cross-media control. I followed the progress of the Bill through Committee, although I was not a member of it, and I decided to raise this problem on Report because I believe that not all the issues and options available to the Government have been fully considered.

The debate should not be dominated by an argument centring on Sky Television and News International newspapers, as I believe that the public interest arguments go a long way beyond that. I have no wish to be involved in any vendetta against a particular newspaper group and one which has done a great service to the newspaper industry by its introduction of modern technology. The amendments could apply equally, now or in the future, to other non-domestic satellite broadcasters.

Should my hon. and learned Friend see fit to accept the amendments, they will provide consistent safeguards against the cross-control of the media that covers all broadcasting outlets directed at a United Kingdom audience. They will also ensure that the current state of the new and developing market of satellite broadcasting is allowed to flourish and, where successful, to provide just rewards for those who have made the investment in that high-risk area.

Satellite television services broadcasting to the United Kingdom are unchecked by the safeguards that apply to terrestrial broadcasters or to the national direct broadcasting by satellite services through their contract with the Independent Broadcasting Authority. As the Bill stands, there are no safeguards against a foreign satellite user broadcasting to the United Kingdom population while owning a powerful and significant proportion of the national daily press and having a 20 per cent. stake in the Channel 3 franchise. I believe that that loophole undermines the basis of the present controls and the integrity of the long-established separation between newspapers and television.

Keeping the control of broadcasting and the press separate has been the cardinal principle of British media policy and was firmly established to be in the public interest after the Pilkington committee report of 1962. On the question of public interest, the committee noted:

"The threat is thought to reside in the fact that, because two of the media of mass communication are owned in some measure by the same people, there is an excessive concentration of power to influence and persuade public opinion, and that if those same people are too few or have broadly the same political affiliations there will be an increasing one-sided presentation of affairs of public concern. There might, too, be a failure to present some of these affairs sufficiently or at all."

The report concluded:

"The concern expressed was at the threat to democracy."

The Television Act 1963, following that report, established the current framework for ownership restrictions. That framework has been endorsed by successive Governments of both political parties in the Television Act 1964, the Independent Broadcasting Authority Act 1973 and the Broadcasting Act 1981. The framework was extended to include the then new United Kingdom direct broadcasting by satellite franchise in the Cable and Broadcasting Act 1984.

In 1977, the Royal Commission on the press stated:

"We believe that it is right to maintain policies to ensure that the newspaper companies do not control broadcasting companies."

The Royal Commission recommended:

"The existing policy of ensuring that no broadcasting company is effectively controlled by a newspaper company should be maintained and strengthened to exclude effective control by newspaper companies in combination."

In June 1988, the third report of the Home Affairs Select Committee, entitled "The Future of Broadcasting", contained the following conclusions:

"It is an important democratic safeguard that no one should be able to control more than one major means of public information. We have no wish to stifle international investment but we can see the danger of over-concentration of ownership, both nationally and internationally . . . We consider that the reasons for restrictions on ownership remain valid and recommend that the provisions of the Broadcasting Act 1981, appropriately updated, should be included in the forthcoming legislation."

In the section on ownership, the Government's 1988 White Paper on broadcasting said:

"clear rules will also be needed which impose limits on concentration of ownership and on excessive cross-media ownership, in order to keep the market open for newcomers and to prevent any tendency towards editorial uniformity or domination by a few groups."

My right hon. Friend the Foreign Secretary, when Home Secretary, said on 18 January 1989:

"We will propose extensive and effective rules to prevent concentration of broadcasting ownership and unhealthy cross media ownership. It is crucially important that we should have such rules. Real choice could be undermined if British broadcasting were allowed to be dominated by a handful of tycoons or international conglomerates."

In a paper that it recently circulated to hon. Members, the IBA stated:

"The IBA believes that the case for restrictions on newspaper interests in non-DBS satellite operations is as strong in principle as it is on BDS services, since these services will be in direct competition with each other, although we see the difficulty of applying ownership controls retrospectively. We therefore support the thrust of Amendment No. 8 which proposes that the Secretary of State should be required to apply the 20 per cent. limitation on newspaper ownership of a non-DBS satellite service once the service achieves significant market share."

Mr. Austin Mitchell: The hon. Gentleman has rightly disavowed vindictiveness against any particular newspaper or group. Was the amendment, as worded, suggested or in any way influenced by BSB?

Mr. Watts: I have made it clear in speaking to a number of newspaper correspondents that the structure of the amendment standing in my name was suggested to me by BSB. As I shall continue to argue, I believe that the approach that I have adopted, and that I am suggesting to the House, is a valid and sensible solution to the problem facing the House and the Government.

Mr. Buchan: Does the hon. Gentleman accept that most people who are concerned with the issue are quite prepared to look at evidence put forward by any side, including BSB, if it helps to get more liberty on television, despite the points made a moment ago?

Mr. Watts: Yes, of course, I hope that right hon. and hon. Members would approach the issue with fairly open minds. I have discussed my proposals with representatives from Sky Television, as I felt that it was proper that I should listen to the arguments they put to me directly, not merely by using their influence through certain hon. Members.

In a paper on competition, diversity and cross-media ownership, News International plc said:

"excessive concentration of media ownership is undesirable for economic and political reasons."

Diversity in the provision of information must be ensured to avoid the concentration of too much power in too few hands. Limited cross-media investment has existed for many years, and I am not suggesting that a limited stake by a newspaper in a television company will necessarily lead to mischief. Limited cross-investment does not threaten the public interest—it is cross-control that is the cause for concern.

The House is well aware of the problems that can arise if cross-media control is tolerated. Many of my hon. Friends will recall that, in 1989, early-day motion 434 called for ownership safeguards to apply to those broadcasting from outside the United Kingdom. That early-day motion attracted 87 signatures, of which 67 were from my hon. Friends. More recently, between 3 and 30 November last year, 141 hon. Members were contacted by Gallup—I know what great faith all of us have in opinion polls—and of those Members, 80 were Conservative, 52 were Labour and nine were from other parties. Of the Members polled, 83 per cent.—and more than 70 per cent. of Conservative Members polled—believed that the maintenance of the separation between the control of newspaper and television services was an important principle.

Significant concentrations of interest in national newspapers and national broadcasting services carries a risk of distortion and the promotion of self interest. In May 1989, the Broadcasting Research Unit carried out a case study on cross-media ownership and its impact on public opinion. The survey was supported by the IBA and noted in its report on page 2:

"Analysis of a recent major study on broadcasting, however, does suggest that a systematic pursuit of particular editorial themes may have a marked and measurable effect on public opinion which goes beyond the acceptable boundaries of promoting the commercial interests of proprietors"

As hon. Members will be aware, the possible promotion of self-interest through biased editorial coverage or subsidised advertising and selective coverage has become a matter of concern, and the Government have instigated the Sadler inquiry to report on those concerns. However, that inquiry will not be completed until after this Bill has become law, and its terms of reference specifically exclude the ownership issues covered by the Bill.

Currently, the Bill rightly provides that a national newspaper proprietor may not have more than a 20 per cent. stake in a company that provides a Channel 3 or Channel 5 service, and vice versa. However, those safeguards in the Bill do not automatically apply to services provided by satellite. I understand that Ministers have made clear their intention that they should, quite rightly, apply to a domestic service provider.

The Bill provides the Home Secretary with powers to prescribe restrictions on users of foreign satellites by order. I welcome the principle that underlies the Government's proposals, but I also recognise that, by refusing to extend the ownership safeguards in the Bill to include foreign satellite users, which may be exclusively directed at this country, the provision's integrity is seriously undermined.

Mr. Gale: Will my hon. Friend tell the House, first, whether he supports the principles of the Council of Europe transfrontier broadcasting convention, of which

[Mr. Gale]

the Government are a signatory and behind which the former Home Office Minister, now the Patronage Secretary, was the driving force? If he does support it, will he say how his proposals will be compatible with the convention when the jobs that he seeks to destroy in this country are moved to, for example, Luxembourg?

Mr. Watts: I am not seeking to destroy any jobs in this country. I am anxious to ensure that the principles on cross-media control, which the Government clearly consider are still important because they are to be applied to terrestrial broadcasters and the domestic satellite service provider——

Mr. Gale: That would be outside the terms of the convention.

Mr. Watts: I am not sure that my hon Friend is always so enthusiastic in his support for European initiatives. If the effect of the arrangement to which he refers is that we have to give up the important principle of controlling cross-media ownership, I am against that European initiative.

Mr. Norman Tebbit (Chingford): I hardly need remind my hon. Friend that, like the hon. Member for Great Grimsby (Mr. Mitchell), I have the privilege and pleasure of working for Sky Television, in the same way that the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) has the privilege of working for *The Times*.

Will my hon. Friend answer two queries that worry me and with which he has not yet dealt? First, have there yet been any abuses of the kind that he fears? Secondly, will he describe the mechanism by which he envisages this Government having the authority to control satellite broadcasting by companies not based in this kingdom, operating through satellites not controlled from this kingdom, with the uplift to the satellite not within our sovereign control?

6 pm

Mr. Watts: On the first point, I am not suggesting that there is any proven abuse as yet, or indeed that there is likely to be abuse. Surely the principle which has always applied is not that abuse has to be proven before action is taken, but that control over the ownership of the broadcasting media is established, so that the possibility of abuse through excessive concentrations of control and cross-media control cannot arise. That principle is being carried forward in the body of the Bill and will be applied to all other means of broadcasting television services into this country. Curiously, it is not being applied to non-domestic satellite services. I look forward to hearing later from my hon. and learned Friend why such application is not intended.

On the second point——

Mr. Graham Riddick (Colne Valley) *rose*——

Mr. Tim Devlin (Stockton, South) *rose*——

Mr. Watts: May I deal with the second point raised by my right hon. Friend the Member for Chingford (Mr. Tebbit) before I give way?

I shall deal later with the way in which my amendment would operate once the trigger point was reached. The connection arises when someone who owns a British newspaper also has a controlling interest in a service which is directed to the United Kingdom. Although my right hon. Friend may argue that we are not in a position to control the ownership of a foreign company which may own the television service, we certainly are in a position to control the ownership of a British newspaper company or group.

Indeed, my right hon. and hon. Friends on the Front Bench must believe that such controls are feasible, or there would be no point in including in the Bill the power which enables them to give directions, by order laid before the House, as to the ownership of such services. So there cannot be, at least in the minds of Ministers and their officials, any practical problem of application of the principle.

Mr. Tebbit: It appears that my hon. Friend would favour Ministers taking action against a British company in this country in respect of the actions of an allied company outside British jurisdiction. Is that not a slightly odd proposal?

Mr. Watts: No, not at all. We are dealing with the position in which one media company or group controls certain national newspapers and also has a controlling interest in a broadcasting service which is directed to this country. Whether one of the companies is registered abroad is irrelevant. Indeed, as I have already said, Ministers and their officials must have concluded that there is no practical obstacle to applying such controls, or it would make nonsense of one of the powers which they have included in the Bill.

Mr. Riddick: Is not my hon. Friend a little out of date? He referred to the Pilkington committee of 1962. Is it not the case that there were only two television stations in existence then, and that to stop cross-ownership was an important principle at that time? Is it not now the case that there are 17 television channels, that such cross-ownership controls as are necessary are already in the Bill, and that the controls suggested by my hon. Friend are unnecessary and go against all the principles of the free market in which Conservative Members believe?

Mr. Watts: My hon. Friend advances a respectable argument. If the Government, through the Bill, were advancing the argument that, with the development of technology, particularly satellite broadcasting, there would be such diversity and competition between broadcasters that controls over ownership and over cross-media control were no longer necessary, that would lead to another very interesting philosophical debate. If that were to be the argument, surely it would apply not just to a non-domestic satellite service but also to the domestic satellite service, to the Channel 3 franchisees, and to Channels 5 and 4. If we are dealing with the principle, as I am trying to do, I suggest that the principle should be applied across the board and that there should not be just one convenient exception.

My hon. Friend the Member for Stockton, South (Mr. Devlin) also wished to intervene.

Mr. Devlin: I wanted to intervene earlier to ask my hon. Friend whether it would not protect the media owner if he were not to be put in the position where, because of his interest in newspapers and in broadcasting, an accusation might be made that he was a monopolist in the media

generally. Whether or not there had been an abuse in the past, the suspicion would arise among the consuming public that these practices might occur in future, or may even be happening now but are well concealed.

My second point concerns the longevity of the Bill. When we are framing legislation, surely it is designed to last for a considerable time, and we cannot merely take cognisance of the circumstances as they exist on the ground at the moment, and say that for these reasons we shall do something which we may change in a few years. Surely, in a Bill to cover broadcasting for the next 20 years, we should seek to establish general principles which will take us through the entire period.

Mr. Watts: On the first point, there could be protection for newspaper owners, although I have not seen them beating a path to my door, urging me to press hard proposals to give them protection. My suggestion would give them certainty about the way in which restrictions might be imposed upon them. As I understand it, the power now in the Bill could be exercised by the Home Secretary as he wished, subject to the consent of the House, without any guidelines for the operation of the powers being laid down in primary legislation. I believe that primary legislation is the right place to set out the rules.

As to my hon. Friend's second point, the whole thrust of the Bill and of Government policy is that controls over concentrations of media ownership and cross-media control are still important for British broadcasting. If that is the case, that principle should be applied to all who operate in the broadcasting services.

As to the reasons for the exception, in May 1989 my right hon. Friend the Member for Mid-Sussex (Mr. Renton), who was Minister of State, said:

"No Government can stop British newspaper proprietors buying into overseas transmitters that have been linked to non-DBS services that are not controlled by this country." —[*Official Report*, 19 May 1989; Vol. 153, c. 634.]

I went into that point in answer to my right hon. Friend the Member for Chingford. Clearly that is no longer the position of the Government, because they have taken powers which presumably they have the intention of exercising in certain circumstances.

The group of amendments that I have tabled would give much greater certainty to the provision which is already in the Bill. The hon. Member for Birmingham, Erdington (Mr. Corbett) made it clear in Committee that the Opposition wished to impose, at the earliest possible date, divestment regulations upon non-domestic satellite broadcasters with newspaper interests. My approach does not seek to bring the axe down so rapidly and perhaps precipitately: it seeks to restore the integrity and commercial certainty to cross-media ownership safeguards.

Under the amendments, if a domestic or foreign satellite service that was intended primarily for reception in the United Kingdom exceeded a penetration of 3 million households, it would be made subject to cross-media ownership rules. Those rules would apply to BSB as much as to any other satellite broadcaster, and would provide a level playing field for all satellite operators. The figure of 3 million households encompasses what I understand to be the industry's view, and the financial projections of both BSB and Sky Television. The view of the City is that, at that level of penetration, a satellite service becomes profitable. Some reports as recently as March have suggested that 2·5 million viewers might be a viable level.

I make it clear that I am not firmly wedded to one figure. If the principle of establishing a threshold of penetration at which satellite services would become subject to the same controls as terrestrial broadcasters were to be accepted, and if good and sound arguments could be adduced to show that another figure might be more appropriate, I would not argue at length that 3 million is necessarily the right figure.

I understand that Sky Television is only one third of the way towards the trigger point that I have suggested in my amendments. That means that there would be plenty of time for that service to continue to develop and to plan for the point at which my hon. and learned Friend the Minister of State would be required to lay an order requiring the divestment of 80 per cent. of the interest.

I know that Sky Television disputes the 3 million threshold figure contained in my amendment. In a letter to one of my hon. Friends, Sky says:

"By the time we are received in three million homes, it is most likely that we will have recorded a cumulative deficit of some £400 million, while we may well remain unprofitable on an operating basis. You should know that the bulk of our income is from subscription fees, rather than advertising. At the time when three million homes can receive Sky, fewer than one million may in fact be subscribing to our film channel. Thus, your amendment would force us to divest ourselves of Sky at a 'distressed' price, depriving our investors of the legitimate rewards of their long standing financial support of Sky."

That is certainly not my intention, and I am prepared to be flexible on the precise threshold. I intend it to be at such a level that the business is viable and profitable and divestment could take place at a profit rather than at a loss to those who have pioneered this substantial investment.

I am disappointed that the Bill fails to provide adequate safeguards against broadcasters who use foreign satellites and who also have considerable interests in the national daily press. The Minister of State's recognition of the need for safeguards is seriously undermined by this loophole. My amendments will permit the safeguards against cross-media ownership to be applied equitably and consistently without fear or favour and with due regard to this new market and its development to successful maturity. This is a proper and fair solution to a problem that the Government have apparently had difficulty in addressing.

My hon. and learned Friend the Minister of State has said that the Government have decided not to extend ownership controls to foreign satellite users, partly because they use a different frequency from that used by domestic satellite services. In Committee, my hon. and learned Friend said:

"There is a maximum of five DBS channels under international agreement, all of which have been allocated by the IBA to BSB, so giving it a monopoly."

Speaking about the non-DBS channels, he said:

"There is potentially open-ended scope for . . . developments under diverse ownership . . . the case for restricting entry to the market is not remotely the same as it is for the five DBS channels under a single owner."—[*Official Report, Standing Committee F*, 30 January 1990; c. 383-4.]

6.15 pm

I did not think that the principle on which the Government's approach was founded was the principle of monopoly but that it related to the dangers implicit in

[Mr. Watts]

concentrations of media ownership, especially of cross-media ownership. It is logically indefensible for the Government to maintain that cross-media control is generally wrong, but that it is all right if a particular technical method of broadcasting is used. Any problems that may arise from the concentration of power over the outlets of information will not arise because of the technical mechanism by which the signal arrives in the home.

It is irrational and arbitrary to base a decision on whether the ownership of the service should be regulated solely on the frequency or power of the broadcasting equipment that is being used. By analogy, if there were a proposal to regulate the printing processes that are used by different newspapers, it would be seen as preposterous. It would be ridiculous if we had one mechanism for those using hot metal and another for those who use modern technology.

It is not sensible to draw a distinction between foreign satellite users and the DBS operator on the grounds that BSB enjoys a monopoly of the United Kingdom direct broadcast by satellite services. All the broadcasters—terrestrial stations, cable and satellites—whether domestic or non-domestic, will be competing with one another, and none will enjoy a monopoly. That is one of the benefits that the greater variety of that technology and the legislation will now provide to the British people.

The question is best looked at from the point of view of the viewer. As he sits watching television, he does not see any technical distinction between the different satellite services, or even between satellite and terrestrial services. The amendments address a serious loophole in the safeguards against excessive cross-media control. The Government have recognised the need for restrictions, but have failed to apply them equally to domestic satellite and terrestrial broadcasters and to those using foreign satellites. The amendments will give integrity to the cross-media ownership safeguards and ensure that the Bill preserves the public interest. They will provide for control only when needed, once profitability and significant market penetration have been achieved, thereby ensuring that investment can be maintained in this important and developing industry.

The Bill will mark a crossroads or a turning point for safeguards against cross-media control, but if we fail to maintain the standards that have acted effectively across all media interests until now, the principle of the safeguards will be discredited.

I urge the Minister of State to give serious further consideration to the principle underlying my amendments. Even if he is unhappy about the precise trigger point of 3 million homes which I have suggested, I hope that he will look again at the principle of establishing a trigger point at which the controls over cross-media ownership will be made to apply to satellite services.

Mr. Hattersley: The right hon. Member for Chingford (Mr. Tebbit) began one of his interventions, as one would expect from a man of such conspicuous honour, with an announcement about his employment by Sky Television. He then referred to my employment by *The Times*. The matter is absolutely trivial and I would not raise it except for the fact that the right hon. Gentleman has done so. I have not accepted work for any Murdoch paper since Wapping, and I do not propose to do so. I do not ask the right hon. Gentleman to withdraw his remarks because that is not his way. I simply correct his error and am pleased that he gave me the opportunity to clarify the matter.

Although the Opposition amendment appears earlier on the list than the one moved by the hon. Member for Slough (Mr. Watts), I was happy to give precedence to him because I suspected from his amendments—a suspicion which was confirmed by his speech—that the Opposition would be happy to support him if he wished to press his amendment to a vote. We will withdraw amendment No. 110 to give him that support, for the simple reason that the principles embodied in his amendment are the same as those embodied in ours. The basic difference between his amendment and ours is that we want some instant protection written into the Bill, and he is proposing that protection should arise at what I gladly concede is the important moment—when a satellite station not now covered by the Bill achieves a number of viewers that makes it comparable with a Channel 3, Channel 4 or a Channel 5 broadcasting system.

Although we will vote on amendment No. 110 if there is no vote on amendments Nos. 8 and 9, we will gladly withdraw our amendment in favour of his, because it seems to us that the hon. Gentleman made two essential and undeniable points: first, the concentration of ownership is bad for democracy in this country, as democracy requires a pluralistic media system almost as much as it requires a pluralistic political system; secondly, concentration of ownership is bad for every section of the economy.

The hon. Member for Slough was interrupted by his hon. Friend the hon. Member for Colne Valley (Mr. Riddick) who asked, I suppose rhetorically, whether he believed in the free-market system. The hon. Member for Colne Valley nods. If he is opposing amendments Nos. 8, 9 and 110, he is saying that the best way to preserve the free-market system is to encourage concentration. The hon. Gentleman may believe that, but Adam Smith did not: Adam Smith believed that Governments had to act to prevent concentration, which is what the amendments aim to do. Therefore, I offer the merits of our amendment No. 110, but repeat that I will gladly withdraw it if amendments Nos. 8 and 9 are pressed to the vote.

As with other amendments that have already been moved, the intention of amendment No. 110 is to limit concentration of media ownership. It aims to avoid increasing concentration—an aim that, if the White Paper is to be believed, is shared by the Government. Paragraph 6.48 of the White Paper was precise on that when it said: "the Government is determined that ownership in the independent sector should be, and remain, widely spread." My only reservation about that statement is the implication that ownership of the media is widely spread now. It is not; indeed, it is so concentrated already that I look forward to the day when a Monopolies and Mergers Commission general reference examines not simply the misuse of concentration—one company promoting a sister company, or a different company within the same ownership—but the principle of media concentration, and gives the Government of the day advice on how that concentration can be ended.

In other countries, when concentration of ownership is regarded as being against the public interest, it results in Government action to split up—"disperse" is the phrase

used in America—the companies that form the conglomerate. I have no doubt that that is right and necessary for the media industry in Britain. No doubt a future Labour Government would want to make such a monopolies reference.

Mr. Nigel Forman (Carshalton and Wallington): I have been following the right hon. Gentleman's argument closely, and on an a priori basis I sympathise with it. However, can he enlighten the House further by giving some figures relating to the extent of present concentration and cross-ownership? One of his arguments is that the problem is already fairly severe.

Mr. Hattersley: I proposed to give the basic figure later, but I will give it now, and repeat it later. We all know that Mr. Rupert Murdoch owns 35 per cent. of Sunday newspaper circulation and approaching 35 per cent. of daily newspaper circulation. That is unhealthy——

Mr. Riddick: What about television?

Mr. Hattersley: I shall deal with that, if the hon. Gentleman can contain himself.

We also know that Mr. Murdoch owns a satellite station, and that he hopes that that station will have millions rather than hundreds of thousands of viewers. Hon. Members must decide whether that degree of concentration—for which the hon. Member for Slough is preparing with his trigger mechanism, which will be "ticked in" when the viewing population of Sky Television reaches a certain figure—is such a danger that it wants to support an immediate proposal to limit that concentration.

The Bill is right to provide that no proprietor of a local or national newspaper shall have more than a 20 per cent. share in the ownership of a Channel 3 or Channel 5 company. If we have a complaint about that, it is that it is not sufficiently rigorous in trying to separate the ownership of newspapers and television. The only intention in our amendment—and, I think, in the amendment of the hon. Member for Slough—is to try to apply that same principle to all types of television broadcasting.

The words that we seek to include in page 146 would apply that principle to all types of satellite broadcasting. It would technically apply to BSB, as it would apply to Sky Television. I want the Minister to tell the House where BSB stands on those matters, and how far it is governed by the present regulations.

If the right hon. Member for Chingford is interested in what advice I have had from BSB, I can tell him that I received a good deal of advice before the Bill's Second Reading. I also had some advice from Sky Television to correct my supposed errors. It is almost impossible to avoid advice from the young gentleman who represents Sky Television on such matters. I have talked to both interests, in both directions. These things are best discussed without suggestions of motives, or the suggestion that anyone who takes advice from anyone who knows about the industry is failing to fulfil his obligations as a Member of Parliament.

As I understand it, the reservations about limitations on ownership of newspapers and television do not, as the Bill stands, apply to BSB. However, BSB has told me, as it has told other hon. Members, that it believes that secondary legislation will apply limitations. That was made clear by the Minister in Committee. However, Sky Television will not have any such limitations imposed on it. Ownership of 35 per cent. of British newspapers—both Sundays and weekdays—will not in any way prohibit or inhibit outright ownership of Sky Television.

In Committee, the Minister gave four reasons why he thought that Sky Television should not be caught by that provision. He said that non-domestic satellite broadcasters would remove their uplinks to the continent, and so lose jobs in Britain. He said that Astra services could not be regulated efficiently and effectively by the Independent Television Companies Association Ltd. He said that regulations should not be used to stunt the growth of an infant company. He said that he disapproved of vendettas against Mr. Rupert Murdoch.

In an earlier debate, we discussed his second point—about whether regulation is possible. I agree with the hon. Member for Slough that if we are saying it is wrong, illegal, improper and undesirable to hold simultaneously ownership of, or a controlling interest in, two institutions, the regulation can be applied at either end of the equation by saying that companies can continue to broadcast if the European convention on transfrontier broadcasting requires it, but that that requires a person to divest himself of interest in and control of British newspapers that are his personal possessions. That is said in the United States of America and in most countries with an active, efficient and effective monopolies policy, and there is no reason why it should not apply in Britain.

I must make it clear to the Minister that we have no wish to see jobs go, and no belief that they would go if the Sky organisation were required to choose between one industry and the other. The Minister was quoted in *The Guardian* as saying that he did not want to pull the plug on a company that was already up and running and had cost vast amounts of money. I do not believe that the plug—in his elegant phrase—would be pulled. The operation would continue, but adjustments would be made in terms of ownership. That is what happens in other countries that apply an effective monopolies policy, and there is no reason why it should not happen here.

Too often Mr. Rupert Murdoch has come to the Government and said, "Unless you do exactly what I tell you, I shall pull out and leave the company in the wilderness and throw the men on the unemployment scrap heap." He said that about buying *The Times* and *The Sunday Times* and about buying *Today*. On both occasions, the Government said, "Okay, if you hold the pistol at our head, we shall do what you tell us and succumb to your threats." The threats were not real then and they are not real now.

Mr. Mellor: I am sorry if my phraseology does not pass muster with a litterateur of the sophistication of the right hon. Gentleman. Perhaps he will come to the point underlined, however infelicitously expressed. As I understand it, hundreds of millions of pounds have been invested in Sky Television, which at the moment is one of those rare businesses that spend money but do not make any. Is the basis of his proposition that there will be a queue of investors ready to pick this up, as of now, if the House were minded to insist on divestment? The right hon. Gentleman is fully entitled to say that he thinks it wrong for Rupert Murdoch to own Sky Television, but not wilfully to mislead us about the consequences of making that change.

6.30 pm

Mr. Hattersley: The experience of other countries—Australia in particular—demonstrates two things. First, a large number of investors are ready to put money into television potential rather than immediate television returns. Secondly, television companies are like football clubs in that they hold an awe for a certain sort of person—one who, for reasons such as, dare I say it, wishing to ingratiate himself with the Prime Minister and the Government, is prepared to lose money on television so as to be a television tycoon. The idea that if we tell Mr. Murdoch that he cannot do both with the present degree of ownership Sky Television will disappear from the screens is a fantasy. The Minister should do better than that in defending his proposals.

Mr. Tebbit: The hon. Gentleman may be right, but if he is I am puzzled to know why the sponsors of BSB have had such difficulty in raising money to launch their company. There does not seem to be a queue of investors ready and able to put in money on the scale that is required and to lose money for three, four or even five years on this scale.

Mr. Hattersley: My information is that they have not had anything like the difficulty that the right hon. Gentleman suggests. That is probably as accurate as what he said about me and *The Times* and *The Sunday Times*. On the other hand, I believe that BSB will prosper in spite of the restrictions placed on it, as Sky Television will prosper eventually under the Murdoch ownership or any other ownership. The idea that it would collapse without this one man owning and controlling it is a fantasy.

The Minister also suggested that our concern about this is related to, using his word, a "vendetta" against Mr. Rupert Murdoch. Let me make my position clear. I am sceptical about all newspaper proprietors. I do not like the idea of a newspaper and its policies being owned and controlled by one man, and even less do I like the idea of several newspapers and their policies being owned and controlled by one man. My concern is for concentration in general to be reduced and, wherever possible, to be avoided. Mr. Murdoch becomes the example around which I base that argument, for two reasons: first, he gets a clear advantage under the Bill; second, the extent of his newspaper holdings.

In answer to an intervention I gave only the bare bones of the extent of Mr. Murdoch's ownership. He owns two Sunday newspapers whose circulation is about 35 per cent. of all copies sold. He owns three daily newspapers whose circulation is about 35 per cent. of all copies sold. He owns seven magazines, 20 per cent. of Pearson plc, which publishes the *Financial Times*, and 50 per cent. of *The Economist*. He has now acquired the Collins Publishing Group, with its publishing and printing interests. He is the issue because he owns so much.

Mr. Gale: Let us put that in context. There are 22 national newspapers, published by 11 companies, and more than 1,000 national daily, weekly and regional newspapers of which Mr. Murdoch owns none. Some of them are investing in BSB.

Ms. Diane Abbott (Hackney, North and Stoke Newington): Who pays you?

Mr. Gale: I have no vested interest in this whatsoever. Is the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) criticising the proprietor of newspapers who sells newspapers? Is he criticising success?

Mr. Hattersley: I am not criticising the proprietor of a newspaper. It may be that any of us, given the chance, would acquire those newspapers and use them to promote a position. I am criticising the system and a Government who allow the concentration to fall into the hands of one individual. The hon. Gentleman suggests that Mr. Murdoch's position is not a dominant one. That is in defiance of all the regulations and legislation that, on other occasions, the hon. Member will support.

According to the criterion of the Monopolies and Mergers Commission, Mr. Murdoch was in such a dominant position that he should not have acquired *The Times* and *The Sunday Times* or *Today* without investigation. Therefore, even before he acquired those national newspapers, he was in a dominant position as defined by the legislation governing monopolies and mergers. No moral blame attaches to Mr. Murdoch. The system that the Government have allowed to continue and intensify permits him to control a vast number of newspapers. The idea that he should be allowed to move into television is dangerous in itself but also inevitable when the provisions in the Bill allow him to do so in a way not allowed to other institutions, companies and organisations.

The Minister signified agreement when I said that, while the Bill does not specify regulations over BSB, the position of that company will be qualified and changed. We are talking about Sky Television. We have to ask anybody who disagrees with amendments Nos. 110, 8 and 9 how they can justify a system that says, as the law does, that as we are worried about concentration, particularly as it applies to Channels 1 and 3, and other national terrestrial channels, there shall be a limit on cross-ownership involving such channels, but not on cross-ownership of satellite channels and newspapers, even if—Mr. Murdoch would say when—the satellite channels have a viewing figure as great as, or equivalent to, those for BBC1 or ITV.

What is the principle in saying that it is wrong for this or that newspaper to have an interest in independent television when independent television has a viewing figure of 20 million, but it is right for Mr. Murdoch to have an interest in his satellite channel even if it achieves a viewing figure just as great as that for independent television? It is impossible to make a distinction between the two. The two things are logically incompatible. If we prevent cross-ownership in one case, logic requires us to prevent cross-ownership in the other and that is all that we are asking for. We are asking that every television company shall be restricted in its relationships with newspapers, as is the case with independent television companies and Channels 1 and 3.

I hope and believe that the proposals made both by me and the hon. Member for Slough will commend themselves not only to the House but to Mr. Rupert Murdoch. One of his great achievements and contributions to life in Britain is his invention of new words. In "Sky Update" he says:

> "One of the advantages of the Bill is a level playing field. The Bill will create a more neutral field of competition by eliminating certain preferences and privileges that previously offered advantages to certain broadcasters not available to the others."

The Bill offers to certain broadcasters advantages that are not available to the others in that it has no prohibition on cross-ownership between satellite channels and newspapers.

Amendments Nos. 110, 8 and 9 provide the level playing field for which Mr. Rupert Murdoch calls. If any or all three are carried, we shall get not a reduction in services or employment, nor a vendetta against one man or one company, but a system under which, in a democracy, a concentration of newspaper ownership and television ownership is seen as fundamentally bad. We are standing out against such concentration in this temporary way until we can have a proper investigation into cross-ownership and multi-media ownership and a real distribution of power and influence.

Mr. Tebbit: I shall be brief because, as the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) said, we want to make progress. I hope that he will excuse me for saying that I am disinclined to take too much of a lecture from him on the evils of the concentration of media ownership when I recollect that he is a member of a party which opposed the introduction of independent television to break the BBC monopoly. Indeed, the Labour party opposed the introduction of independent radio to break the BBC's monopoly.

Mr. Robin Corbett (Birmingham, Erdington): That was 20 years ago.

Mr. Tebbit: If the hon. Gentleman, who sits on the Opposition Front Bench, is saying that the Labour party has learnt something over the past 20 years, that is a good thing, but I suspect that it has not learnt very much. It seems that it has not learnt that one of the consequences of publishing a successful newspaper is that that journal acquires readers. That, however, is one of the things which is understood by Mr. Robert Maxwell. After all, the circulation of the *Daily Mirror* is close to that of *The Sun*. It is understood also by the proprietors of *The Independent*, which was launched in the teeth of competition from dominant owners. It now has a circulation about the same as that of *The Times*. We should be talking about access to the market and consumer choice rather than the concentration of ownership.

It has already been said that there is vast consumer choice on the news stands. I know that it is irritating that so many consumers happen to choose newspapers published by Mr. Murdoch, but that is one of the penalties of success. So long as there is open access, however, the problem does not seem as serious as the right hon. Member for Sparkbrook pretends.

The same is true of television. If there were still only three channels, the consideration would be different—that would be so if there were only four channels—but we now have 17 channels and there are more to come. My hon. Friend the Member for Slough (Mr. Watts) put the issue neatly when he asked the House to consider the matter from the viewer's point of view. If viewers happen to enjoy watching a television station owned by an ogre who happens to own a newspaper, that is the viewers' choice. If there are many other television stations whose programmes they could watch if they wished, is it an absolute evil that they watch those shown by the station owned by the newspaper proprietor? Is it anti-democratic to give people a choice and allow them to use the channels that they wish, regardless of who owns them, provided that there is adequate choice?

It seems that we have never had more choice in terms of our daily press, magazines and television than we have today. The hon. Member for Paisley, South (Mr. Buchan) wears an expression of distaste. He should remember just how long ago it had been since a new newspaper such as *The Independent* was launched. He should remember, too, that *The Independent* was launched by a group—not by a great press baron—which has carved out a successful newspaper in remarkable style. We are now considering the possibility of newcomers entering television in a similar way.

The right hon. Member for Sparkbrook chided me for suggesting that BSB had had difficulty in raising the money to launch its satellite. All right, I accept that he is correct and that it is not difficult to raise the money to start a new satellite television station. I will take his word for that, withdraw what I said and accept his argument. Let us assume that there will be many satellites in the sky. According to the right hon. Gentleman's argument, it will not be difficult to find people to finance satellite television stations. As my hon. Friend the Member for Slough said, all that we have to do is to consider these matters from the viewer's point of view. Those who are responsible for television stations must show programmes which viewers like. I do not accept that there is a problem as great as the right hon. Member for Sparkbrook suggests. I know that it is unworthy of me, but I suspect that any problem might have something to do with the same events which caused the right hon. Gentleman to cease to write for Mr. Murdoch and *The Times*.

6.45 pm

Mr. Austin Mitchell: I declare an interest as someone who is involved in programmes twice a week for Sky Television, as the humble assistant to the right hon. Member for Chingford (Mr. Tebbit). I clean up the blood afterwards in the studio. I represent freedom, truth and justice. I am still not sure what the right hon. Gentleman represents. That ends the commercial break.

I am not here to defend Mr. Murdoch. He owns so many national newspapers that he does not need me to do that job. I am not here to defend Sky either. It does not need my defence because it has been an extremely successful set of channels. It is filling a need and adding variety to viewing. It is providing what I find to be a most attractive public service, a good news service. If this short debate allows me to say nothing else, I am at least able to say that. Unfortunately, I do not think that the debate will achieve much else.

I question the motives of amendments Nos. 110 and 8. It is clear that on the Opposition Benches there is an overwhelming dislike of Rupert Murdoch. That dislike is so strong that it is irrational and distorts judgment. The Australian and New Zealand Labour parties have seen the virtues of working with someone who owns powerful communication media so that they can put over their case. Here in the United Kingdom, however, the Labour party's irrationality has distorted its judgment.

Secondly, there is the Labour party's dislike of the events which took place at Wapping. In my view, that dislike is justified. Those events were monstrous, but they related to the newspaper medium. If we are still carrying

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on the argument over Wapping, it is incumbent on us all not to co-operate with or write for *The Times*, *The Sun* or other Murdoch newspapers. Instead, we should continue the struggle. It would be incumbent upon us all also to bring forward proposals that the Labour party can implement when it forms the next Government. I shall be interested to hear what proposals we have to right the wrongs of Wapping. If we do not have any, hitting out is irrelevant, and in a way that is damaging to the Labour party's case. We are talking about a powerful medium of communication and we need to put over our case on all the channels that are available to us. That is essential.

As I have said, our motive is an irrational dislike, while amendment No. 8 deals with commercial rivalry. It has been admitted that amendment No. 8 springs from BSB. It is surely incumbent upon us to legislate neither for simple vindictiveness nor for commercial rivalry.

Mr. Tony Banks (Newham, North-West): I agree with my hon. Friend that Sky News is very good. I have been willing to appear on it, when I have been asked, because it is a platform. It is surely important that we should seek out platforms. My hon. Friend does his own side a grave injustice, however, when he suggests that the Labour party's approach is part of a Murdoch vendetta. I do not like the man, and I have no reason to like him, but we are talking about cross-media ownership and concentration of power. If my hon. Friend misses that point, he should sit down and not bother to continue.

Mr. Mitchell: I thank my hon. Friend for that intervention. I remind him that I am standing on my side of the Chamber, that the Labour party is my party, and that I am advancing my case. I shall take up the substance of my hon. Friend's argument when I have advanced a little further in my speech.

Do not mistake the side on whose behalf I am speaking. I am speaking on the side of the Labour party and in support of communicating my party's ideals, policies and ambitions to the wider electorate. I suggest that the Labour party's irrational dislike—this applies to both amendments—distorts judgment. If the aim is to restrict monopolistic ownership and overlapping cross-ownership, irrational dislike is not the right approach. That is not the sensible way to approach these issues. We are lashing out without having made any rational calculation of how to achieve our objectives. That is about as sensible as using an incinerator to improve standards on *The Sun*.

Sky Television is here. We are not legislating for something that is to come, like Channel 5. Sky is a fait accompli, and a successful one. I hope that those of my colleagues who are involved in programmes for BSB will be successful and will not face some of the consequences that have had to be borne by those who have been involved with Sky Television. I hope that they will work for a channel that is a success story. Sky Television is interesting and it is successful, and the Labour party should not be opposed to pluralism. Viewers want it. It increases choice and diversity, and it is good in itself.

What we should be doing, and what our opposition to this Bill attempts to do, is to defend the basis of viewing —the duopoly that has provided such high quality throughout the years. That should be our aim—not to outlaw pluralism, which is what my party is seeking to do. The service is there; it is on Astra. Rupert Murdoch saw an opportunity, as an entrepreneur would, and took it. I ask my right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley): if there is so much money around, why did no one else do that? Why was it left to Murdoch? Where were all the British entrepreneurs rushing forward wanting to spend £2 million to £3 million a week in losses?

An entrepreneur like Murdoch does not need the permission of the Labour party to set up his station. Indeed, he does not really need the permission of the Government, other than that it is on cable. The station has given an undertaking to abide by the same rules of impartiality and standards as the terrestrial channels. I am as inclined to trust that as to trust the impartiality of a news service provided by the *Daily Mail* on BSB. The station is there and it is no use sulking about it. Initially, I dreaded it. I thought that it would debase standards. It has not done so, partly because standards on the terrestrial channels are so high. It has not been the disaster that I thought it would be; on the contrary, it has been very successful. It will have to continue to be if it is to pay off its enormous debt and sustain employment. It will need a period of profit to be viable.

With Sky facing that decision, what should we do through this legislation? Should we be vindictive, as the amendments are? Should we say, "Let us get at Murdoch"? Should we sulk and try to get our own back for the wrongs of Wapping—kick it or close it? Or should we try to deal with it in a way that will sustain a business that adds variety to people's viewing, that provides jobs, and that provides diversity and competition in news services? That is what it should be about.

The amendments would effectively close the station. The Opposition's amendment No. 110 says that he must divest now, which effectively means its collapse. No one will rush forward to sustain losses of £2 million a week. Amendment No. 8 is a time bomb—divest at some future stage, to be determined by BSB the commercial competitor. That is what is so monstrous about that amendment. There is no point in getting at Rupert Murdoch by endangering 1,000 jobs and four or five new channels. It would be daft to do that. The station will eventually be successful. As the principle of the Labour party's policy review is, "For heaven's sake, don't frighten anybody", why are we rushing in with such draconian penalties for one medium, one channel, one television system and one person? It does not make sense to do that. We are just saying, "Boo."

There is a case for stopping cross-ownership. That is a basic principle of the legislation. My hon. Friend the Member for Newham, North West (Mr. Banks) should not accuse me of selling out. I want to achieve the case in a sensible, coherent way, not by simple vindictiveness. That was our approach to Channel 3, the ITV companies, and it is sensible to sustain that approach. We cannot achieve that by the suicide method, by immediate destruction. We must allow the ITC, at its discretion, at a time when it will not be disruptive to employment, at a time when it will sustain the variety for viewers, to take that decision. If we were serious about the legislation, if we were serious about its objectives, we would do it in that way and not through the two amendments, which are silly gestures that will achieve nothing. We must first take a decision on "whether" and then decide the how and the when. If we do not do it that way, we are not being serious.

We would be indulging in gesture politics—schoolground politics—"Yaboo, sucks to Murdoch, we are going to get you." Frankly, that is a game I do not want to play.

Mr. Aitken: The hon. Member for Great Grimsby (Mr. Mitchell) made a courageous speech. It certainly illustrated the difficulties in which he sometimes finds himself within his party. His at least was a speech which looked forward. He understands what television in the 1990s is all about. The speech by the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) showed that he understood only what the newspapers of the 1920s were all about. His was a curiously old-fashioned speech, although it contained all the contemporary characters. It was full of Murdoch-bashing. I had a touch of sympathy with some of the right hon. Gentleman's comments because I, too, have been a Murdoch-basher. The House may recall that, almost alone on the Conservative Benches, I opposed Mr. Murdoch's takeover of the *Sunday Times* and *The Times* when some of those who appear to be supporting the amendments today—which will restrict ownership of television stations—were curiously silent. The defects in the Fair Trading Act 1973 and the way in which it applied to the concentration of newspapers which then existed were far more relevant to what was happening then than the amendments are to what is happening today.

As I listened to the remarks of my hon. Friend the Member for Slough (Mr. Watts) on amendment No. 8, I recalled John Betjeman's famous line:

"Come friendly bombs and fall on Slough."

That is what should happen to my hon. Friend's amendment, which attacks an imaginary monopoly that does not and is not likely to exist. The right hon. Member for Sparkbrook harked back to yesteryear—an era when dominant newspaper proprietors issued edicts to their editors such as "Praise this man" or "Attack that political party" and their edicts were carried out. That does not happen in the modern, pluralistic world of television. It hardly exists even in newspapers, although they still retain some vestiges of that old-fashioned control because editors can spike stories, print leaders and write whatever headlines they like. There is a great myth about proprietorial control in television.

The right hon. Member for Sparkbrook attacked Mr. Murdoch largely on his newspaper interests. Mr. Murdoch has been given a bum rap by Opposition Members, with the exception of the hon. Member for Great Grimsby. Mr. Murdoch—whose unqualified admirer I am not—is a media mogul whose virtues outweigh his imaginary vices as a media monster. He has done a great deal of good for the British newspaper industry by creating a new climate of opportunity. He has been a brave investor, investing more than £500 million in the print industry. He has liberated the entire national newspaper industry from the fetters imposed on it by the print unions and the quicksands of soft management. Other newspapers do not like admitting it, but it was only because Mr. Murdoch blazed the trail in changing the labour structure and labour costs of the newspaper industry that it was possible for newspapers such as *The Independent* to be born and for a whole range of newspapers to become profitable and viable once again. There is now a whole new range of printing practices, including colour printing. On the whole, the good that Mr. Murdoch has done for the newspaper industry is much greater than the harm that he has done with the bad standards that he has allowed to creep into his tabloid newspapers.

On the newspaper argument alone, the contention that Mr. Murdoch is a dangerous animal with too much power concentrated in his hands is obsolete. The argument of obsolescence becomes much greater with regard to what is happening in television. We are now entering an era of evolution almost equivalent to the printing revolution in the time of John Caxton several centuries ago. A completely new scene is emerging. One has only to stop for a moment to realise that by the time the Bill becomes law there will be 41 television channels available in this country, of which Mr. Murdoch will own four.

Mr. Hattersley: I am following the hon. Gentleman's argument closely, as one always says on these occasions, but will he take it a step further? If he believes that concentration of ownership no longer matters—partly because newspaper owners no longer give instructions to editors and partly, as I suppose that he may say in a moment, because technology in newspapers and television means that new industries develop and new companies come into the market—does he believe in any restriction at all? Does the 20 per cent. rule embodied in the Bill have any validity for independent television channels—for instance, for Channel 3? Does it make any sense? The hon. Gentleman's stance is logical only if he says that he wants no restrictions at all. Will he explain why he seems to support restrictions in general, but not restrictions on Mr. Murdoch?

7 pm

Mr. Aitken: The age of the regulator in television is passing. In a few years' time the Bill will look old fashioned. The restriction to 20 per cent. ownership—although it placates the political community, which needs to reassure the public—will seem unnecessary and foolish in a few years' time.

Just as there has been an expansion of diversity and plurality in newwspapers, so there is a greater expansion of diversity in the world of television. If Mr. Murdoch owns only four of the 41 channels which will exist by the end of the year, that cannot be said to be a dangerous concentration. He has taken on four channels with tremendous financial risk. I agree with the hon. Member for Great Grimsby who said that to attack Mr. Murdoch for what he has done is to attack the essence of pluralism and diversity.

There is a myth about proprietorial control in television. I have some experience of television and I do not believe that the proprietor of a television station will be able to sit in his castle, counting his doubloons, with his fingertips on the levers of power and get results. In reality, a modern television station is a honeycomb of power cells that one cannot control. When I was briefly a chief executive with power over a television station in this country I found that it was absolutely impossible to control the 500 journalists, every one of whom was a prima donna, or the five famous presenters who were more trouble than the 500 journalists, or the whole regiment of temperamental graphic artists and producers. Even the unions—usually a bastion of conservatism in television stations—for the technical staff and journalists, were wild gazelles out of control. The hon. Member for Hackney, North and Stoke Newington (Ms. Abbott), who I see is in

[Mr. Aitken]

her place, was shop steward of the journalists' union at TV-am. She was scarcely susceptible to control, and nor were old uncle Rowland rat and all—none of them could be controlled.

If Mr. Murdoch is better at controlling my right hon. Friend the Member for Chingford (Mr. Tebbit) or the hon. Member for Great Grimsby than I was at controlling the galére at TV-am, he may be a better man than I. The idea that such old-fashioned, 19th-century political control exists is a virtual myth and an impossibility. Yet Mr. Murdoch's enemies believe that it will still exist in television companies in future. That is all nonsense.

The only argument made by the deputy Leader of the Opposition with which I have some sympathy was in relation to the Monopolies and Mergers Commission. That safeguard still exists. It can always be called into play by any Government against any commercial organisation in this country. I do not think that Mr. Murdoch, or any other television mogul, has anything to fear from the Monopolies and Mergers Commission because of the expanding diversity of television in this country.

On the ground that Mr. Murdoch has four channels out of 41, the argument about political control looks like nonsense. Therefore, the amendment is misplaced and, despite some reservations that we all feel about Mr. Murdoch, it is wrong and I hope that we shall vote it down.

Mr. Tony Banks: The hon. Member for Thanet, South (Mr. Aitken) took us back to TV-am and he said that things have moved on since then. They have not moved on. He referred to one of his former employees with whom he had had some difficulties. Clearly the situation remains the same—the bosses are over there on the Conservative Benches and the workers are over here.

I say to the hon. Member for Thanet, South and to my hon. Friend the Member for Great Grimsby (Mr. Mitchell) that this is not an argument about Rupert Murdoch. I have no brief for Rupert Murdoch. As I said in an intervention, Sky News is very good and I wish it well. In many ways, it is a professional set-up staffed by some ex-BBC employees whom I knew previously and who are first-rate workers. They make a good product.

The debate is about the concentration of media power. That is what this part of the Bill is all about and that is what the amendments try to prevent. Obviously there will be some arguments about when we do it, but clearly there is a feeling that yet again there will be concentrations of power in an area where there is potential for abuse. We know that broadcasting, and television broadcasting in particular, is the most powerful communications medium in the country. Hon. Members must express concern and interest about how the ownership of such a powerful medium is used.

In our society, whoever controls the channels of communication has real power. One does not need power from guns, bullets and tanks in our society. In many ways real power comes from the control of the channels of communication. We must be wary that there is no great concentration of ownership in the channels of communication because there is always the potential for power abuse.

From experiences overseas we know what happens if there is a coup. The first thing that they rush to get hold of is the radio and television station. They know that the person who controls the channels of communication has real power.

Market forces cannot be allowed free rein in such a sensitive area. In theory, it may be very well to suggest that we are all able to print newspapers and open television or radio stations, but in reality we know that that freedom does not exist on an equal basis and so it is nonsense to suggest it.

There is far too much concentration of ownership in the media in this country already. I no more like Mr. Robert Maxwell's approach to the media than I like Mr. Rupert Murdoch's. I do not want to see millionaire moguls strutting around with so much of the power in our society concentrated in their hands.

I shall quote from statistics which appeared in some Labour research earlier this year which makes it quite clear that:

"seven national newspaper owners have widespread media interests . . . Rupert Murdoch, Robert Maxwell, 'Tiny' Rowland, Lord Stevens, Viscount Rothermere, Viscount Blakenham and the Scott Trust which owns The Guardian."

The report particularly highlights the position of Mr. Rupert Murdoch and Mr. Robert Maxwell.

I do not come with a brief from British Satellite Broadcasting, although I have done some work for it. I am an occasional presenter of an excellent programme produced by BSB called, "Left, Right and Centre".

Madam Deputy Speaker (Miss Betty Boothroyd): We know now.

Mr. Banks: I shall bear that stricture in mind. I wish that the programme was seen by more than half a dozen people, but I am sure that the quality arguments will eventually emerge. However, we are not treating BSB and Sky Television in an even-handed fashion. News International UK's newspaper and other publishing interests and its control of Sky Television are in direct conflict with the standards of cross-media ownership applied, in the public interest, to other media groups, including the equally fledgling British Satellite Broadcasting.

The Government have defended what we consider to be an inconsistent approach by arguing that the public interest inherent in Sky Television's role in opening up broadcasting outweighs the public interest in preventing over-concentrations of influence. That is nonsense. The Bill, which has been even handed in other respects, has been drafted in such a way as to exclude Sky Television and Rupert Murdoch from regulations that apply to other stations, including BSB. It is not the case that the Labour party wants to take some revenge on Rupert Murdoch for what happened at Wapping. We have no reason to love the man, but we are far more concerned about the concentration of the media in his hands and in the hands of people such as Robert Maxwell.

Therefore, it is necessary for the Government to be aware that such concentrations are unhealthy in our society. Even if they do not like the amendmens, they must be prepared to introduce provisions that ensure that there is no development of concentration that would undermine the democracy for which we all stand.

Mr. Robert G. Hughes (Harrow, West): Those of us who served on the Committee considering the Bill have witnessed an interesting metamorphosis within the Labour party. At first, whenever Sky Television was mentioned,

there was laughter among Labour Members, on the basis that nobody watched it and that it had no chance of success. As we spent hundreds of hours discussing the Bill, the attitude of the Labour party changed, as Labour Members realised that, at a relatively fast rate compared with other new media, people were equipping themselves with satellite dishes and the audience was growing.

The culmination of that metamorphosis has occurred in today's debate. The Labour party now takes Sky Television so seriously that the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) devoted his entire speech to Rupert Murdoch. He protested that he was not interested in Rupert Murdoch and was concerned only with the principle, so why did he devote virtually his entire speech to him?

The reason was made quite clear by the hon. Member for Great Grimsby (Mr. Mitchell) in a remarkable and excellent speech. Of course, it is simply a Labour vendetta against Rupert Murdoch and News International because of what happened at Wapping and because the Labour movement wants to do down Rupert Murdoch and News International. That causes me immense anxiety about the way in which the Bill is drafted, but not in the same direction as my hon. Friend the Member for Slough (Mr. Watts) and some Opposition Members.

As the Bill is drafted, in the unlikely event of a Labour Government, they would be able to put Sky Television out of business overnight. They would not even need an affirmative order of the House. They could use a negative resolution by pretending that there had been an offence against the rules of cross-media ownership laid down in the Bill. They would not even have to come to the House, although I think that they should have to.

The right hon. Member for Sparkbrook screws up his face and nods from side to side, but perhaps he should have read the Bill; he would then know what it says. A Labour Government would not need to come to the House for an affirmative order to enable the Home Secretary to take action against a satellite channel. I urge my right hon. and learned Friend the Home Secretary to examine whether there should be further protection in the Bill for the satellite operators.

The other side of the debate has been an attempt by British Satellite Broadcasting to knock out the competition. That is reasonable. BSB sees an opportunity to knock out Sky Channel, but I do not think that it will succeed. It is rather odd that it should try, because it was clear in the trade press to those of us following the issue that, under the former Home Secretary, BSB was offered exactly the same cross-media rules as now apply to Sky Channel, Astra and non-terrestrial satellites. BSB cannot complain if something that it rejected is being allowed for Sky Channel and other non-terrestrial satellite stations. Therefore, it is important that we reject both arguments.

7.15 pm

Compared with other television outlets, Astra is not limited. The DBS channels have been allocated to BSB; that is fair enough. The terrestrial channels have been allocated, and franchises come up from time to time. However, Astra, Astra 2, and possibly Astra 3 in future are not so limited. Anyone who can raise the money could set up in competition with the existing channels.

The exchange drawn out by my right hon. Friend the Member for Chingford (Mr. Tebbit) was interesting. Either the Labour party believes that the money is available and that it is easy for anyone to compete, or it believes that it is difficult to raise the money. It seemed to me that the Labour party wanted the best of both worlds.

If the amendments are carried, there will be one of two possible effects on Rupert Murdoch and News International. Either Sky Channel will have to move out of Britain and beyond the jurisdiction of the Bill, and the jobs and the technological advances made by Sky Channel would leave the country, surely to the detriment of Great Britain, or Sky Channel will have to be sold. The only people who could afford to buy Sky Channel and keep it going would be foreign media interests. Either the Labour party wants to lose jobs from Britain or it wants foreign people to take over those interests.

Mr. Cryer: I am pleased that the hon. Gentleman is concerned about jobs. Has he made any representations to HTV, which is to sack more than 100 television workers next Monday because it needs to build up money for the war chest engendered by the Bill? It has plans in the pipeline to get rid of more jobs. The hon. Gentleman should do something about those jobs instead of defending Rupert Murdoch.

Mr. Hughes: The hon. Member for Bradford, South (Mr. Cryer) or anyone who has worked in television knows that there has been substantial overmanning in the television industry, as there has been in the newspaper industry, so a shake-out is likely. If the hon. Gentleman knew what he was talking about, he would know that the administrative jobs and the jobs in Livingston in Scotland are particularly sensitive and would be at risk.

My hon. and learned Friend has got the balance between principle and practicality exactly right. I urge my right hon. and hon. Friends to support that. Otherwise, we shall simply be backing a vendetta by the Labour party, and I want no part of it.

Mr. Buchan: I very much regret the tone that the protagonists of Mr. Murdoch have taken in today's debate. If there is an axe being ground, it is pro-Murdoch rather than anti-Murdoch. The hon. Member for Harrow, West (Mr. Hughes) has been on the Committee with me for the past three months and I resent totally any suggestion that my attitude towards the freedom of the press and television and the safeguarding of the rights of the British people has something to do with a personal dislike of Mr. Murdoch. I have encountered Mr. Murdoch only once and I felt sorry for him—he is not a particularly impressive character.

Mr. Michael Foot (Blaenau Gwent): He has the right hon. Member for Chingford (Mr. Tebbit) as a friend.

Mr. Buchan: If he has the right hon. Member for Chingford (Mr. Tebbit) as a supporter, that is the final indictment. He is not a very impressive character. Like one or two others, he has great ability to read a balance sheet, which I have not, but I do not consider that that makes him particularly bright. I do not think that he is even particularly interested in what his papers and broadcasting interests say. It is most curious. The hon. Member for Thanet, South (Mr. Aitken) was involved with the *Daily Express* when Beaverbrook ran it. At least Beaverbrook had something to say. He had some odd views, and I may have disagreed with his values, but he had some values.

[Mr. Buchan]

The curious aspect is the valuelessness of Murdoch—the fact that money has become the only criterion and he measures his success by money.

I do not want a marvellous instrument such as television and broadcasting, which allows us to speak to humanity throughout the globe, to be left in the hands of anyone who is concerned only with making money. When the alphabet was invented, it was not flogged off letter by letter. Yet the Government, with such an instrument in their hands, are flogging it off not for the purpose of educating or entertaining—they have dropped the need to educate, inform and entertain—but to make money. I regret that that is what the right hon. Member for Chingford and the hon. Member for Thanet, North (Mr. Gale) are defending.

Mr. Tebbit: I am defending not Mr. Murdoch's ability to make money, but the right of viewers and readers to choose to watch his channels or read his newspapers rather than somebody else's if they so wish and if there are plenty of other channels and newspapers. It may irritate the hon. Gentleman that they choose to read Mr. Murdoch's newspapers and to watch his channels, but that is the way it is. If Mr. Murdoch is interested in money, that is perhaps better than some of those who have used the media solely for the purpose of politics. We can see the evils of that in many countries east of the iron curtain.

Mr. Tony Banks: What about Beaverbrook?

Mr. Buchan: My hon. Friend is right. Beaverbrook frequently used his newspapers for propaganda.

The right hon. Member for Chingford is wrong. He is not very bright or knowledgeable. He talks about the number of new newspapers and *The Independent*. I remember when there were three evening papers in Glasgow, but now there is only one. Twenty or 30 years ago there were more newspapers. We on the Left know how many newspapers have been lost. The right hon. Member for Chingford boasts about the number of new newspapers. Five people control more than 93 per cent. of the entire daily and Sunday press circulation. Does the right hon. Gentleman call that breadth of choice? Where is the choice between *The Sun* and the *Daily Mirror?* No great popular paper is breaking new ground.

Under the Bill, there will be a choice between a series of money-making, pap-producing television programmes. There is nothing wrong with football—it is my favourite sport—but there is something wrong with only football. There is nothing wrong with quiz games and pap, but there is something wrong with only quiz games and pap. The competition under the Bill will not expand people's ideas to gain credit even from a man like the right hon. Member for Chingford—it will seek to maximise its audience. The purpose is not to broadcast minority programmes to 3 million or 4 million people, but to maximise profit. That is what the right hon. Member for Chingford wants to do with this marvellous instrument.

The argument is more serious than the monopoly that I have described. Hitherto, even the monopoly of the press has been balanced because we have had regulated broadcasting. The commercial companies and the BBC have had the duty to inform, entertain and educate and to ensure diversity of opinion and of programmes. Despite all the weaknesses of the press, at least it was balanced by a broadcasting system which had relative objectivity, breadth and diversity. That will no longer be so. Instead of a balance being achieved by the broadcasting system, it will reinforce the effects of the popular press. Murdoch and Maxwell will be reinforced, not balanced, by their broadcasting systems. That is the menace of cross-media ownership. Even the Government have established a committee to consider certain effects of cross-media ownership. They recognise the problem, but they are taking no means to deal with it.

Why the concentration on Murdoch? Any Member who served on the Committee with me will know that if it had been Maxwell or anyone else I would still be seeking diversity and not a cramping but an opening up of broadcasting. Labour Members see the commercial undertaking as a cramping of quality and censorship. Five people control 93·9 per cent. of the entire daily and Sunday press circulation. Broadcasting is being released to the people who own, have shares in and monopolise it. That is a tremendous danger to human freedoms and liberties. Labour Members are concerned about that, but it does not enter the consciousness of Conservative Members because they equate success and diversity with the making of pap. That is why we are anxious and concerned. To call that a simple vendetta is disgraceful.

I have spoken frequently on this subject in the past two months.

Mr. Martin M. Brandon-Bravo (Nottingham, South): Ad nauseam.

Mr. Buchan: Ad nauseam, indeed.

The problem that we face is dangerous because there is only one final security for our people—that each man's truth can be known and expressed. We have seen the worst expression of censorship in the case of Salman Rushdie. We must say to people that the answer to a book is to write an alternative book, that the answer to a speech is to make an alternative speech, and the answer to a monopoly in broadcasting is to ensure diversity. That will not happen if we allow untrammelled cross-media reinforcement of the attitudes of the providers.

That is why we are opposed to the clause and why we say that it is not to do with the individual but to do with the fact that one group controls more than 35 per cent. of the daily and Sunday press and a plethora of publishing companies. Collins—the main publisher of the Bible, God help us—is also owned by Murdoch. We must take a stand against that huge monopoly on human ideas and expression. I hope that the Labour party will give a pledge that when it is returned to office it will not allow anyone to develop whatever monopoly he likes in television.

We know that the purpose of the amendment was to exclude Murdoch's group—that is why so much of the argument has centred around him—but it would have been the same if it had been someone else. The Government's proposal is dangerous. The limitation of freedom in this country has been increasing when it should have been decreasing.

Mr. Simon Coombs (Swindon): I am always delighted to follow the hon. Member for Paisley, South (Mr. Buchan) because it is fascinating to hear him develop his arguments. His suggestion that newspaper producers should cease to concentrate on making money leads me to suggest that, if they were to do that, they might soon cease to be newspaper producers. That is like suggesting to

politicians that they should not concentrate so much on winning votes because they would be much better people if they did that. I am sure that that argument would not hold much sway among hon. Members on either side of the House.

Mr. Buchan: Will the hon. Gentleman give way?

Mr. Coombs: No. I want to make my speech.

I speak as the chairman of the all-party cable and satellite television committee. More importantly, I speak as a viewer of and subscriber to Swindon Cable. I can watch 27 channels if I so choose. Four of those channels are provided by Sky. I am delighted to say that as of a few days ago five channels are provided by BSB. Other channels come from overseas and some are provided by the BBC and by independent television companies. I believe that that is diversity, and that is what the debate should be about. I reject any amendment which in any way offers the possibility of a reduction in that diversity.

I am not violently keen on the idea of restrictions on cross-media ownership. I said that on Second Reading and I repeat it today. I would be far happier if the Office of Fair Trading and the Monopolies and Mergers Commission between them could deal with abuse instead of the question of ownership. If this Bill had come from the Department of Trade and Industry rather than from the Home Office, the debate would have gone in that direction instead of towards arbitrary restrictions on ownership. I hope that we can get away from that idea.

7.30 pm

Mr. Maclennan: The hon. Gentleman must recognise that the Monopolies and Mergers Commission operates by similar yardsticks of ownership. There is a share of market test.

Mr. Coombs: I appreciate that.

We should not be concentrating on ownership which of itself may be neutral or beneficial. However, that is not the point. We should be concerned with what abuse, if any, springs from the ability to control sections of the media.

I do not believe that the additional ownership of four channels out of 27—and some have said that there may be more than 40 in a while—is likely to lead to a reduction in the freedom of choice. If anything, freedom of choice will be increased. Since the introduction of Sky and BSB, my particular loves of watching cricket and listening to classical music have been attended to, one by Sky and the other by BSB. Where is the reduction in standards of quality which many Opposition Members have suggested would be inherent in the introduction of new channels provided either by satellite or by cable?

I want to encourage entrepreneurial investment in this country; I do not want to depress it. Anyone who seriously suggested that we should send a signal to News International that as from today it had a limited lease of life with regard to the ownership of the Sky Television network channels would clearly be off his head. There would be no more investment and that would mean a loss of £2 million a week for Sky Television from the day that that signal left the House. That would occur under the Opposition's proposal to cut off the operation at the knees as of tomorrow or as soon as possible. Similarly it would occur if the suggestion of my hon. Friend the Member for Slough (Mr. Watts) in his amendment that there should be a period of grace of perhaps two or three years and a limit of 3 million homes were to be accepted.

What does that limit mean? It would mean that more than 20 million homes would not have an opportunity to watch Sky Television. It does not follow automatically that those that could would want to. Where is the interference, domination and control in practice from the figure of 3 million homes? I am sorry that my hon. Friend the Member for Slough is not in the Chamber to respond to that question, because it is an important and valid one.

I hope that the Government will be firm in resisting the temptation to allow the Labour party to indulge itself in bloody revenge on the owner of News International. That is blatantly what the debate is about for most Opposition Members—although not all—who have spoken in this debate, in Committee and on other occasions. That is clear to me, and I am sure it must be to other Members.

This debate is about competition between owners of the media and competition for readers and viewers of the media. Parliament should be trying to protect the latter and to broaden it to give as much competition as possible for readers and viewers. That should be our priority. If in the process of trying to achieve that we find that abuse is caused by a smaller amount of competition in ownership of the media, we should act decisively to prevent that. Of itself, that ownership is not an evil, and that is why I shall vote against the amendment.

Mr. Riddick: I was surprised by the amendment tabled by my hon. Friend the Member for Slough (Mr. Watts). I thought that he believed, like me, in choice, diversity and the free market. However, I was not surprised by Opposition Members. Their main motivation seems to be spite. The right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) gave the game away when he said that he would never again write for Murdoch's newspapers. Clearly the right hon. Gentleman holds a grudge against Murdoch. The Labour party has been carrying out a vendetta against Murdoch since the Wapping incidents. The hon. Member for Great Grimsby (Mr. Mitchell) confirmed what Conservative Members had suggested—that amendment No. 110 is motivated simply by spite.

As we all know, the Murdoch stable has been responsible for the newspaper revolution in this country. With News International, Murdoch destroyed the stranglehold that some of Labour's paymasters—the print unions—held over the newspaper industry. Murdoch did away with restrictive practices and ensured that innovation could enter the industry. I believe that Murdoch is responsible for the existence today of newspapers such as *The Independent*, *The Independent on Sunday*, *Today* and *The Sunday Correspondent*.

Opposition Members have suggested that News International dominates the newspaper market. It has three daily and two Sunday newspapers. It also has 1,500 provincial papers. However, back in the 1970s when the Mirror group had a similar market share to that held by Rupert Murdoch today, the Labour party said nothing about that. It did not complain in 1976 when the right hon. Member for Sparkbrook was a successful member of the then Labour Government. I believe that he was the Minister responsible for prices and incomes when inflation was touching 30 per cent. At that time, the Mirror group had 42 per cent. of the Sunday circulation. Today,

[Mr. Riddick]

Murdoch has considerably less. Concentration of ownership is no greater today than it was 10 or 15 years ago.

I congratulate News International on its massive investment in satellite television. That is private enterprise at its best. Murdoch has shown that he is prepared to take the risks and take massive gambles. I am not convinced of the need for any restrictions on cross-media ownership now that there is such diversity within the newspaper industry and the television business. I understand that 17 television channels are available for British viewers. My hon. Friend the Member for Slough referred to the Pilkington committee in 1962, when there were only two television channels. Things have changed dramatically since then.

The obvious effect of amendment No. 110 would be to force Murdoch to sell, and that would put Sky out of existence. That would mean less diversity and less choice. It has been pointed out that BSB could free itself of the ownership rules if it so wished, but that would mean BSB giving up its exclusive right to the direct satellite broadcasting channels and the consequent advantages.

I believe that BSB enjoys the use of a scarce limited resource that Sky does not have the opportunity to enjoy. There are limitless opportunities for new entrants to Sky's market. Clearly, BSB does not like the competition, and it is unfortunate that it is using underhand tactics to destroy competition. I hope that the House will see through that.

What evidence is there that Murdoch's newspapers are abusing their position and relationship vis-a-vis Sky Television? I have not seen any such evidence. I am a regular reader of *The Times* and *The Sunday Times*, and I see no evidence that those newspapers seek to brainwash me. If they do, they have not been very successful, because I do not even own one of those famous dishes that we see springing up all over the place.

If News International abused its ownership of the two media vehicles in some way, the viewers and readers would see through that abuse and register their disapproval in the most effective way possible: they would stop reading the newspapers and watching the television channels that Murdoch own. The key is to ensure that there is sufficient choice and diversity to provide alternative newspapers.

There is an unholy alliance between my hon. Friends who intend to support the amendment—knowingly or unknowingly they will vote for a vested interest—and Opposition Members who will vote for the amendment out of spite for Mr. Murdoch. For all its supposed new-found moderation, the Labour party's position on this issue proves that it is still beholden to its trade union masters. Its motivation is not a desire to improve the Bill but sheer spite and malice.

I wholly oppose this unnecessary, bureaucratic amendment. I am in favour of competition, choice and diversity. In short, I expect my hon. Friends and those who believe in the free market to support it, too.

Mr. Gale: I wish to consider the amendment in the context of the future of the United Kingdom television industry throughout Europe. When we embarked on the Bill, we considered it as a Bill that would take United Kingdom and European television into the 21st century. Early in our debates, the hon. Member for Stoke-on-Trent, Central (Mr. Fisher) referred to the legislation as a Bill for the early 1990s. Yesterday, in a nice turn of phrase, the hon. Member for Birmingham, Erdington (Mr. Corbett) said that we were backing sideways into the brave new future of television. If we accept the amendments, we shall take British television back into the 1970s and we shall miss out on the future that we could have Europewide.

The Council of Europe convention, to which I referred earlier and on which I received no satisfactory answer to my question, was fought for by both Conservative and Opposition Members in the Council of Europe. The Labour party was as staunch in its support as the Conservative party to secure a free framework for broadcasting throughout Europe. I am not sure that the amendments are acceptable within that convention. The convention and the European Community directive were framed with a view to transfrontier pan-European broadcasting. That is the opportunity that faces the United Kingdom television industry now.

We have an opportunity to make programmes for, not only the 40 million to 50 million people who watch television in Britain but an audience of 400 million to 500 million Europewide. Opportunities will also arise in eastern Europe. That is the prospect on offer. If we vote for the amendments, we shall cut off at the legs the successful embryo United Kingdom television industry before it has had a chance to develop. The amendment is spiteful. It is designed to regulate something the moment that it becomes successful. It criticises success.

We have a tremendous opportunity Europewide, but if we accept the amendments, the developments in satellite television, the jobs involved, even the satellite service that had the courage that no else had to carry the televised proceedings of the House on one of its channels for at least a short period will go overseas. The jobs will not die altogether: they will go to Luxembourg, France or Germany. The satellite television industry, which is complementary to cable and which will feed our cable system, will develop not in the United Kingdom but elsewhere in Europe, as so many other innovations have done. That is what the Labour party seeks to impose on us, and what we must vote against tonight.

Mr. Mellor: Our debate has been conducted with great vigour by both Conservative and Opposition Members. It has been attractively marked by divisions of view on each side. Personally, I believe that Parliament is the better, not the worse, for that.

There is no absolute truth on either side of the argument on this issue. I fully accept that, by resisting the amendment which my hon. Friend the Member for Slough (Mr. Watts) spoke with dignity and restraint I shall disappoint several hon. Members and several distinguished people outside the House. I accept that it is perfectly possible for people of good will to differ on the matter.

I wish to make it clear that, during the passage of the Bill, I have sought to consider each of the major issues as they arose. When I was persuaded that there was a case for change, I made the change where the discretion was vested in me. Where it was not, and where I needed to consult colleagues, I did so. For the most part, my colleagues have been indulgent enough to agree that those changes should be made.

7.45 pm

If I had any doubts on this issue, I should be only too willing to recommend a change. However, nothing that I have heard tonight shakes my conviction that we are right to take the view that we do. I shall not go into detail of the merits of the case, because so many others have put the case eloquently for both sides of the argument. I simply emphasise that, where there is scarce spectrum and where that spectrum is allocated by United Kingdom processors, we have the most rigorous cross-media control. I defend that, because I believe that it is right. For instance, neither Mr. Murdoch nor Mr. Maxwell could have a controlling interest in an ITV franchise. Indeed, they could not have a controlling interest in BSB, which has been granted a monopoly on the five United Kingdom high-power satellite frequencies that are available to us.

As I said earlier, the non-domestic broadcasting by satellite services are different. They are not granted by United Kingdom regulatory bodies. They are carried on a satellite that is not subject to United Kingdom jurisdiction. It is a satellite with a seemingly endless potential for new channels. It is not scarce spectrum. Already there are 16 channels, including one owned by Mr. Maxwell, who would equally well be caught if the amendment were accepted. There could well be 32 channels soon; some people suggest that there could be 48. There is no scarce spectrum.

There is no reason of principle why we should seek to control the ownership of a brave entrepreneurial effort. I admired the speech of the hon. Member for Great Grimsby (Mr. Mitchell) on that subject. We do not know whether that entrepreneurial effort will succeed or fail, but I do not envisage a great queue of people ready to emulate it. Nor will stations consist of wall-to-wall game shows. Plainly, whatever anyone says, Sky News is a serious venture which has nothing to do with pap and everything to do with quality television, as is clear from the nature and quality of the journalists and technicians employed by it, many of whom we all know in other contexts.

Mr. Brandon-Bravo: With some exceptions.

Mr. Mellor: Of course, there are exceptions to that rule among both Conservative and Opposition Members, as the Home Secretary's Parliamentary Private Secretary says.

There is no reason of principle for the amendments. On the practical side, I cannot for the life of me see the advantage of forcing a successful channel to go overseas and putting ourselves in the ludicrous position of having to distort the arrangements in the Bill, which are designed to act against pornographic stations, simply to prevent a newspaper proprietor whom some people dislike from doing a perfectly legitimate job, either as a newspaper proprietor or as a broadcaster.

When we are properly solicitous about the loss of some dozens of jobs in south Wales, we cannot be oblivious to the consequences of losing almost 1,000 jobs, some of them in west London but 250 of them in Scotland, where people are sensitive about jobs. I am consistent about this —I am unhappy about the loss of jobs anywhere. However, I have one consolation. If the ITV system is overmanned, the creation of new broadcasting opportunities should create new opportunities for people within the industry to work. That is why we must have a diverse broadcasting market and why I agree with my hon. Friend the Member for Thanet, North (Mr. Gale).

I do not think it right in principle to impose restrictions on the ownership of Sky Television or MTV, Mr. Maxwell's venture, straight away. It would be wrong for the House to arrive at some arbitrary figure at which we allege—we have no basic reason for thinking so—that profitability would be reached. I am far from persuaded that providing such services to 3 million homes means that profitability has been achieved, given the hundreds of millions of pounds that will have been expended in trying to make those ventures a success.

I can legislate only for the period in which the Government have their majority. Who knows what the future may hold? We are principled about this, in the sense that all the ownership restrictions are in a schedule to the Bill and any one of them can be changed by an affirmative resolution of both Houses. If, in five or 10 years' time, a different Government take a different view, it is open to them, through a resolution passed by both Houses, to change the restrictions. I hope that any future Government that sought such change would do so for reasons of principle and not through spite.

Mr. Buchan: Come on.

Mr. Mellor: I am not making any allegations about spite now; all I am saying is that, if the moment came for change, I hope that it would be actuated by principle, not spite. I am at some pains to say that I understand that there is a case on the other side of the argument. Let any change take place as and when it is the view of a Government that that change should be made.

My view is entirely clear: on practical grounds and on grounds of principle it would be wrong to move the goal posts at this point. Although it is perfectly proper that we have had this debate and perfectly proper that the issue has been joined with great vigour, I hope that my hon. Friend the Member for Slough feels that he can properly withdraw the amendment so that we can move on to the many other issues that will detain us this evening.

Amendment agreed to.

Amendments made: No. 322, in page 144, line 19, leave out second 'is' and insert—

'appears to the Commission to be'.

No. 323, in page 144, line 20, leave out 'is' and insert—

'appears to them to be'.

No. 324, in page 144, line 24, at end insert—

'; and, where a person is the holder of a licence to provide such a relevant service, he shall not be a participant with more than a 20 per cent. interest in a body corporate which is the holder of such a licence as is mentioned in paragraph (a) above or which provides such a service as is mentioned in paragraph (b) above.'.

No. 325, in page 144, line 25, leave out 'In this sub-paragraph' and insert—

'(2A) In sub-paragraph (2)—'.

No. 326, in page 144, line 28, at end insert—

'and a service shall be disregarded for the purposes of paragraph (a) or (b) of that sub-paragraph if the programmes included in the service are at all times the same as those which are for the time being broadcast in a Channel 3 service or on Channel 5.'.

No. 327, in page 144, line 43, leave out 'any' and insert 'a significant'.

No. 328, in page 144, line 51, after 'licence', insert—

'or in two or more such bodies corporate'.

[Mr. Mellor]

No. 329, in page 145, line 4, at end insert—
'or in two or more such bodies corporate.'.

No. 330, in page 145, line 13, leave out 'to' and insert ',(2), (3) and'.

No. 331, in page 146, line 10, at end insert—

'POWER TO IMPOSE RESTRICTIONS ON PARTICIPATION BY PERSONS OTHER THAN LICENCE HOLDERS

9. Where, by virtue of any provision of this Part of this Schedule, any restriction applies in relation to participation in any body or bodies corporate of a particular description, the Secretary of State may by order provide for further restrictions to apply in relation to participation in any such body or bodies corporate, being restrictions which—

(a) are imposed on persons to whom the first-mentioned restriction does not apply, and

(b) are framed by reference to the number of bodies corporate in which such persons are participants.'.

No. 332, in page 146, line 27, leave out 'any' and insert 'a significant'.—*[Mr. Mellor.]*

Amendment proposed: No. 110, in page 146, line 35, at end insert

'or

(c) a domestic satellite service or non-domestic satellite service.'.—*[Mr. Hattersley]*

Question put, That the amendment be made:—

The House divided: Ayes 178, Noes 275.

Division No. 197] **[7.53 pm**

AYES

Abbott, Ms Diane
Adams, Allen *(Paisley N)*
Allen, Graham
Anderson, Donald
Archer, Rt Hon Peter
Armstrong, Hilary
Ashley, Rt Hon Jack
Ashton, Joe
Barnes, Harry *(Derbyshire NE)*
Barron, Kevin
Battle, John
Beckett, Margaret
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Blair, Tony
Blunkett, David
Boateng, Paul
Boyes, Roland
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Canavan, Dennis
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Crowther, Stan
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eastham, Ken
Field, Frank *(Birkenhead)*
Fisher, Mark
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galloway, George
George, Bruce
Gilbert, Rt Hon Dr John
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hattersley, Rt Hon Roy
Heal, Mrs Sylvia
Healey, Rt Hon Denis
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howell, Rt Hon D. *(S'heath)*
Howells, Dr. Kim (Pontypridd)
Hoyle, Doug
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kinnock, Rt Hon Neil
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCrea, Rev William
Macdonald, Calum A.
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
McNamara, Kevin
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Mallon, Seamus
Marek, Dr John
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mullin, Chris
Murphy, Paul
Neillist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Paisley, Rev Ian
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Robertson, George
Robinson, Geoffrey
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Smith, J. P. *(Vale of Glam)*
Snape, Peter
Soley, Clive
Steinberg, Gerry
Strang, Gavin
Straw, Jack
Turner, Dennis
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Watson, Mike *(Glasgow, C)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Frank Haynes and
Mr. Tony Banks.

NOES

Adley, Robert
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amess, David
Amos, Alan
Ashby, David
Atkins, Robert
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beaumont-Dark, Anthony
Beggs, Roy
Beith, A. J.
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Bruce, Malcolm *(Gordon)*
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Clark, Hon Alan *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cormack, Patrick
Couchman, James

Cran, James
Currie, Mrs Edwina
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Dover, Den
Durant, Tony
Dykes, Hugh
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Ewing, Mrs Margaret *(Moray)*
Favell, Tony
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsythe, Clifford *(Antrim S)*
Forth, Eric
Franks, Cecil
Freeman, Roger
French, Douglas
Gale, Roger
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Sir Alan
Goodhart, Sir Philip
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Hague, William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hayward, Robert
Heathcoat-Amory, David
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hogg, Hon Douglas *(Gr'th'm)*
Howard, Rt Hon Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Rt Hon David *(G'dford)*
Hughes, Robert G. *(Harrow W)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Jackson, Robert
Janman, Tim
Jones, Gwilym *(Cardiff N)*
Jones, Ieuan *(Ynys Môn)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Kirkwood, Archy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Latham, Michael
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lester, Jim *(Broxtowe)*
Lilley, Peter
Lloyd, Peter *(Fareham)*
Luce, Rt Hon Richard
Lyell, Rt Hon Sir Nicholas
McCrindle, Robert
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
Maclennan, Robert
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, David
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marlow, Tony
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Mellor, David
Meyer, Sir Anthony
Michie, Mrs Ray *(Arg'l & Bute)*
Miller, Sir Hal
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Molyneaux, Rt Hon James
Montgomery, Sir Fergus
Moore, Rt Hon John
Moss, Malcolm
Mudd, David
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Pawsey, James
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raison, Rt Hon Timothy
Redwood, John
Renton, Rt Hon Tim
Rhodes James, Robert
Riddick, Graham
Ridsdale, Sir Julian
Roberts, Wyn *(Conwy)*
Ross, William *(Londonderry E)*
Rossi, Sir Hugh
Rost, Peter
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Tom
Sayeed, Jonathan
Shaw, Sir Giles *(Pudsey)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Sims, Roger
Smith, Tim *(Beaconsfield)*
Smyth, Rev Martin *(Belfast S)*
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Sumberg, David
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Rt Hon J. D. *(S'ford)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Trippier, David
Vaughan, Sir Gerard
Viggers, Peter
Waddington, Rt Hon David
Walden, George
Walker, A. Cecil *(Belfast N)*
Wallace, James
Waller, Gary
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Woodcock, Dr. Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Alastair Goodlad and
Mr. David Lightbown.

Question accordingly negatived.

Amendments made: No. 333, in page 146, line 39, leave out 'any' and insert 'a significant'.

No. 334, in line 43, after 'extent', insert 'permitted under sub-paragraph (1)'.

No. 335, in line 43, leave out 'sub-paragraph (1)' and insert 'that sub-paragraph'.

No. 336, in page 147, line 8, at end insert—

'(bb) prescribe restrictions on the extent to which the proprietor of a national newspaper may be a participant in a body corporate which is the holder of a licence to provide a relevant service falling within paragraph 1(2)(f) or (3)(b) in Part III of this Schedule, or in two or more such bodies corporate;'.

No. 337, in line 32, leave out 'any' and insert 'a significant'.

No. 338, in line 37, after 'extent', insert 'permitted under the sub-paragraph'.

No. 339, in line 50, at end insert—

'(bb) prescribe restrictions on the extent to which the holder of a licence to provide a relevant service falling within paragraph 1(2)(f) or (3)(b) in Part III of this Schedule may be a participant in a body corporate which runs a national newspaper, or in two or more such bodies corporate;'.

No. 340, in page 148, line 7, leave out from 'in' to end of line 8 and insert

'a body corporate which runs a national or local newspaper, or in two or more such bodies corporate.'.

No. 341, in line 33, at end insert

'or a national public telecommunications operator of any description specified in the order'.

No. 342, in line 42, after 'whole', insert

' , or substantially the whole,'.—*[Mr. Mellor.]*

Clause 6

GENERAL REQUIREMENTS AS TO LICENSED SERVICES

Amendments made: No. 230, in page 6, line 1, at end insert

' , by using images of very brief duration or by any other means,'.—*[Mr. Mellor.]*

Clause 8

GENERAL PROVISIONS AS TO ADVERTISEMENTS

No. 491, in page 7, line 30, at end insert—

'(2A) Nothing in subsection (2) shall be construed as prohibiting the inclusion in a licensed service of any party political broadcast which complies with the rules (so far as applicable) made by the Commission for the purposes of section 33.'.—*[Mr. Mellor.]*

Clause 11

USE BY COMMISSION OF RECORDINGS ETC. TO MONITOR PROGRAMMES

Amendments made: No. 615, in page 10, line 8, leave out 'may include conditions enabling the Commission to require' and insert 'shall include conditions requiring'.

No. 616, in line 13, leave out 'to produce any such recording to the Commission' and insert 'at the request of the Commission, to produce to them any such recording'.

No. 617, line 15, leave out 'to produce to the Commission' and insert 'at the request of the Commission, to produce to them'.

No. 618, in line 15, after 'script', insert 'or transcript'.

No. 231, in line 17, at end insert—

'(3) Nothing in this Part shall be construed as requiring the Commission, in the discharge of their duties under this Part as respects licensed services and the programmes included in them, to view such programmes in advance of their being included in such services.'.—*[Mr. Mellor.]*

Clause 12

AUDIENCE RESEARCH

Amendments made: No. 232, in page 10, line 18, at end insert—

'(a)'.

No. 233, in line 20, at end insert—

'(b) any effects of such programmes on the attitudes or behaviour of persons who watch them; and

(c) the types of programme that members of the public would like to be included in licensed services.'.—*[Mr. Mellor.]*

Clause 14

ESTABLISHMENT OF CHANNEL 3

Amendment proposed: No. 117, in page 11, line 15, at end insert—

'(2A) If it appears to the Commission that it would be appropriate for a particular Channel 3 service to do so, they may determine that the service shall include the provision of different programmes—

(a) for such different parts of the area for which it is provided, or

(b) for such different communities living within that area,

as they may determine.'.—*[Mr. Mellor.]*

Mr. Deputy Speaker: With this it will be convenient to take Government amendments Nos. 239 and 118.

8 pm

Mr. Maclennan: It would be churlish to allow this moment to go by without saying how grateful we in Scotland are to the Government for amendment No. 239, which has been tabled in response to a debate we had in Committee and will ensure that the Scottish channels cannot all be acquired by a single company. I thank the Government.

Mr. Mellor: I am touched by what the hon. Member for Caithness and Sutherland (Mr. Maclennan) has said. We have sought to honour that and all the other undertakings that were given, and I am glad that this is a popular move.

Dr. Kim Howells (Pontypridd): This group of amendments touches on crucial issues affecting the television service in Wales and provides a valuable opportunity to improve that service. The Broadcasting Bill affects Wales in two major ways. First, it recognises the success of the Welsh fourth channel S4C and goes some way towards securing its continued financial security. It also sets out the future of Channel 3, which includes the franchise area for Wales.

ITV's strength has been its commitment to regional programming, and its regulation by the IBA has been a key factor in maintaining a generally high standard of quality programming. Both the BBC and Channel 3 Wales are catering for a country with particular assets and problems, and should be helped to improve consistently their contacts with the people of Wales in order for local experience to receive the expression that it deserves. Without a genuinely broad menu of local programming, television does not present a valid picture of the area that it serves. The Bill and the amendments prompt us to decide where we stand on the balance between television as a service and as a business.

Wales is a small country and its population, in viewing terms, a minority audience. The interests of the audience in English and Welsh, and of the television industry in Wales, must benefit as much as possible from the legislation. Apart from Northern Ireland, Wales may be the only television region to be served on Channel 3 by a single company. That should oblige the winner of the franchise to be particularly aware of its obligations. If it falls short of the obligations, there will be no other Channel 3 company producing Welsh programming in the English language. The obvious consequences would be grave.

Already the Government have accepted that there should be specific provision for children's religious and regional programming. Further provision should be enshrined in the Bill to ensure that the Channel 3 company in Wales will have a specific duty to produce certain types of programming. I am concerned that the absence of a legal requirement will create loopholes for the unscrupulous to exploit. The ITC is to be allowed to draw up illustrative guidelines, but it is not yet clear how well equipped the commission will be to insist on the standards for which it aims. I fear, too, that without certain quality provision being written into the Bill the general standard of programming on Channel 3 will deteriorate.

The television industry in Wales is a major employer. The Bill should enhance that status and not threaten it. The integrity of Wales as a national region must be preserved. Unlike the position in Scotland, Channel 3 in Wales is represented by a single franchise which coincides with the national boundaries. The Bill does not eliminate the possibility of Wales being divided between two or more non-Welsh franchisees—for example, a company based in Manchester and perhaps another based in London or Bristol. If that happened, indigenous Welsh programming could disappear. Wales should remain a national television

region. That would allow Channel 3 to play a constructive role in Welsh national life and would make broadcasting more responsive to the needs of English-speaking Welsh people while taking its place within a bilingual nation.

In the case of the national region of Wales, a suitable range of programmes should include current affairs, documentaries, drama, adult education, sport, social action, light entertainment, and religious, arts and school programmes. Programmes from each category should be scheduled regularly at main viewing times. At least 75 per cent. of the programmes should be made within the Welsh region. That broad range of programmes is currently being produced in Wales and the legislation must allow for at least such a range. Viewers in Wales deserve to see their local concerns dealt with and their experiences reflected in the television medium. A requirement for a range of regional programmes to be shown within the main viewing hours would encourage the Channel 3 contractor to produce programmes of quality. Without such a requirement, regional programmes could be ghetto-ised to the least accessible viewing times. Unless 75 per cent. of local programming is made within Wales, I believe that there will be a significant drop in employment and in the quality of the television industry in Wales.

To sustain such a capability, a full regional production and managerial presence should be mandatory in each Channel 3 region, and particularly in national regions such as Wales. I fear that that issue has been overlooked in the Bill. It is vital that the managerial staff demonstrate a commitment to and a knowledge of Wales and of Welsh culture and issues. There are fears that, without protection, English or European owners of Channel 3 Wales would not appreciate or develop the channel's role as a monolingual service within a bilingual society.

In the event of a company applying for a Channel 3 franchise as a publisher-contractor, it is imperative that such an applicant should demonstrate that that method of contracting will not diminish the quality of the service provided. If a contractor has an integrated programme and production set-up, the monitoring of the output at every stage—from concept through production to transmission—is relatively easy, but the method of operation of a publisher-contractor requires careful scrutiny. The company should demonstrate adequate commissioning and quality control systems, as well as a commitment to commissioning the majority of its output in Wales.

8.15 pm

I am also concerned that without a requirement for training within the ITV sector in Wales there will be an inadequate, ad hoc system, all the more damaging if the industry becomes either wholly or predominantly based on freelance workers, however excellent many of the productions in which they have been involved.

Channel 3 franchise holders are to operate a full network arrangement, but there should also be a transitional network arrangement during the bidding process. Such a networking arrangement would enable companies to have access to a range of quality programming far in excess of the programmes which it could acquire alone. Inevitably, the companies with a smaller local output—of which the Welsh contractor will be one—would be the most seriously affected by the absence of such an arrangement.

Nationwide showing of local material aids communication within Britain. Without such an arrangement, the concerns of regions such as Wales would be further isolated. The network commissioning body should be required to take a considerably greater number of programmes from regional companies than at present, if the regional companies wish to offer them. It is important for quality programmes made in Wales to be seen in the rest of Britain.

I believe also that the initial contractor will require a period of stability in which to establish itself and to deliver the promised programme service. The ITC must be empowered to scrutinise all companies taking over licence holders. Otherwise, the quality threshold and other guidelines will be invalidated. In other words, there should be a moratorium of a minimum of three years on takeovers in the period immediately after the franchises are awarded.

As well as accepting the framework that I have outlined for Channel 3 Wales, I urge the Minister to ensure that the Home Office will continue to offer S4C a safety net, should advertising revenue drop to such an extent that the 3·2 per cent. share of the net advertising revenue is insufficient for S4C to continue its current programming. As I am sure the Minister knows, S4C fulfils a unique cultural and national remit. Since its inception, a large and thriving independent television sector has developed in Wales, providing S4C with approximately 380 hours of viewing per year—soon to increase to more than 500 hours. Its existence is affected directly by S4C's funding. To strengthen its position, I press the Minister to ensure that cable operators are required to carry public service channels and S4C on all distribution systems in Wales. Without that requirement, viewers in some areas would be deprived of their only Welsh language channel.

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): I support the remarks of my hon. Friend the Member for Pontypridd (Dr. Howells). It was a portmanteau of a speech, covering the gamut of issues raised in Committee and on Report. I want to argue the case which we started making in Committee. The development of S4C has produced successful and flourishing Welsh language programmes, but it is important that there are opportunities for what we describe, in inverted commas, as Anglo-Welsh writers and productions. That is the most important lesson that we have learned from S4C. Talent exists and can be developed not only in Welsh but also in Anglo-Welsh.

I should like to explain what we mean when we talk about the Anglo-Welsh language. In our different ways, we speak it ourselves. It contains the sounds, the rhythms, the tones, the experiences and the history not only of the Welsh-speaking communities in our Principality but of the Anglo-Welsh-speaking community. They are different.

Dylan Thomas is one of our most underrated poets. He wrote Anglo-Welsh poetry and combined Welsh and English in the sounds and rhythms. I shall quote to the House a typical example of his poetry:

"It was my thirtieth year to heaven
Woke to my hearing from harbour and neighbour wood
And the mussel pooled and the heron priested shore
The morning beckon. . . .
And I rose
In the rainy autumn
And walked abroad in a shower of all my days . . .
And I saw in the turning so clearly a child's
Forgotten mornings when he walked with his mother
Through the parables of sunlight and the legends of the green chapels. . . ."

That could not have been written by an Englishman but only by an Anglo-Welshman.

[Mr. Ted Rowlands]

We are continuing in this debate the case that we started to make in Committee. We want to see in the broadcasting system which, hopefully, the Bill will create a combination of arrangements and opportunities that will allow the expression of poets, writers and social commentators. That will produce a distinctive experience that is different from that produced solely by English or Welsh speakers. It will be an Anglo-Welsh culture of its own, but part and parcel of the total culture of our society.

We are worried that, in the process of organising the broadcasting arrangements, this major dimension will not be effectively catered for. There are a number of ways in which we can cater for it, and the Government amendments provide the opportunity to do so. It can be done through the new broadcasting opportunities. It may be done by cable television, but we know how limited that will be in the Principality. In yesterday's debate, the Minister responded to the possibility of the variations that could occur on Channel 5. We might be able to take that opportunity.

We have to rest our case on the broadcasting facilities in the next decade. That will be done through BBC Wales and the commercial station HTV or its successor. That combination of existing broadcasting facilities should create a stream of Anglo-Welsh writing, broadcasting and productions in the character of Wales. That is what S4C has done. One of the most potent ways in which we can do that is by getting a greater share of the network arrangements for HTV or its successor company for the Principality plus the west.

I do not believe in breaking up the Wales–Television South-West combination, because it makes up a successful, large company. It has dual management, and dual control of the whole show will produce a major shift in the balance of networking and will create extra opportunities for a Welsh national Wales and the south-west commercial company that will produce programmes and give opportunities to many talented people in the Principality. That channel would speak not only to us but would enable us to reach a greater audience. It is a two-way flow that could be improved by a major shift in the networking arrangements.

It is extremely important to send a message from the House to HTV, BBC Wales and any other company that, in the new decade of the 1990s, we expect them to develop and promote the enormous talent that exists in the communities that we represent. I am sure that I speak for my hon. Friend the Member for Pontypridd whose passionate speech I welcome and support.

Mr. Paul Flynn (Newport, West): I am powerfully reminded, when listening to my two colleagues, the hon. Members for Merthyr Tydfil and Rhymney (Mr. Rowlands) and for Pontypridd (Dr. Howells), of arguments that go back over 30 years in Wales. The arguments for a fourth channel in Wales, especially in the early 1970s, were for a channel that would be additional to the others throughout the United Kingdom. That campaign went on for a decade in Wales and it was overtaken by a campaign in the rest of the United Kingdom for a very different sort of fourth channel.

Unfortunately, when the channel was given to Wales the deprivation argument continued, because that fourth channel gave Wales a great advantage—for the non-Welsh-speaking Welshman—a channel that did not have Welsh language programmes. That meant that such people were not deprived of English programmes that were available elsewhere.

The fourth channel also gave rise to a flowering of the Welsh language. Bringing the fourth channel in nationally gave rise to a new deprivation argument, because Wales is missing in the scheduling of other channels on the United Kingdom Channel 4. That argument was rehearsed in Committee and yesterday in the House. The need in Wales is for one channel more than exists throughout the United Kingdom.

I warmed to the speeches of those who have the cadences of the Welsh language in their voices. I do not have those cadences. They come from an area of Wales where the Welsh language was recently very much alive, and the stamp and shadow of the language is in their speech. There is an energy and distinctiveness in the valley culture and Welsh culture.

I do not like the expression "Anglo-Welsh" because it is difficult to know what it means. There is certainly not an Anglo-Welsh language. Some Welshmen speak English with a great deal of clarity and force, and English is spoken rather better in the valleys of south Wales than it is spoken elsewhere.

The Welsh language is a great treasure. By any standard of European minority languages it should have died out at least 200 years ago, but we have seen the continuing miracle of its survival. People in Wales see our proceedings on television, see the strange spectacle of the programme being introduced in Welsh and hear Welsh language discussions. However, every word spoken in the House is in English, even though many hon. Members speak Welsh. If I spoke Welsh now and said, Os 'rydw i'n troi at y Gymraeg, bydd y Llefarydd yn ddweud 'dwdw i'n ddim mewn drefn y tŷ; os 'rwyn parhau i siarad yn y Gymraeg, bydd y Llefarydd yn fy nhorri allan o'r tŷ, and continued to speak in Welsh, I am sure that you, Mr. Deputy Speaker, would rule me out of order, because in the House the Welsh language has the same status as riotous behaviour.

This is the only Parliament that Wales has, and it is a shame that only one of the two beautiful languages spoken in Wales is allowed to be heard here. Perhaps the day will come when we shall see an end to that. In some Parliaments, a dozen languages are spoken, and I am sure that on some occasions we could manage to deal with two.

I support what has been said by my hon. Friends the Members for Merthyr Tydfil and Rhymney and for Pontypridd. There is a vibrant and lively life in English and Welsh in Wales; both need wider audiences and the opportunity of full expression on radio and television.

Amendment agreed to.

Amendment made: No. 239, in page 11, line 30, at end insert 'or the whole of Scotland'.—*[Mr. Mellor.]*

Clause 15

APPLICATIONS FOR CHANNEL 3 LICENCES

Amendments made: No. 118, in page 11, line 38, at end insert—

'(ii) if the service is to include the provision of such programmes as are mentioned in section 14(2A), the different parts of that area, or (as the case may be) the different communities living within it, for which such programmes are to be provided,'.

No. 240, in page 11, line 45, after 'licence', insert 'and specifying the closing date for such applications'.

Amendment No. 49, in page 12, leave out lines 4 and 5.—*[Mr. Mellor.]*

8.30 pm

Mr. Mellor: I beg to move amendment No. 653, in page 12, line 12, leave out subsection (2) and insert—

'(2) The Commission shall, when publishing a notice under subsection (1), publish with the notice general guidance to applicants for the licence in question which contains examples of the kinds of programme whose inclusion in the service proposed by any such applicant under subsection (3)(b) would be likely to result in a finding by the Commission that the service would comply with the requirements specified in section 16(2) or (3) (as the case may be).'.

The amendment replaces subsection (2), and makes points of clarification. We want to make it clear that the illustrative guidelines are a key part of the information that the ITC will give to prospective applicants, and that they should contain examples of the type of programme they would expect to see. However, that falls short of a specification of what should be in the applications, as obviously we are not giving the ITC the scheduling powers of the IBA. I expect the IBA to make clear a point that I regularly endorse: that when weighing up an application it would expect to see the range of programming now on Channel 3, and that any applicant that fell short of producing that range could not be guaranteed to surmount the quality threshold. However, there is a line to be drawn between giving clear illustrations of the type of application that is likely to succeed, and requiring certain programme types. It is important to maintain that distinction—hence the redraft in the amendment.

Mr. Darling: I welcome the amendment, not because it meets what the Opposition were asking for in Committee but because it is beginning to move towards meeting it. The Government recognise that it will be necessary to specify the range of programmes that an applicant for a licence will be expected to provide. The Minister knows our position. We have felt all along that quality is the most important consideration and that price—although an important consideration—comes second.

The Opposition would have preferred applicants to be required to provide a range of programmes to cater for all tastes and interests. It is welcome that there has been some movement, especially on religious broadcasting and children's programmes. However, we wanted to see that further specification inserted into the Bill. I understand that the Government cannot do that as it would undermine the basic philosophy outlined in the White Paper and on Second Reading, but the amendment goes some way to meeting the objections that were raised by Opposition Members in Committee. At least now the ITC can set out from the start the type of programmes, and the range of programmes, that it wants. Applicants will therefore be in no doubt about what they are expected to do.

However, if the ITC sets out that range and an applicant still submits an application that does not meet the suggested guidelines—and none of the applicants do—does that mean that the suggestions made by the ITC fall by the wayside, or would it be entitled to say to all the applicants that none of them has met those indicative guidelines, and therefore it will re-advertise and invite people to re-tender for the franchise? If the latter is the case I would be happy, but I would be concerned if the former was the case and applicants were entitled to take notice of the guidelines but were not required to do anything about it.

Mr. Mellor: That is a pertinent point. The ITC is entitled to a view about the quality that it is looking for as a minimum before it would be prepared for any applicant to receive a franchise. If it took the view that all the applicants were found wanting, it would be entitled to reject them all. The grounds on which it could do so are a matter for the ITC, but one of the grounds might be that a sufficient width of programming had not been produced. That would relate not so much to the illustrative guidelines, but to the statutory basis for them, which is not just the amendment, but the requirement for programmes that cater for a wide range of tastes and interests, which has been in the Bill from the outset. If it felt that, tested against the sensible model in its mind, nobody had reached a level where it could confidently say that the matter had been fully and properly addressed, it would be entitled to reject everyone. I hope that that will not arise, but that is the implication of a quality fence: one does not lower the fence so that someone can hop over it.

Mr. Darling: I am sure that what the Minister has said will be welcomed. It means that the Government have moved in a way that is welcome to the Opposition and many outside the House who are following these proceedings. I regard the amendment as significant. That is one reason why I felt that it should not go by on the nod. I am grateful to the Minister for tabling it.

The Opposition have made it clear how we would have proceeded, but that does not detract from the fact that the amendment will be welcomed. I hope that having raised the fence, the ITC will also write in provisions that correspond to the general guidance when framing the licence terms. At the end of the day, the test will be what the ITC does should a franchise holder fail to live up to expectations. I hope that the ITC, when it draws up the licences, will bear that in mind.

Mr. Maclennan: I welcome the amendment as it reflects accurately what I said in Committee. It is of considerable significance, which is why it is appropriate to be debated on its own. It bears considerable weight, for although it will not enable the ITC to issue specifications it can give a considerable steer. The Minister has said that it will go considerably beyond dealing with matters of programme content.

The Minister said in last night's debate that guidelines might be a way of eliciting from applicant companies their attitude to such matters as training and networking, and whether or not they intended to invest heavily in programme production within a region. This broadly drafted amendment is one of the most significant Government amendments, and should be welcomed.

The Minister was right to make specifications in respect of religious broadcasting, children's broadcasting, and educational broadcasting. However, there are clear limits to the specifying of particular types of programme that are required of Channel 3 companies, including some specifications that necessarily appear to exclude others. Through the medium of those guidelines, we can hope that the ITC will ensure that quality considerations are very much in the minds of those applying for franchises. That will allow the diversity that we hope the new Channel 3 will offer.

[Mr. Maclennan]

Amendment agreed to.

Amendments made: No. 51, in page 12, line 18, leave out 'and the deposit'.

No. 52, in line 19, leave out 'and (ii)'.

No. 244, in line 22, at end insert—

'(ba) the applicant's proposals for training or retraining persons employed or to be employed by him in order to help fit them for employment in, or in connection with, the making of programmes to be included in his proposed service;

(bb) if the application is for a licence to provide a regional Channel 3 service, a statement by the applicant as to whether, and (if so) to what extent, he proposes that any offices, studios or staff to be used or employed by him in connection with his proposed service should be located within the area for which that service would be provided;'.

No. 245, leave out lines 29 to 34.

No. 246, in line 35, after 'such', insert 'other'.

No. 247, in line 36, leave out

'in accordance with the provisions of this Part'.

No. 248, in page 12, line 40, leave out 'subsection (3)(b), (d) or (e)' and insert

'any of paragraphs (b) to (bb), (d) and (e) of subsection (3)'.—*[Mr. Mellor].*

Mr. Anthony Steen (South Hams): I beg to move amendment No. 485, in page 12, line 43, at end insert—

'(5A) Where a person tenders an application for a licence to provide a regional Channel 3 service at a time when

(i) the same person is an applicant for another such licence and has accordingly paid a deposit which is held by the Commission under this section, or

(ii) the same person tenders an application for another such licence,

the Commission shall reject each such application and shall return to him anything he tendered to accompany it under subsection (3)(a)-(e); and the notice published under subsection (9) shall, in relation to each such tender, state that the Commission received a tender of application by that person and under this subsection declined to accept it.

(5B) For the purposes of subsection (5B), the following persons shall be treated as the same person as another person, namely:

(a) a person who controls that other person,

(b) a person who is an associate of that other person or of a person falling within paragraph (a); and

(c) a body which is controlled by that person or by such an associate of that person.

(5C) In subsection (5B) "associate" and "control" have the same meaning as in Schedule 2.'.

Mr. Deputy Speaker (Mr. Harold Walker): With this it will be convenient to take amendment No. 486, in page 13, line 23, at end insert

'save in the case of an application which the Commission has rejected under subsection (5A)'.

Mr. Steen: The amendments concern multiple bidding and the ownership of more than one franchise. This is an issue of principle, as I am sure that hon. Members on both sides of the House will appreciate. It is that one television company should not be able to own or control more than one franchise.

I immediately declare an interest in Television South West, my local station—the only television company to have stated publicly not only that it believes that one television company should be enough, but that it will not bid for more than one franchise. It believes, as the Government believe, that there is a need to preserve regionalism and genuine regional channels which reflect the life of the area. TSW believes that those who work in a television channel and those who are involved in this powerful medium should be living and working in, and committed to, the area. I am glad to say that that has been the policy of TSW. All its producers and directors live and work in the region. It would like to see the Government committed to that principle. It believes that the Government, far from under-valuing it, should emphasise that commitment. The principal reason why TSW is so passionately against multiple ownership is its belief that that would dilute the regional commitment.

One regional station should be enough for anyone. This is a powerful medium, but it is more important than that. One could imagine what would happen if a rural regional station were taken over by a metropolitan station. There would be economies of scale. The metropolitan station might want to centralise such things as bookkeeping and the administration, but it could have a much more devastating effect. The first thing that would probably go would be the local flavour and local emphasis.

I have never been a particularly keen gardener, but I enjoy the nice little gardening programme broadcast in my region, in which Terry Underhill takes viewers round some of the finest gardens in the south-west. I am sure that all my hon. Friends would be delighted to see this programme. It is full of the kind of local flavour that one would want and it is about local soils and regional winds —factors about which the people in metropolitan regions will not have a clue. People living in the west country would immediately identify with such programmes. If a large metropolitan station took over my regional company, programmes such as that gardening programme would go immediately and we should end up with an urban gardening programme or one that took viewers around the country but did not concentrate on the delightful gardens with which everyone in the south-west immediately identifies.

My hon. Friend the Member for Torridge and Devon, West (Miss Nicholson) and I are both worried about how far the Government are compromising their position by allowing more than one television company. The walrus and the carpenter were upset about the oysters and cried desperately for them while eating them. One wonders whether the commitment to regional television is not rather similar. The query over the Government's commitment to regionalism can be emphasised by an analogy with the Government's policy on schools. They want more parents to be involved with and running schools and they want to give schools greater local autonomy—decentralisation rather than centralisation—but if two franchises can go to one company, one could end up with more centralisation than decentralisation. When the IBA originally granted licences, it compelled all television companies to float a single class of shares. After 10 years, TSW can boast that 30 per cent. of its shares are held by people who live or work locally.

The amendment is aimed at making television companies more like Members of Parliament. All of us have constituency interests in which we passionately believe, for which we passionately fight, and which we want to protect. If each television company has only one franchise, it will fight passionately for its region. As soon as the company extends to two large regions, that passionate commitment to each region will disappear.

8.45 pm

The Government have gone to some lengths to curtail media power and ownership—that is interventionism of a kind—but I should like the Government to say something today about curbing too much power going to one company. One company could control two franchises that covered 20 million or 25 million people—about a third of the population—if it had both the London franchise and a rural franchise. Furthermore, any company or individual in the Common Market can buy into our companies, although we cannot buy into Greek, Spanish or German companies. Foreign companies could thus buy huge stakes in our television companies and control the programmes seen by a third of the population.

The amendment is also aimed at teasing out of the Government some reduction of the power of media companies to control more than one franchise. I hope that my hon. and learned Friend the Minister, when he has heard speeches in support of the amendment, will realise that this is an important matter which has perhaps slipped through the discussions in Committee. I am glad of an opportunity to air it on the Floor of the House.

Mr. Maclennan: The hon. Member for South Hams (Mr. Steen) is wrong on only one point. The matter did not slip through in Committee. It was debated at great length and I moved amendments similar to the amendments before us now, which I support for broadly the same reasons as the hon. Gentleman.

Among television companies, there is some division of opinion about the virtues of this approach. There is no doubt that some of them are potential predators and would like to acquire small companies. They have used what they call the "penny farthing" argument about this —that in the more competitive world of television in which we are moving some small regions may find it more difficult to sustain themselves. I would rather amend the law subsequently if that proved to be the case than make the kind of provision that the Bill does, which will allow the takeover of regional broadcasting companies by other, perhaps metropolitan, companies which by definition cannot establish their headquarters in a smaller and more vulnerable region. They will find it easier to centralise and make economies of scale in production by concentrating their activities in one region.

The possibility of one region being taken over by another undermines the genuine regional commitment in the Bill. This is clearly not an oversight by the Government, because the arguments were strongly canvassed before. It is agreeable to have the support of the hon. Gentleman. I hope that he has drummed up the troops tonight so that we can give his proposals massive support. We were rather more lonely in Committee.

Miss Emma Nicholson (Torridge and Devon, West): My hon. Friend the Member for South Hams (Mr. Steen) mentioned the walrus and the carpenter. I think that it is a slightly fishier story than that. It is rather like Jonah and the whale. I do not want the whale to swallow Jonah and then find that we have to amend the law when the whale refuses to spit him out.

We have Television South West—I can demonstrate equal partisanship to that of other western area Members —but an even smaller station is Border Television, and we all know what valuable programmes Border Television presents. I am fearful that, if Thames Television, a station in the midlands or one in Italy makes successful bids for our small stations, the local flavour that we all love will evaporate. It is difficult to foresee how a fishing programme could be presented if the company that had a major stake in the station, or owned it, was based in Saudi Arabia.

The same applies to gardening, sailing and even the inter-pub competitive games, which I suspect hinge mostly on beer consumption. Local political programmes are close to the heart of every right hon. and hon. Member. The distinctive local flavour that they offer gives us considerably more air time that we would otherwise have. Now that cross-subsidies are to continue—that surely must have been at the back of the proposed new arrangements—is there any real reason to offer the ownership of more than one television station? I ask my hon. and learned Friend the Minister to ponder again.

Mr. Darling: The arguments that have been advanced this evening were rehearsed in Committee. I do not intend to add to them, save to say that the Opposition support the amendments of the hon. Member for South Hams (Mr. Steen). The Minister has not answered satisfactorily the question about when the Independent Television Commission finds that one person is bidding for two franchises. At some stage, it will surely have to decide which bid will be favoured. I can understand that an applicant might end up winning both franchises, and that would seem to undermine the regional and almost federal structure that we are trying to establish. I say that as someone who lives in an area served by one of the smaller companies, although quite a large one. I know that people who live in the area would be disappointed and upset if they discovered that it was owned by a powerful conglomerate, for example.

As the hon. Member for South Hams said, when he referred to a gardening programme, the dilution of the regional element would be apparent if there were a communal metropolitan garden somewhere in London SW1 and different backdrops were used to make it appear that the garden was in Cornwall at one moment and in the highlands and islands of Scotland in another.

The arguments have been well made, and they do not need to be laboured. I do not expect that the Government will accept the amendment, and if it is not pressed to a Division, the issue will not be resolved tonight. I hope, however, that those in another place will give it some attention. If not, I fear that we shall find the concentration of ownership that we discussed earlier this evening creeping insidiously throughout the ITV system. If that happens, we shall end up with another national station, or perhaps one owned by two main players, rather than a regional or federal structure. That would be undesirable for broadcasting.

Mr. Mellor: The final remarks of the hon. Member for Edinburgh, Central (Mr. Darling) do not coincide with our vision. Indeed, the Bill specifically precludes what he fears. We are committed to the regional basis of the ITV system. I hope, believe and expect that the Independent Television Commission will, as George Russell has suggested, advertise for applicants to take up franchises as based on the present map. I hope and believe that that will be the shape of the system.

It has been my pleasure throughout the consideration of the Bill to make it clear that my convictions in favour

[Mr. Mellor]

of the regional base are more than rhetorical. Indeed, we have substantially strengthened the regional requirements during the Bill's progress through the House. Those who considered the Bill in Committee know that only too well. Hon. Members on both sides of the Chamber have contributed to that progress.

We play by the rules. I assure my hon. Friend the Member for Torridge and Devon, West (Miss Nicholson) that no non-European company can own an ITV franchise. I am sure that it was a slip of the tongue when she suggested otherwise. My hon. Friend was a member of the Committee that considered the Bill.

Miss Emma Nicholson: That was a joke.

Mr. Mellor: I am sorry: perhaps my ability to see jokes is letting me down at this time of night.

Whatever the rights and wrongs, only European countries can own a franchise. We cannot exclude other European countries, because of the EC rules. They would, however, have to satisfy rigorous regional requirements. I am happy to repeat that if, for example, we are talking about the franchise for Wales and the west country, it might be easier to satisfy the regional requirement if one comes from south Wales rather than the south of Italy. If that were the position, I would not be unhappy about it.

Mr. Steen: Am I right in saying that it is a one-way system? The Europeans can invest in this country, but we cannot invest in their television channels.

Mr. Mellor: I do not accept that. As is usually the position in Europe, the rules are different in each country. I accept that there are some bad examples. As a Minister in a responsible Government, I cannot recommend any arrangements that go contrary to the rules of Europe. I appreciate that other Governments operate on different bases. That is why my right hon. Friend the Prime Minister and others become somewhat angry at the cant and hypocrisy at some European gatherings, when people rhetorically commit themselves to certain policies without having the slightest intention of ever putting them into effect.

We can only be honourable. We have to create a level playing field. It is idle to pretend that it will be easy for anyone without strong regional links and a regional base to be a credible and successful candidate. If that is the position, I think that we have done a good job. We are entitled to insist on a regional and national flavour to our broadcasting that is genuine.

We have always felt that the ITV system has not benefited from the absence of active competition for many of the franchises. There was hardly any competition during the last franchise round. We want to encourage as many credible companies as possible to apply for Channel 3 licences. That is why we believe as strongly as ever in the concept of multiple bidding. Ownership concentration rules are firm. The maximum that someone will be allowed to own is one large and one small franchise that are not contiguous. If they were contiguous, the regional character would be undermined.

The only exception would be if a franchise, for whatever reason, became unviable. We cannot guarantee that that will not happen, because the financial viability of some parts of the system is extremely fragile. A commercial television system stands or falls by its ability to be commercial. Even if we have a number of penny farthings, the small franchise has to be run as an entity that by itself complies with all the rules on regionality. That is why I see no threat to the system.

My hon. Friends the Members for South Hams and for Torridge and Devon, West have spoken with great sincerity. I warmly approve of what they have said. Nothing that the Government are doing is inconsistent with the maintenance of the programmes that my hon. Friends value, as do I. There are good people in the ITV system who sincerely believe that there are currently too many franchises. Leslie Hill of Central Television says that there should be six or seven.

I take the view that we should start from where we find ourselves. I should be happy if, in 10 or 20 years, there were still 15 franchises. The Bill must take account of the fact that that might not be the case—but it must do so in a way that ensures that the regional base is maintained. Never has the regional base of the ITV system been more firmly enshrined in the statute than it is now as a result of the work that we have done on this Bill.

Mr. Steen: We are always convinced by my hon. and learned Friend's arguments. In view of his strong commitment to regionalism, it would not be appropriate to push the amendment to a vote—even though, on this occasion, he did not entirely convince me of his case. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendments made: No. 249, in page 12, line 44, leave out subsections (6) to (8).

No. 250, in page 13, line 18, leave out from 'shall' to 'publish' in line 19 and insert—

', as soon as reasonably practicable after the date specified in a notice under this section as the closing date for applications,'.

No. 251, in page 13, line 22, leave out 'and'.

No. 252, in page 13, line 23, at end insert—

'; and

(c) such other information connected with his application as the Commission consider appropriate.'.—*[Mr. Mellor.]*

Mr. Mellor: I beg to move amendment No. 253, in page 13, line 26, after 'amount', insert 'of money'.

Mr. Deputy Speaker: With this it will be convenient to discuss the following amendments:

Government amendments Nos. 18 to 21.

Amendment No. 354, in clause 17, page 15, line 9, leave out 'exceptional'.

Government amendment No. 22.

Government amendment No. 654, in clause 17, page 15, line 9, at end insert—

'(3A) Without prejudice to the generality of subsection (3), the Commission may regard the following circumstances as exceptional circumstances which make it appropriate to award the licence to an applicant who has not submitted the highest bid, namely where it appears to the Commission—

(a) that the quality of the service proposed by such an applicant is exceptionally high; and

(b) that the quality of that proposed service is substantially higher than the quality of the service proposed—

(i) by the applicant who has submitted the highest bid, or

(ii) in a case falling within subsection (2), by each of the applicants who have submitted equal highest bids;

and where it appears to the Commission, in the context of the licence, that any circumstances are to be regarded as exceptional circumstances for the purposes of subsection (3), those circumstances may be so regarded by them despite the fact that similar circumstances have been so regarded by them in the context of any other licence or licences.'.

Amendment (a) to Government amendment No. 654, in line 4, leave out from 'Commission' to end and add

'that the quality of the service proposed by such an applicant—

(a) (i) is exceptionally high having regard to the quality of the services proposed-

(A) by all of the other applicants, or

(B) in all the other applications which have been made for Channel 3 licences,

and in either case is substantially higher than the quality of the service proposed by the applicant who has submitted the highest bid, or in a case falling within subsection (2), by each of the applicants who have submitted equal highest bids; or

(ii) is to an exceptional degree higher than the quality of the service proposed by the applicant who has submitted the highest bid, or in a case falling within subsection (2), by each of the applicants who have submitted equal highest bids; and in either case

(b) is higher than the quality of the services proposed by all of the other applicants who have submitted bids not lower than his;'.

Amendment No. 355, in clause 17, page 15, line 9, at end insert—

'(3A) Without prejudice to the generality of subsection (3) the Commission may regard the following circumstances as appropriate to award the licence to an applicant who has not submitted the highest bid, namely, where it appears to the Commission that the quality of the service proposed by such an applicant—

(a) is higher than the quality of the service proposed—

(i) by the applicant who submitted the highest bid, or

(ii) in a case falling within subsection (2) by each of the applicants who submitted equal highest cash bids;

and where it appears to the Commission, in the context of the licence, that any circumstances for the purpose of (3) above may be so regarded by them despite the fact that similar circumstances have been so regarded by them in the context of any other licence or licences.'.

Amendment No. 704, in clause 17, page 15, line 9, at end insert—

'(3A) Where it appears to the Commission, in the context of the licence, that any circumstances are to be regarded as exceptional for the purposes of subsection (3), those circumstances may be so regarded by them despite the fact that similar circumstances have been so regarded by them in the context of any other licence or licences, and, without prejudice to the generality of subsection (3), the Commission may regard the following circumstances as for the purpose of that subsection exceptional, namely where it appears to them that-

(a) the service proposed by an applicant who has not submitted the highest bid is exceptionally qualified, and

(b) the bid submitted by that applicant is higher than the bid submitted by any other applicant whose proposed service is exceptionally qualified.

(3B) For the purposes of subsection (3A), the service proposed by an applicant is exceptionally qualified if it appears to the Commission that the quality of that service-

(a) is exceptionally high having regard to the quality of the services proposed by all of the other applicants;

(b) is exceptionally high having regard to the quality of the services proposed in all the other applications which have been made for Channel 3 licences; or

(c) is to an exceptional degree higher than the quality of the service proposed by the applicant who has submitted the highest bid, or in a case falling within subsection (2), by each of the applicants who have submitted equal highest bids.'.

Government amendments Nos. 24 to 34, 371, 135 and 159 to 163.

Amendment No. 206, in clause 70, page 54, line 41, leave out 'other than one who' and insert 'who has not'.

Government amendment No. 164.

Government amendment No. 208, in clause 70, page 54, line 43, at end insert—

'(3A) Without prejudice to the generality of subsection (3), the Commission may regard the following circumstances as exceptional circumstances which make it appropriate to award the licence to an applicant who has not submitted the highest bid, namely where it appears to the Commission that the quality of the service proposed by such an applicant—

(a) is exceptionally high having regard to—

(i) the extent of coverage of the area for which the service is to be provided, and

(ii) the timetable in accordance with which that coverage is to be achieved,

proposed by all of the other applicants; and

(b) is substantially higher than the quality of the service proposed—

(i) by the applicant who has submitted the highest bid, or

(ii) in a case falling within subsection (2), by each of the applicants who have submitted equal highest bids;

and, where it appears to the Commission, in the context of the licence, that any circumstances are to be regarded as exceptional circumstances for the purposes of subsection (3) above, those circumstances may be so regarded by them despite the fact that similar circumstances have been so regarded by them in the context of any other licence or licences.'

Government amendments Nos. 165, 166 and 168 to 176.

Amendment No. 215, in clause 70, page 56, line 1, leave out 'granted' and insert 'awarded'.

Government amendment No. 439.

Amendment No. 592, in clause 94, page 71, line 40, leave out subsections (2) and (3) and insert

'The Authority shall disregard the size of the cash bid in allocating the license if they consider that an applicant offering a lower bid, nevertheless offers a higher quality service more likely to meet the specific remit of the particular service and increase the diversity of available services.'.

Government amendments Nos. 442 to 445.

Amendment No. 5, in clause 94, page 71, line 47, leave out from 'that' to end of line 48 and insert

'that applicant would provide a service of substantially higher quality than that proposed by the applicant who submitted the highest bid'.

Government amendments Nos. 446 and 447.

Amendment No. 593, in clause 94, page 72, line 2, leave out 'submitted the highest bid' and insert

'they would otherwise award the license to.'.

Government amendments Nos. 448 to 451, 734 and 470.

9 pm

Mr. Mellor: In the midst of this massive list of amendments lurks amendment No. 654, which to many hon. Members is the most significant amendment. It is a second attempt—*[Interruption.]* Perhaps it is the second most significant. We must have a raffle to decide the most significant. I hope that the amendment will be regarded by hon. Members as a genuine and successful attempt to honour our pledge to make it absolutely clear that the ITC can invoke the exceptional circumstances provision in

[Mr. Mellor]

clause 17(3) if the quality of service offered by an applicant is exceptionally higher than that offered by the highest bidder.

For many of us—and that includes me—one of the key points of the Bill has been to ensure the proper relationship between quality and price. I hope and believe that after a great deal of work, which has involved many hon. Members who are present tonight and a number of interest groups with which we have had regular meetings, we have established a substantial quality threshold over which only a good horse can jump. If those that clear the obstacle are much of a muchness—as George Russell thinks that for the most part they will be—a necessary openness is brought to the system by the competitive tender arrangement under which the highest cash bidder wins. However, we must accept that there will be other circumstances in which one of those who surmounts the quality hurdle does so with such elan and is so manifestly better that it would be perverse to permit that application to be defeated because he put in a lower cash bid.

I have always believed that the Bill made provision for the under-bidder in those circumstances to be preferred, but it is a great joy to say that, if there was a crooked way, we have straightened it out. However, the parliamentary draftsman—it is not a policy decision by the Government—believes that we clarify the point better by establishing a double test. It is not an attempt to be-clever. First, the applicant must be exceptionally good. The ITC can judge that against the others in the race, if there are a number of other applicants. However, to avoid any unfortunate consequences if there was only one other applicant, the first limb of the test might not be applicable. We discovered that flaw in our first attenpt to get things right. We have therefore removed the bid. I defend that as part of the constant quest for perfection in which we are engaged, although regularly we fall short of that. Therefore, the ITC will first have to determine whether the applicant is exceptionally good. Secondly, if that is determined and if the applicant is an under-bidder, the ITC will have to determine whether he is substantially better than the applicant who put in the highest cash bid.

That is a logical way to do it. It will ensure that the best will always win through if it is clearly and obviously the best on quality. I believe that that is what all hon. Members want——

Mr. John Greenway (Ryedale): Hear, hear.

Mr. Mellor: Even though only one hon. Member has loyally said, "Hear, hear", I shall persist in my belief that that is what the House wants. At least, that is what it is going to get.

I have discussed the issue exhaustively with colleagues here and with other groups. I have made no secret of the fact that I have had particular assistance from the Campaign for Quality Television, and I am glad that it is happy with the amendment because it has had an important impact on the debate. As it represents successful programme makers, I have listened without hesitation to a lot of what it has said, and I have made it clear that those who apply for franchises will have to have regard for the ITC's injuctions in the illustrative guide about what the diversity requirement should mean in practice. I endorse what George Russell has been saying about that.

I hope that, as a consequence of what we have done, the Opposition will feel able to accept that this is a successful outcome for which they are entitled to claim their share of credit because we all contributed to it. It is not pious words when I say that my ability to understand a number of points with clarity was greatly assisted by contributions made in Committee.

I appreciate that there is always a temptation to say that the Bill does not go far enough—that most tedious of political pronouncements which hon. Members regularly use to get off the hook. I say, with genuine respect for the hon. Member for Birmingham, Erdington (Mr. Corbett), that I hope that he will not do that. While I can see the attractions, in theory, in not requiring someone to be exceptional and just saying that he has to be substantially better, there is a danger that if one does not start from the assumption that someone is exceptional one reverts to the dubious science of making distinctions between one set of proposals and another, where the situation is not clear cut and where one applies subjective rather than objective criteria.

I would always prefer the applicant who wants to put on classical music. I would probably not be so keen on an applicant who wanted to broadcast a lot of snooker. That is just me. I accept that most people would rather watch snooker and not have classical music. I gave an example in Committee about radio and preferring Lord Hanson's easy listening station to some classical station. Perhaps that was the right decision. It is difficult to see how the quality of one can be judged against another. It is an art and not a science.

I hope that it will be viewed as a joint achievement by hon. Members on both sides of the Chamber that we have got to this amendment. It is clear from its drafting that each individual franchise race can be considered separately. There is no question of having to rule out certain exceptional applicants because there cannot be that many exceptional applicants—each race can be considered separately. On that basis, I commend the amendments to the House.

Mr. John Greenway: We are well into the second day on Report. Unlike some of my colleagues, I have not until now paid tribute to the excellent work of my hon. and learned Friend the Minister and the way that he handled the Bill in Committee. I deliberately waited until this brief debate because the House and the country owe him a debt of gratitude for the way in which he has listened and responded to concerns about this issue. He knows as well as I that many hon. Members have spent a lot of time in different forums talking to the television industry over the past couple of years about its concerns for the future. He also knows that many people doubted his ability to deliver on this amendment.

I am sure that Opposition Members would agree that during the debate in Committee on the subject there was doubt in their minds as to whether he would be able to come back on Report with an amendment which attempted to define exceptional quality and to deal with the circumstance that he has just outlined. Against that background, the House has to pay a warm tribute to him for having fulfilled his promise.

He admitted that amendment No. 654 is the Government's second attempt to get the wording right. I am sure that he will accept amendment (a) to amendment No. 654 and amendment No. 754 which stand in my name

as further suggestions as to what might be the best wording to achieve the principles that we all want to achieve—that if a bidder offered exceptional quality but not the highest cash bid the ITC would be able to award the franchise to the highest bidder without fear of judicial review.

When the Home Affairs Select Committee considered the future of independent television, as we are now to call Channel 3, we recommended that there should be a tendering process for Channel 3 licences. But when we made that recommendation—and I am sure that my hon. Friend the Member for Thanet, North (Mr. Gale) will support me in this—we felt that cash should be a determinant in the franchise allocation, but that it should not be the only one and that quality should also be given a fair chance. The principle that quality and cash should each play an important role is clearly established in the amendments. However, by the same token the Home Affairs Committee wanted to achieve a greater degree of openness and transparency in the way in which the franchises were allocated. The trick of the entire process is to strike the right balance between giving quality a fair chance and making sure that the franchises are awarded on a more transparent basis.

My only remaining concern about amendment No. 654, and the reason why I have tabled two alternatives, is that, while the principle is agreed, there may be two exceptionally high bidders. If two proposals are similarly excellent, who will win? I am sure that my hon. and learned Friend recognises that this is not the last time that Parliament will consider the matter and that he will examine the wordings in the same spirit that he has adopted throughout the Committee and subsequently and will continue to consult legal experts and various television interests to ensure that we get the wording right.

A transparent tendering process that clearly establishes what a bidder must do to win a licence is extremely desirable, whether by virtue of a high cash bid or exceptional quality. The Government's amendment is admirable and welcome so far as the principle is concerned but there must be no ambiguity in this vital matter. I certainly want the issue to be settled without deviating from the principles that my hon. and learned Friend has already laid down in his brief speech in this short debate. I suggest that he looks at the wording of the amendment to ensure that, in the event of a tie between two or more exceptionally high quality bidders, the highest cash bidder of that group should win. That would enforce the principle behind the Bill. It is a sensible suggestion, and I believe that it would improve and clarify the Bill. I am sure that my hon. and learned Friend will consider the matter again before the Bill is debated in detail in another place.

Mr. Corbett: As the Minister, and the House will know, when we began debating the Bill, our major concern was the way in which the Government proposed to sell off Channel 3 licences to the highest bidder, once the so-called quality threshold had been met. Let me acknowledge immediately that that concern has now been softened to some extent by amendment No. 654. The Minister is quite right, because when we first debated the matter there was concern throughout the Committee that the Government's intentions were not stated clearly enough on the face of the Bill to protect the Independent Television Commission from judicial review from 40 bidders.

I cannot agree entirely with the hon. Member for Ryedale (Mr. Greenway). The message I received from him was that the wording now proposed by the Government gives the ITC almost absolute protection from judicial review. I am no lawyer, and nor is he, although at one stage he was close to one end of the law, but I can foresee courts having expensive arguments—I am not nit-picking, but the point is worth making—about the difference between "exceptionally high" and "substantially higher". Many an expensive hour will be spent in court considering that.

We welcome the fact that the Minister has made clear that the new definition of exceptional circumstances will apply to all the applications made for licences for the new commercial Channel 3 network. We feared at one stage that it might apply to one or two licences. That is an improvement and I do not want to disguise that fact. The Minister was kind enough to say that the Opposition played their part in persuading him to think again and to consult his colleagues. I should like to join the tribute that he paid to the Campaign for Quality Television and to the others who have much interest in and knowledge about these matters.

I began by giving our objections to the method of disposing of Channel 3 licences, but how much of a change does amendment No. 654 make? It certainly makes no change in principle. Hon. Members who served on the Committee will remember that the exceptional circumstances clause was to empower the Independent Television Commission to take into account such factors as higher quality and to enable it to award the bid on quality grounds and not to the applicant who had not submitted the most cash.

I acknowledge that the amendment has clarified and strengthened the Bill, but the principle remains. Any money collected from the licensees other than that collected from the levy on national advertising revenue, which in effect is a continuing premium on the right to broadcast on scarce wavelengths, is money taken off the screen. It is money not going into programme diversity, range and quality; it is money that cannot be spent twice; and it is, at best, some of the money that would otherwise have been for programming.

The Government have accepted that in a roundabout way. I believe that is why another of the strong pillars of the Bill is the dropping of many of the public service broadcasting obligations from the present ITV franchise holders. The Minister has said many times that he sees the new Channel 3 system as being a notch below public service broadcasting. Recently that nice Mr. George Russell expressed it another way when he said that he saw the new system as being about 80 per cent. of the present public service broadcasting commitment.

Our gravest doubts centre on what will happen to the quality of programming in terms of diversity and choice. By that, I mean choice that is new and challenging and that innovates and encourages the opening of eyes and ears to what is different. I know that that concern is shared by Conservative Members, because two early-day motions —one was signed by about 60 and the other by about 80 right hon. and hon. Members—were tabled drawing attention to those concerns. It may be said that the amendment meets those concerns, but that was not just a narrow party political interest.

As I have said, this group of amendments goes some way towards meeting those concerns. However, the highest bid—or something near to it—remains at the heart of the Bill. We believe that the viewer will pay the real price

[Mr. Corbett]

through fewer factual programmes. I do not want to weary the House too much on this joint. However, it is worth recalling the results of the IBA survey of attitudes to television that was carried out in 1989. From that, we all know what people want more of, but it is interesting to consider for a moment what people would like less of. For example, 30 per cent. of viewers would like to see fewer older and classic films and that surprised me; 29 per cent. of viewers would like to see fewer variety shows.

Dame Elaine Kellett-Bowman (Lancaster): Oh.

Mr. Corbett: I am just quoting the research.

The IBA survey showed that 39 per cent. of viewers would like less pop and rock music, and I am probably among that number; 42 per cent. would like fewer quiz shows; and, panel games; 43 per cent. would like fewer chat shows and bottom of the pops in this sense, a clear half of the viewers asked would like to see fewer soap operas.

Dame Elaine Kellett-Bowman: What would they like more of?

Mr. Corbett: If the hon. Lady wants to know, I will lend her a copy of the survey.

My point is that there is a strong and growing demand according to the research for more factually based programmes. They are not dull and because they are factual it does not mean that they do not entertain. Such programmes are essentially factually based.

From the experience of similar shake-ups in the broadcasting systems in France, West Germany and Italy, we know that the first casualties were factually based programes. I have shown that there is a strong demand. No doubt the Minister will tell me that we do not have to enshrine that in a continuation of the public service broadcasting requirements because, if it is that clear, even the thick heads running the present ITV system will respond to it.

In our judgment, in an increasingly competitive environment in broadcasting, particularly with the advent of the two satellite channels and the promise of many more to follow, there will be growing competition for viewers. Of course, one of the ways to attract viewers is to tailor programmes for them and in turn those programmes will appeal most to the advertisers. I am not talking about viewers en masse; the advertisers will be interested in particular groups of viewers who have certain amounts of money in their pockets or purses at particular times of the day or night. That is where the pressure will be. No doubt if the hon. Member for Colne Valley (Mr. Riddick), who preached the unbridled merits of the free market earlier, was here now, he would be jumping up and down and cheering at my definition.

The Government's proposal, even with the amendments, puts the range and diversity of quality at risk. It is even more curious because in Committee the Minister told us that the amount of money that would be paid for the licence—let us describe that as the brown envelope—did not have to be tipped in up front. He said that it could be paid in instalments over the licence period. I do not object to that, but the Minister could arguably end up with less money than the income from the levy on national advertising revenue.

There is agreement that advertising revenue is hardly likely to grow at the moment. Indeed, there is some doubt whether it might dip off after a period of swift growth. It could be argued that over the whole of that licence period there will be a substantial growth in advertising revenue. The Government have the ability to adjust the levy. It is not necessarily fixed. They can change it year on year or take a gamble and say, "We shall have X per cent. throughout the period." That would fit in with the Government's free market philosophy. It is what they preach to everyone else. They tell people to try their luck and hope that the system will turn up more cash than was expected at the beginning of the franchise period on the back of the growth in advertising revenue.

I do not criticise the Minister. I wish to be open and to acknowledge the way in which he listened, consulted and responded and came back to the House with the amendment. However, the system of which the amendment is a part will not secure real, widened choice among a diverse range of quality programmes in the year ahead. I acknowledge that there is no perfect system and that both our way and the Government's way involve some highly subjective judgments.

The Minister denies that he is the author of the phrase "Becher's brook", and I accept that. I think that it was that nice Mr. George Russell again who used the term. The House is probably aware, but I owe it to the Radio Times for telling me, that the reason why that fence enjoys the name Becher's brook is that the first person to jump it was a rider by the name of Captain Becher and he came off his horse. The Minister said that he hoped that I would not say that the amendment did not go far enough. Well, I have not said that. However, the amendment does not meet our basic objections to the way in which the Government propose to award the licences. That is why we shall press the amendment to a Division.

Mr. Maclennan: The House can have no sense of the drama in Committee when these matters were discussed. Many members of the Committee—I venture to say almost all of them—felt that if the Government did not table an amendment such as the one before us, the future of television broadcasting would be led downhill and we should preside over a serious lowering of standards.

We view amendment No. 654 as a lifeline for television. The drama in Committee was created because people genuinely did not know, not what the Minister had in mind but how the Government would decide the issue. The Minister was probably always sympathetic to the view, although he accepted the legalistic point that it was not necessary, that the Bill would be strengthened by spelling these matters out for the avoidance of doubt. It is therefore right to pay tribute to him. I have no doubt that he had to persuade his colleagues of the virtue of the position that he has taken and has encapsulated in the amendment.

The amendment is well worded and I congratulate those who have played a part in drafting it. It should not lead to litigation and it will withstand judicial review. It makes it clear not only that the quality must be exceptionally high but that the bid which is lower in cash terms must be substantially higher in quality. That strengthens the quality requirement.

Having said that the amendment is an essential lifeline, I do not take the view that it is the ideal way of allocating Channel 3 licences. I acknowledge that the old system was not appropriate to a more competitive world. It lacked

transparency and meant that the market was slow moving. There was a need to free up the system to make it more competitive. The Government were right to legislate, but they should have considered legislating on the basis of competition and quality. Greater transparency in bidding would have allowed for that, as it would have enabled the regulatory authority to make its judgments in an open marketplace. Published bids would have indicated a good deal more about their quality than anything available in the past. None the less, the Minister has saved us from a catastrophe and we are grateful for that.

The two amendments tabled in my name which appear in this group relate specifically to radio, but the Minister has taken some care about radio quality and I thank him. I do not expect that the Minister will be surprised if, enthusiastic as we are about the work that he has done, we feel it inappropriate to join him in the Lobby. We do not commend the entire scheme—we make the best of a bad job. Therefore, my right hon. and hon. Friends and I will join the Labour party in the Lobby tonight.

9.30 pm

Mr. Simon Coombs: The amendments in my name in the group relate to clause 70, which refers to the cable industry. I thank the Government for tabling a number of amendments to clause 70 which go a long way towards meeting the points made by myself and colleagues in Committee.

As with Channel 3, it is important that the term "exceptional circumstances" should be explained and that is why amendment No. 208 needs to be discussed. It addresses the important problem known as "cherry picking" and deserves careful thought.

The cable industry is relatively new, but investors have already demonstrated confidence in its future by beginning to build systems and by establishing channels. The current telecommunications licence requires cable operators to cover 100 per cent. of an area. Investors may well be encouraged by the abolition——

Mr. Mellor: My hon. Friend looks dubious and perhaps I should repent on what I am about to say. I accept his amendment in principle and we shall bring forward amendments to that effect in another place, although he would perhaps rather that I did not.

Mr. Coombs: If it were always that easy, we would not be here for nine hours at a time. I am grateful to my hon. and learned Friend. He has not had the opportunity to listen to my argument on this occasion, but I know that he is familiar with it. I am prepared to accept his undertaking that an opportunity to deal with the problem will arise in another place.

Under the present proposals an operator can choose to develop only the most attractive part of the area for which he has been granted a franchise. He can leave the other parts of the area uncabled, but my colleagues and I believe that that would be inimical to the best interests of the cable industry, its growth and future. If my hon. and learned Friend is prepared to take steps to prevent that from happening, or at least to ensure that different types of application for the development of a franchise are dealt with carefully in the bidding process, I shall be happy not to press my amendment.

Mr. Austin Mitchell: I have not had the privilege of watching the Minister's evolution in Committee. I wish that I had because it has clearly been fascinating. It is rather like the Virginia Slims advert—"You have come a long way, babe." Unfortunately, there is still a good deal to do. The real problem is not the progress that has been made since—welcome though that is, and I am not seeking to knock or denigrate the Minister whose achivement is considerable—but the starting point from which he was forced to make that pilgrimage. That starting point should never have been ordained and put into the Bill.

The interesting question is, who decided to do so? Why did we develop the idea of auctioning television franchises? That is the crime and sin. As soon as that concept came in, it distorted the Bill's purpose. Who was responsible? I still do not know and it would be fascinating to know. Was it ordained by the Prime Minister?

Mr. Gale *rose*——

Mr. Mitchell: I do not think that the hon. Gentleman will be able to tell me, fascinating as it might be. I do not think it was him, mad as the idea is. I imagine it must have been the Prime Minister—perhaps the Prime Minister's revenge on ITV or the greed of the Treasury. However, it is certainly wrong because it distorts the nature of television companies to make cash paramount. Accumulating a war chest of money and the ability to make the bid becomes the dominant consideration. As soon as that becomes paramount, the quality of production and the need to be expert producers of quality programmes goes by the board. That is why the decision to introduce the auction is already distorting the companies' nature.

Many of the companies are taking on staff, shedding labour—as Central Television is—or worsening the conditions under which people work—as Granada Television and Yorkshire Television are. There is confrontation as the companies try to squeeze more cash out of existing businesses at the expense of good industrial relations and quality of production. That distortion is already occurring.

The Minister has resiled, and has still further to resile from that position. We welcome that progress, but we must recognise it for what it is—progress away from a position that was wrong, insane and detrimental to good television and quality production. I say well done to the Minister for what he has personally achieved, but he should never have been put in that position in the first place.

Sir Peter Blaker (Blackpool, South): I support my hon. Friend the Member for Swindon (Mr. Coombs). I welcome what the Minister said in response to my hon. Friend about introducing an amendment in another place to pursue the theme of amendment No. 208.

I believe that factors are relevant to quality in connection with cable other than simply the coverage of the area and the time scale of construction. For example, community programmes are, in the cable context, equivalent to regional programming in connection with Channel 3.

My hon. and learned Friend will have observed that the pre-qualification conditions relating to cable in clause 69 are much slimmer than those in clause 16 relating to Channel 3. When he drafts the new amendment he promised, I should like him to take account of some of the factors in clause 16 that are relevant to cable, such as community programming.

Mr. George Walden (Buckingham): Earlier in this debate some of my hon. Friends, each in his or her own gentle way, pointed out certain shortcomings in the Bill in relation to quality. As someone who supports a Government who purport to be radical, I thought that here was a chance to take a radical view of a broadcasting matter, look at the whole sphere of what was happening and likely to happen in broadcasting and decide to go for quality as a way to secure and perhaps to reinforce broadcasting against a possible decline of quality. I also saw it as a chance to reinforce radical policies, particularly in education. As we know, the Bill started off with another sort of radicalism that seemed entirely inappropriate in this context.

However, as the Minister of State frequently reminds us, we must not let the best become the enemy of the good. I have looked extremely carefully at what the Minister has achieved. I see his achievements on this part of the Bill together with the provisions for the ITC to produce illustrative models of programmes. I cannot pretend that the amendments satisfy my inclinations, which would have been simply to have a quality auction and for the Treasury to sacrifice a certain amount of money in the process. Clearly that was never going to happen, and it will not happen now. It would be tedious repetition for me to go on with the arguments.

I acknowledge gratefully what my hon. and learned Friend the Minister of State did in Committee. I shall finish with one more Cassandra-like thought—that once again all the debate and all the efforts will be set at naught if the Government persist in over-excited tinkering with the BBC. Having got the position more or less acceptably right, they could send the whole thing spiralling slowly downhill if they started doing anything that would interfere with the public service standards of the BBC. Those standards are by no means what they should be, but they could be made a damn sight worse.

In not joining the Opposition for once, if it is their intention to vote against the Government, I emphasise strongly that I shall continue to scrutinise future Government policy on the BBC.

Amendment agreed to.

Mr. Speaker: We now come to amendment No. 41, with which it will be convenient——

Mr. Corbett: On a point of order, Mr. Speaker. We had intimated that we would seek a Division on amendment No. 354, which was in the group with amendment No. 253.

Mr. Speaker: We have not reached that on the amendment paper yet.

Clause 16

Procedure to be followed by Commission in connection with consideration of applications for licences

Mr. John Greenway: I beg to move amendment No. 41, in page 13, line 37, at end insert—

'(bb) that, having regard to the information supplied by him under section 15(3)(d)(ii), he would be able to comply with subsection 2(c) below.'.

Mr. Speaker: With this it will be convenient to discuss amendment No. 706, in page 14, line 15, at end insert—

'(ddd) that a sufficient proportion of the programmes so included are made in the area for which the service is provided;'.

No. 38, in clause 17, in page 15, line 9, at end insert—

'and in considering whether there are such circumstances they shall take into account the information about use of regional facilities provided under section 15(3)(d)(ii) and the regional programming requirements under section 16(2)(e)'.

Mr. Greenway: Amendment No. 41 was tabled by my hon. Friend the Member for Tayside, North (Mr. Walker), who regrets that he cannot be here. I speak also to amendment No. 706 in my name.

I wish to draw the attention of the House again to the amendment to clause 15, which was carried in Committee, and also to amendment No. 244, which the House considered last evening and which in many ways overtook amendments Nos. 41 and 706. I stress again the importance which many of us from the regions place on the regional structure of Channel 3 and on ensuring that there are proper facilities in the regions. The further a region is from London, the more important that is.

I promised my hon. Friend that I would speak briefly to his amendment but I will not press it. I am sure the House will agree that the amendments already made go a long way to satisfying the purpose and objective of my hon. Friend and myself.

Mr. Maclennan: I support the hon. Member for Ryedale (Mr. Greenway). That will not surprise him because I moved similar amendments in Committee. He is entirely right in seeking to promote investment in the regions. I regret that the hon. Member for Tayside, North (Mr. Walker) is not here, because there has been considerable interest in the thinking behind his amendment, especially in the north of Scotland.

Mr. John Greenway: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

9.45 pm

Mr. Mellor: I beg to move amendment No. 112, in page 13, line 49, leave out 'any'.

Mr. Speaker: With this it will be convenient to consider the following amendments: No. 200, in page 14, line 1, after 'news', insert 'and current affairs'.

Government amendments Nos. 113 and 114.

No. 693, in page 14, line 21, at end insert—

'(g) that in each week not less than two hours at programmes are devoted to philosophical matters which cover Christianity and other religions of the world, agnosticism and humanism and that any such programmes are broadcast at intervals throughout the period for which the service is provided'.

No. 39, in page 14, line 29, after '(2)(f)', insert—

'(a) in relation to a national Channel 3 service,'.

No. 40, in page 14, line 31, after 'and', insert—

'(b) in relation to a regional Channel 3 service, "qualifying programmes" and "independent productions" may mean, in each case, programmes of such description, as the Secretary of State may by order specify, save that he shall not include regional news and current affairs programmes as qualifying programmes; and'.

Government amendments Nos. 116 and 378.

Mr. Mellor: This is a fairly central group of amendments, because they make significant changes to clause 16. Amendment No. 114 honours our pledge to

place a statutory requirement on Channel 3 licensees to provide religious and children's programmes. Amendment No. 113 enables sub-regional services to be part of the requirements for regional Channel 3 licensees. That is another example of our commitment to the regions, which include areas where a sub-regional arrangement already exists and works well.

Amendment No. 115 requires the ITC to take account of representations made by members of the public about prospective applicants, and amendment No. 116 relates to orders made by the Secretary of State for setting a minimum level of independent production and for defining independent production. As I have said, the amendments are significant, but they all flow from discussions in Committee.

Mr. Maclennan: Amendment No. 40 stands in the name of the hon. Member for Tayside, North, who is not here to move it. I moved a similar amendment in Committee. Amendment No. 40 relates to the requirement that Channel 3 broadcasters shall use 25 per cent. independent production, and seeks to exclude regional news from that calculation. From what the Minister said in Committee, I anticipated that that was the case and that the amendment is quite unnecessary. Perhaps the Minister could enlighten us on that, because I suspect that there is some uncertainty in the mind of Grampian Television. Will he confirm that amendment No. 40 is not strictly necessary?

Mr. Brian Wilson (Cunninghame, North): I should like to speak about Gaelic television, which has become a surprisingly prominent issue during the whole of our deliberations on the Bill. I am sorry that the Secretary of State for Scotland is not here because I wish to pay him a rare tribute for obtaining from the Treasury £8 million for Gaelic television in Scotland. By any standard, that was an excellent achievement and I unreservedly welcome it.

Everyone has a vested interest in ensuring that that money is well spent, but it is by no means certain that it will be. I should like to offer some thoughts on how it could best be used to ensure what everyone wants to ensure—that it does the maximum amount of good for the Gaelic language and those who speak it. I fear that the money will create not a service of the type that everyone involved with Gaelic wants to see, but a sprinkling of programmes scattered about the schedules and adding up to no great effect or impact. I suspect that that will happen unless a strategy is devised to concentrate Gaelic programming within a regular time scale on a single channel so that people know where and when they can expect programmes. We must concentrate on quality as well as quantity.

The sum of £8 million is enormous compared with the amount that Gaelic television has at present. It is also enough in Scottish broadcasting terms to attract the interest of many people whose commitment to the Gaelic language and Gaelic television has in the past been modest to say the least. In some cases it has been zero. We want safeguards against the possibility that the money will be seized by people who see opportunities in it, but not necessarily opportunities to provide the best possible Gaelic service—which is what the Secretary of State for Scotland had in mind when the money was obtained from the Treasury.

I believe that the only way to use the money effectively is to create in Scotland a mini-S4C system. In other words, there should be a regular time at which Scottish people know that they can turn on their television sets and see a Gaelic programme. I am not talking about anything on the scale of S4C in terms of hours or output; I am talking about perhaps one hour per day, which is so much more than at present that it will certainly be enough to satisfy the demand. It would be infinitely better to have an hour a day at a time when people know that they will find a quality Gaelic programme than simply scattering programmes of dubious merit at all hours of the day or night.

In the present circumstances, the Channel 3 companies will protest their willingness to feature Gaelic programming at peak viewing hours. That commitment is unrealistic and would not survive many months after the franchises had been awarded. That is especially true in the Scottish Television area, where there is a Gaelic audience of at most 1 or 2 per cent. of the total. It is not commercially sustainable to suggest that Gaelic television would be given that degree of prominence.

I understand the reasons why companies say now that stations will be given to Gaelic, because there is the attraction of receiving a substantial share of the £8 million that has suddenly appeared. I am sure that the recent commitment of STV to Gaelic can be satisfied within the framework that I suggest. However, it is not realistic to expect it to continue to broadcast such material to a minority audience at peak viewing time, or anything approaching it.

I fear that if it is left to the market place Gaelic television will once again be consigned to all hours in the early morning and the dead of night and the £8 million will not achieve its intended effect. The alternative is to take one hour a day—I suggest on either BBC2 or Channel 4—and to concentrate the Gaelic programming within that time, perhaps at six or seven o'clock in the evening when it would seem sensible to group the programmes together. There are at present very small audiences in Scotland for either of those channels at those times.

If, say, one news bulletin and one quality programme per night is produced from that large budget, that will be the beginning of an acceptable Gaelic television service. That approach would probably also be the most acceptable to the vast majority of people in Scotland who are not Gaelic speakers. Their interests must be taken into account as well. It is quite reasonable to think that the 90 per cent. who cannot understand the Gaelic programmes would find a constant sprinkling of them an intrusion. It is far better for them to be grouped together in the one place. That is the way to achieve maximum value for the Government's money. It is essential, too, that that £8 million should help to finance a centre of production based at Inverness—or somewhere within the Gaelic-speaking areas—to produce Gaelic programmes independently. That would help to create jobs which could go to young Gaelic speakers.

As I know that the subject is of minority interest to many hon. Members, I will summarise. The Government have done well to provide £8 million for this minority language. It is in the interests of everybody that that money should be spent well rather than foolishly and that the maximum effect be achieved from it. Without going into more detail of this esoteric argument, I suggest that a concentration of programmes in a mini-S4C format is the sensible way to do this, rather than scattering programmes

[Mr. Brian Wilson]

around the schedules like confetti where they will be unable to compete or retain a place in the television market.

Mr. Darling: The amendment and the debate show how much cross-party co-operation and consensus there has been. At the risk of ruining his career, I thank the Minister for tabling these welcome amendments, which are in line with the feeling expressed on both sides of the Committee when we discussed clause 16. They greatly strengthen the commitment to regional television that most if not all of us want. In particular, I am glad that applicants for franchises will have to say that they will make programmes of particular interest to people living in the area for which the service is provided.

Having spent much of the Committee banging the regional drum, let me enter a caveat. While I hope that companies will pay regard to the regions they serve, engage local talents and make programmes that appeal to the different parts of the area, that does not mean that I want parochial regional television services. It is to the great credit of Granada, a regional company, that it made "The Jewel in the Crown", which had nothing to do with the north of England and very little to do with the United Kingdom as a whole, as it was set and filmed in India. Granada showed up the BBC, which had always given the impression that it was the only organisation that could make quality drama.

I hope that the Channel 3 company will compete with the BBC, Channel 4, and Channel 5 if that comes about, in producing good high-quality television programmes that are both regionally based and outward looking. I should hate to think that anybody looking at these proceedings would feel that we were concerned that people living in Manchester knew only about Manchester, while those living in Aberdeen knew only about Aberdeen. That would be insular indeed.

I am also glad that the Minister has added a requirement that news programmes must be of high quality. There was a risk that, without such a requirement, companies might be tempted to use agency news for their news programme. Although that would provide an adequate service, it would give no attention to events in the local area, and there would be no in-depth studies of such news.

I thank the Minister for amendment No. 114, which adds the requirement that schedules must include religious and children's programmes. The Opposition would have liked the amendment to go much further. One of the Bill's weaknesses is that the quality threshold is not strong enough. We want to ensure that there is a wide range of programmes, including those on current affairs, holidays, art and drama. However, no matter how long a list, one runs the risk of leaving something out and it could be assumed that it should be included. There is a difficulty, because some people might think that, because religious programmes and programmes intended for children are included in the Bill, not so much importance should be attached to other programmes.

Anyone who followed the proceedings in the Committee and who looks at the Bill as amended will realise that the quality threshold has been considerably strengthened. That is to the credit of the Committee and the House. We have done in this Bill what we have singularly failed to do in other Bills because of the party divide. I think that it makes for a better Bill altogether.

There remain fundamental differences, however, between the Conservative and Labour parties on how franchises should be allocated in the first place, as we said in the previous debate. There is no doubt that clause 16 could be improved, because things can always be improved, but I pay tribute to the way in which the Minister has accepted the many suggestions which have been made. The result of our deliberations is that the quality threshold is substantially higher than it was when the Bill was first introduced to this place. We still hold out hopes that further improvements will be made in another place. It would be wrong, however, not to give the Minister credit where credit is due and not to pay him tribute. That applies also to everyone else who was involved in the consideration of the Bill.

It being Ten o'clock, the debate stood adjourned.

Ordered,

That, at this day's sitting, the Broadcasting Bill may be proceeded with, though opposed, until any hour.—*[Mr. John M. Taylor.]*

As amended (in the Standing Committee), again considered.

Question again proposed, That the amendment be made.

Mr. Mellor: I am grateful to the hon. Member for Edinburgh, Central (Mr. Darling) for his most charming tribute. I share his pleasure that clause 16 has been improved as a result of our deliberations. It will set a quality threshold that it will not be easy to surmount unless one is an extremely effective applicant.

Mr. Corbett: A strong horse.

Mr. Mellor: Yes, indeed—not some poor old nag.

I admire the ingenuity of the hon. Member for Cunninghame, North (Mr. Wilson) in succeeding in advancing arguments that relate to clause 169 while the House was discussing clause 16. I suppose that that will save some time later in our proceedings. I enjoyed his remarks and I shall consider them carefully when we formulate proposals for the Gaelic fund. I am grateful for his recognition that the Government have taken a major step forward.

I can reassure the hon. Member for Caithness and Sutherland (Mr. Maclennan) that it is our intention to exclude news and news-related programmes, whether regional or national, from the requirement. That intention will be enshrined in secondary legislation in due course. In other words, amendment No. 40 is not necessary. I confirm that we shall be dealing with the contents of it.

Amendment agreed to.

Amendments made: No. 113, in page 14, line 8, leave out from 'included' to end of line 13 and insert—

'(i) to a suitable range of regional programmes, that is to say, programmes (including news programmes) which are of particular interest to persons living within the area for which the service is provided, and

(ii) if the service is to include the provision of such programmes as are mentioned in section 14(2A), to a suitable range of programmes for each of the different parts of that area or (as the case may be) for each of the different communities living within it, being in each case a range of programmes (including news programmes) which are of particular interest

to persons living within the relevant part of that area or (as the case may be) the relevant community,

and that any news programmes so included in accordance with sub-paragraph (i) or (ii) are of high quality;

(ca) that a suitable proportion of the regional programmes included in the service in accordance with paragraph (c) are made within the area for which it is to be provided;'.

No. 114, in line 13, at end insert—

'(cb) that a sufficient amount of time is given in the programmes included in the service to religious programmes and programmes intended for children;'.

No. 115, in line 26, after '(4)', insert

'In deciding whether an applicant's proposed service would comply with the requirements specified in subsection (2) or (3) (as the case may be), the Commission shall take into account any representations made to them as to the nature of the service which should be provided under the licence applied for; and'.

No. 116, in line 39, leave out from 'and' to 'House' in line 40 and insert

'no such order shall be made unless a draft of it has been laid before and approved by a resolution of each'.—*[Mr. Mellor.]*

Clause 17

AWARD OF LICENCE TO PERSON SUBMITTING HIGHEST CASH BID

Amendments made: No. 18, in page 15, line 1, leave out 'the amounts specified in the cash bids submitted by'.

No. 19, in line 2, leave out 'are the same,' and insert 'have submitted cash bids specifying an identical amount which is higher than the amount of any other cash bid submitted in respect of the licence, then (unless they propose to exercise their power under subsection (3) in relation to the licence)'.

No. 20, in line 7, after 'may', insert

'disregard the requirement imposed by subsection (1) and'.

No. 21, in line 7, leave out

'other than the one who'

and insert 'who has not'.—*[Mr. Mellor.]*

Amendment proposed: No. 354, in line 9, leave out 'exceptional'.—*[Mr. Corbett.]*

Question put, That the amendment be made:—

The House divided: Ayes 198, Noes 256.

Division No. 198] **[10.1 pm**

AYES

Abbott, Ms Diane
Adams, Allen *(Paisley N)*
Allen, Graham
Anderson, Donald
Archer, Rt Hon Peter
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashley, Rt Hon Jack
Ashton, Joe
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beggs, Roy
Beith, A. J.
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Blair, Tony
Blunkett, David
Boateng, Paul
Boyes, Roland
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Bruce, Malcolm *(Gordon)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Canavan, Dennis
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Crowther, Stan
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Cunningham, Dr John
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Dunnachie, Jimmy
Eastham, Ken
Ewing, Mrs Margaret *(Moray)*
Field, Frank *(Birkenhead)*
Fisher, Mark
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Forsythe, Clifford *(Antrim S)*
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galloway, George
George, Bruce
Gilbert, Rt Hon Dr John
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Haynes, Frank
Heal, Mrs Sylvia
Healey, Rt Hon Denis
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howell, Rt Hon D. *(S'heath)*
Howells, Dr. Kim (Pontypridd)
Hoyle, Doug
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Jones, Barry *(Alyn & Deeside)*
Jones, Ieuan *(Ynys Môn)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kilfedder, James
Kirkwood, Archy
Leadbitter, Ted
Leighton, Ron
Lewis, Terry
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
Macdonald, Calum A.
McFall, John
McKelvey, William
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Mitchell, Austin *(G't Grimsby)*
Molyneaux, Rt Hon James
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mullin, Chris
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Paisley, Rev Ian
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Robertson, George
Robinson, Geoffrey
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Ross, William *(Londonderry E)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Smith, J. P. *(Vale of Glam)*
Smyth, Rev Martin *(Belfast S)*
Snape, Peter
Soley, Clive
Steel, Rt Hon Sir David
Steinberg, Gerry
Strang, Gavin
Straw, Jack
Taylor, Rt Hon J. D. *(S'ford)*
Turner, Dennis
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Watson, Mike *(Glasgow, C)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Robert N. Wareing and Mr. Allen McKay.

NOES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael

Allason, Rupert
Amess, David
Amos, Alan
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkins, Robert
Baker, Rt Hon K. *(Mole Valley)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Clark, Hon Alan *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cormack, Patrick
Couchman, James
Currie, Mrs Edwina
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dorrell, Stephen
Dover, Den
Dunn, Bob
Durant, Tony
Dykes, Hugh
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Favell, Tony
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Gale, Roger
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Sir Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hayward, Robert
Heathcoat-Amory, David
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hogg, Hon Douglas *(Gr'th'm)*
Howard, Rt Hon Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Hughes, Robert G. *(Harrow W)*
Hunter, Andrew
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Jackson, Robert
Janman, Tim
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Latham, Michael
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lester, Jim *(Broxtowe)*
Lightbown, David
Lilley, Peter
Lloyd, Peter *(Fareham)*
Luce, Rt Hon Richard
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, David
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Mellor, David
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Montgomery, Sir Fergus
Moss, Malcolm
Mudd, David
Neale, Gerrard
Nelson, Anthony
Neubert, Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pawsey, James
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Price, Sir David
Raison, Rt Hon Timothy
Redwood, John
Renton, Rt Hon Tim
Rhodes James, Robert
Riddick, Graham
Roberts, Wyn *(Conwy)*
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waddington, Rt Hon David
Walden, George
Waller, Gary
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Woodcock, Dr. Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. John M. Taylor and
Mr. Tom Sackville.

Question accordingly negatived.

Amendments made: No. 22, in page 15, line 9, leave out 'do so' and insert 'award the licence to that applicant'.

No. 654, in page 15, line 9, at end insert—

'(3A) Without prejudice to the generality of subsection (3), the Commission may regard the following circumstances as exceptional circumstances which make it appropriate to award the licence to an applicant who has not submitted the highest bid, namely where it appears to the Commission—

(a) that the quality of the service proposed by such an applicant is exceptionally high; and

(b) that the quality of that proposed service is substantially higher than the quality of the service proposed—

(i) by the applicant who has submitted the highest bid, or

(ii) in a case falling within subsection (2), by each of the applicants who have submitted equal highest bids;

and where it appears to the Commission, in the context of the licence, that any circumstances are to be regarded as exceptional circumstances for the purposes of subsection (3), those circumstances may be so regarded by them despite the fact that similar circumstances have been so regarded by them in the context of any other licence or licences.'.

No. 24, in line 10, leave out 'who submitted the highest bid,' and insert

'to whom (apart from this subsection) they would award the licence in accordance with the preceding provisions of this section,'.

No. 25, in line 13, leave out 'granted' and insert 'awarded'.

No. 26, in line 33, leave out 'person who submitted the highest bid,' and insert

'applicant to whom (apart from any such requirement) they would have awarded it in accordance with the preceding provisions of this section,'.

No. 27, in line 35, at end insert

'and any such rules may provide for the awarding of licences by reference to orders of preference notified to the Commission by applicants at the time of making their applications.'.

No. 28, in line 40, leave out

'the applicant who submitted the highest bid'

and insert 'an applicant'.

No. 29, in line 41, leave out from 'if' to end of line 46 and insert

'that person had not made an application for the licence.'.

No. 30, in line 48, at end insert

'as soon as reasonably practicable after awarding the licence'.

No. 31, in page 16, line 1, leave out

"as soon as is reasonably practicable'.

No. 32, in line 9, leave out 'and'.

No. 33, in line 11, leave out

'other than the one who'

and insert 'who has not'.

No. 34, in line 13, at end insert

'; and

(d) such other information as the Commission consider appropriate.'.—*[Mr. Mellor.]*

Clause 18

HOLDER OF CHANNEL 3 LICENCE TO GIVE SECURITY AGAINST FAILURE TO MAINTAIN PROPOSED SERVICE

Amendments made: No. 370, in page 16, line 31, leave out from beginning to 'and' in line 32.

No. 371, in line 33, leave out from 'effect' to end of line 36 and insert

'as if he had not made an application for the licence.'.

No. 372, in line 37, leave out subsection (4) and insert—

'(4) If at any time after a Channel 3 licence has been granted to any person but before the licence has come into force—

(a) that person indicates to the Commission that he does not intend to provide the service in question, or

(b) the Commission for any other reason have reasonable grounds for believing that that person will not provide that service once the licence has come into force,

then, subject to the subsection (4A)—

(i) the Commission shall revoke the licence,

(ii) the whole, or (if the Commission so determine) a specified part, of any security given by that person under this section shall be forfeited to the Commission, and

(iii) section 17 shall have effect as if he had not made an application for the licence.

(4A) Subsection (4) shall not apply in the case of any person by virtue of paragraph (b) of that subsection unless the Commission have served on him a notice stating their grounds for believing that he will not provide the service in question once his licence has come into force; and they shall not serve such a notice on him unless they have given him a reasonable opportunity of making representations to them about the matters complained of.

(4B) Where the Commission propose to revoke under subsection (4) a licence to provide a regional Channel 3 service, they may invite the holder of any other such licence to provide his licensed service additionally for the area for which the first mentioned service is to be provided; and, where the holder of any such licence agrees to provide his licensed service for that area, the Commission shall authorise him to do so, during such period as they may determine, by means of a variation of his licence to that effect.'.—*[Mr. Mellor.]*

Clause 19

ADDITIONAL PAYMENTS TO BE MADE IN RESPECT OF CHANNEL 3 LICENCES

Amendment made: No. 373, in page 18, line 45, leave out from beginning to 'estimating' in line 1 on page 19. —*[Mr. Mellor.]*

Clause 20

DURATION AND RENEWAL OF CHANNEL 3 LICENCES

Amendments made: No. 374, in page 19, line 21, after 'only', insert '(subject to subsection (5A))'.

No. 375, in line 35, at end insert—

'(5A) Section 17(4) to (6) shall apply in relation to an applicant for the renewal of a Channel 3 licence as those provisions apply in relation to such an applicant as is mentioned in section 17(4), but as if any reference to the awarding of such a licence to the applicant were a reference to the renewal of the applicant's licence under this section.'.

No. 376, in page 20, line 24, leave out 'and' and insert—

'(aa) section 18(4) to (4B) shall apply in relation to any time after the renewal of the licence but before the beginning of the period for which it has been renewed as those provisions apply in relation to any time after a Channel 3 licence has been granted but before it has come into force (except that section 18(4) shall so apply with the omission of paragraph (ii)); and'.

Clause 21

THE CHANNEL FOUR TELEVISION CORPORATION

Amendment made: No. 254, in page 21, line 4, leave out 'from time to time' and insert 'for the time being'.—*[Mr. Mellor.]*

Schedule 3

THE CHANNEL FOUR TELEVISION CORPORATION SUPPLEMENTARY PROVISIONS

Amendments made: No. 255, in page 149, line 34, at end insert—

'(4) This paragraph does not apply in relation to ex-officio members of the Corporation.'.

No. 256, in line 36, leave out 'to each member' and insert—

'(a) to each member other than an ex-officio member'.

No. 257, in line 37, after 'allowances', insert

', and

(b) to each ex-officio member such allowances,'.

No. 258, in line 45, at end insert—

'(3A) Sub-paragraphs (2) and (3) do not apply in relation to ex-officio members of the Corporation.'.

No. 259, in line 47, after 'determination', insert 'under sub-paragraph (1)'.

No. 260, in page 150, leave out lines 37 to 50.

No. 261, in page 151, line 14, after 'Corporation', insert 'other than an ex-officio member'.—*[Mr. Mellor.]*

Clause 24

REVENUE DEFICITS OF CORPORATION TO BE FUNDED BY CHANNEL 3 LICENSEES

Amendments made: No. 492, in page 22, line 32, leave out 'determine' and insert 'estimate'.

No. 493, in line 33, at end insert—

'and the Commission may, on one or more occasions, revise any estimate made by them under this subsection.'.

No. 494, in line 36, leave out from first 'the' to 'and' in line 37 and insert—

'total television revenues for that year;'.

No. 495, in page 23, line 1, leave out from 'If' to 'by' in line 4 and insert—

', in the case of any year, the aggregate of the following amounts, namely—

(a) the amount of the Corporation's qualifying revenue for that year as estimated by the Commission under subsection (1), and

(b) any amount which, at the beginning of that year, is for the time being standing to the credit of any such reserve fund as is mentioned in section 25(3),

is less than the amount of the Corporation's prescribed minimum income for that year as estimated by the Commission under subsection (1), the Commission may (subject to subsection (4)) determine that the amount of the difference shall be raised'.

No. 496, in line 15, leave out 'Corporation' and insert 'Commission'.

No. 497, in line 18, leave out from 'Commission' to 'to' in line 19.

No. 498, in line 21, leave out 'the revised estimate' and insert—

'any revised estimate made by them under subsection (1)'.

No. 499, in line 23, at end insert—

'(5A) Any amount received by the Commission by virtue of subsection (5)(a) shall be transmitted by them to the Corporation.

(5B) Where, in respect of any year—

(a) the Commission have imposed a levy under subsection (3), and

(b) the aggregate amount transmitted by them to the Corporation under subsection (5A) exceeds the relevant amount,

the Commission shall notify the Corporation of that fact; and the Corporation shall, as soon as reasonably practicable after receiving such a notification, repay to the Commission the amount of that excess.

(5C) In subsection (5B) "the relevant amount" means the amount by which the aggregate of the following amounts, namely—

(a) the Corporation's qualifying revenue for the year in question, and

(b) any such amount as is mentioned in subsection (3)(b),

is less than the Corporation's prescribed minimum income for that year.'.—*[Mr. Mellor.]*

Clause 25

APPLICATION OF EXCESS REVENUES OF CORPORATION

Amendment made: No. 500, in page 24, line 12, at end insert

'; and no direction may be given by the Secretary of State under that subsection with respect to the application of any amount for the time being standing to the credit of that fund which has been taken into account by the Commission for the purposes of section 24(3)(b) or (5C)(b).'.—*[Mr. Mellor.]*

Clause 26

CHANNEL 5

Amendment made: No. 382, in page 24, line 34, at end insert—

'(2A) If the Commission so determine, Channel 5 shall be provided under a particular licence only between such times of the day or on such days of the week (or both) as they may determine.'.—*[Mr. Mellor.]*

Clause 27

APPLICATION TO CHANNEL 5 OF PROVISIONS RELATING TO CHANNEL 3

Amendments made: No. 377, in page 24, line 47, leave out 'and'.

No. 378, in line 48, leave out 'paragraph (c)' and insert 'paragraphs (c) and (ca)'.

No. 379, in line 48, at end insert

'; and (c) section 18 shall have effect with the omission of subsection (4B).'.—*[Mr. Mellor.]*

Clause 28

CHANNEL 5 LICENSEE REQUIRED TO RETUNE EQUIPMENT SUSCEPTIBLE TO INTERFERENCE

Amendments made: No. 383, in page 25, line 1, after 'licence', insert

'which is in force at the commencement of the provision of Channel 5'.

No. 384, in line 5, after 'kept' insert

'(being a request made before such date as is specified in the conditions)'.

No. 385, in line 7, leave out 'it' and insert 'the equipment'.

No. 386, in line 12, leave out 'the Commission may determine' and insert

'is specified in the conditions'.

No. 387, in line 15, at end insert—

'(1A) Any such Channel 5 licence shall also include conditions requiring the holder of the licence to publicise, in such manner as may be approved by the Commission, information with respect to—

(a) the likelihood of different kinds of equipment suffering interference caused by the transmission of Channel 5;

(b) the arrangements which the holder of the licence is required to make by virtue of conditions imposed in pursuance of subsection (1); and

(c) the kinds of equipment in relation to which those arrangements are to be so made.'.

No. 388, in line 15, at end insert—

'(1B) The holder of a Channel 5 licence shall not be required, by virtue of conditions imposed in pursuance of subsection (1), to make any such arrangements as are mentioned in that subsection in relation to any relevant equipment unless the equipment—

(a) is, on the date of the making of such a request as is referred to in paragraph (a)(i) of that subsection, kept by the person in question wholly or mainly for domestic purposes, and

(b) was so kept by that person on the commencement date (if that date occurred before the date mentioned in paragraph (a) above);

and, where any such equipment has been returned or otherwise modified in accordance with any such conditions, the holder of such a licence shall not be required by virtue of any such conditions to make arrangements on any subsequent occasion for the retuning or other modification of that equipment.

(1C) Any dispute as to when the commencement date occurred in the case of any relevant equipment shall be determined by the Commission.'.

No. 389, in line 15, at end insert—

'(1D) Where—

(a) in accordance with section 26(2A), more than one Channel 5 licence is in force at the same time, and

(b) each of the licences includes such conditions as are mentioned in subsections (1) and (1A),

the holders of the licences shall each comply with those conditions to such extent as the Commission may determine in relation to him.'.

No. 390, in page 25, line 16, leave out 'subsection (1)' and insert

'this section "the commencement date", in relation to any relevant equipment, means the date when Channel 5 began to be provided for reception in an area which includes the place where the equipment is kept on the date of the making of such a request as is referred to in subsection (1)(a)(i); and'.

Clause 29

Provision of news on Channels 3 and 5

Mr. Mellor: I beg to move amendment No. 391, in page 35, line 39, leave out subsection (3) and insert—

'(3) In subsection (2) "nominated news provider" means a body corporate for the time being nominated for the purposes of that subsection under section 30.'.

Mr. Speaker: With this we can take Government amendments Nos. 392 to 400, amendment No. 488 and Government amendments Nos. 401 to 404.

Mr. Mellor: The amendments make changes to clauses 29 and 30. First, the ITC must now invite applications for nominations as a news provider and must consult all the regional Channel 3 licensees an any nomination or termination of the nomination of a news provider. That should give some openness and an element of participation in the nomination process.

Secondly, the review procedure on nominated news providers is now to be revoked if an applicant has been refused nomination. Otherwise, it would be a pointless exercise, as no action could result from the review. However, the reviews can take place at any intervals that the ITC decides rather than on two or more occasions. Therefore, the procedure is more practicable and flexible.

Thirdly, there is provision for nomination to be terminated by the ITC if performance is unsatisfactory. All those who would be disqualified from holding an ITC licence by the ownership restrictions imposed by part II of schedule 2 are similarly disqualified from being nominated as a news provider. All the other amendments are minor or consequential.

Mr. Maclennan: I thank the Minister for tabling the amendments, which, so far as they go, are of some value.

Amendment No. 488 stands in my name and in the names of the hon. Members for Torridge and Devon, West (Miss Nicholson) and for South Hams (Mr. Steen). I must make it plain that the arrangements for Independent Television News are not adequate. What is proposed will have far-reaching consequences for the provision of national news.

The Government have a choice—allowing competition and market forces to triumph or continuing the present protected non-profit-making enterprise of ITN. The Government are allowing ITN into the marketplace but ensuring that it is protected from competition, thereby effectively creating a private monopoly that can use the resources and the prestige of television to seek profits in other markets, such as radio news, as is already happening, or in other aspects of television or information work.

The Government's proposals have met with the opposition of almost all the companies that provide regional coverage. The case for the change has not been well made. Amendment No. 488 proposes to delete subsection (7)(b) of clause 30, which would prevent Channel 3 licensees from owning more than 49 per cent. of the shareholding of ITN.

Some within ITN may feel that their management style has been cramped, but they owe their present position to investment by television companies. There is no guarantee that new owners, interested above all in profit rather than the end product, will be keen to invest more in programmes. It also remains wrong in principle that companies required to show a programme are debarred from holding an owning stake.

Quality will suffer, because the new ITN will not necessarily be primarily interested in its television output. The emphasis could increasingly be on mass audiences and on cheaper production. There is further concern that a commercial management would be less understanding of the principles and requirements of broadcasting and more open to outside commercial or political pressure. It is more likely than professional broadcasters to have its own commercial or political views which it would wish, however obliquely, to be reflected in the editorial line.

I foresee that the Minister may argue that there is a statutory quality requirement, and that there would be a threat hanging over the main nominated news provider of other companies being nominated if quality slips, but the IBA—the ITC-elect—has made it clear that it expects only one news provider to be nominated, and it is obvious that it will be ITN. While it certainly has a power and does not rule out using it to nominate other companies, it is clear that it believes that the revenues do not exist to fund more than one news provider. In other words, the market will not work.

That is the most compelling reason for not putting Independent Television News into the marketplace. However, if the Government have confidence in the market and genuinely believe that there is a role for the market, they should have the courage of their convictions and let the marketplace operate.

Several companies, including Visnews, believe that they are effectively equipped and financed to offer a higher quality service for less money. If it was a requirement that there should be at least one nominated rival to ITN, that would be a provision for a proper market. It would ensure some competition and the efficiency that the Government have been advocating throughout our debates. It would also give the television companies power to ensure that news programmes are perhaps less London-centred and reflect national and international news from a national and not a regional standpoint.

The provision for Independent Television News seems to satisfy no one. It does not satisfy the companies and it is not wholly satisfactory to those in ITN, who, I believe, want to continue broadly as they are at present. The provision certainly does not satisfy others who believe themselves to be capable of providing an alternative to ITN. Because the provision reduces the stake of Channel 3 companies in the provision of news, the news customers will not necessarily be in the minds of the news providers.

[Mr. Maclennan]

I do not know of any other country where arrangements like those in the Government's proposal operate. The Government's proposal is an unacceptable compromise which the House would do well to reject. I therefore commend amendment No. 488.

Mr. Steen: I will not delay the House with amendment No. 488. However, I want to tease from my hon. and learned Friend the Minister, even at this late hour, the reason why he is so keen to give third parties the majority stake in ITN. Why cannot that be a minority stake?

The ITN network is probably the envy of the civilised world. It is one of the most successful news programmes of its kind. Why does my hon. and learned Friend believe that it should be changed? Why does he believe that it will be better for that change—because that is the only reason why it should be changed?

My amendment is intended to persuade the Government that they should look again at the formula and realise that there has never been a shortage of money in the ITN network. The television companies have always put in what was needed. Even at this late stage, will my hon. and learned Friend the Minister realise that it is a pity to change something that is successful on the basis that it might be better? Perhaps my hon. and learned Friend will explain why he has brought forward this proposal in this way.

Mr. Corbett: I suspect that the Minister will tell us in some perverse manner that his proposal is yet another shining example of the righteousness and beauty of market forces. However, before the hon. Member for Thanet, North (Mr. Gale) gets too excited, I hope to demonstrate that the Government have misread the situation.

In Committee, I referred to the Romanian question. Within almost minutes of President Ceausescu calling a rally in the main square of Bucharest to decree that glasnost and perestroika were not needed in Romania because they had arrived already, unnoticed by the population, the revolution exploded. A decision had to be taken immediately by those responsible for the management of ITN, not about whether to cover events in Romania but about how to cover them. They had to ask themselves whether the events were important enough to send at least one crew out there as fast as possible, or whether to rely on someone else doing so and try to buy the coverage from CNN, NBC or another channel.

The House will remember that those events took place just before Christmas. There was no time for board meetings and so on. A decision was taken that, although the budget did not provide for it, ITN had to cover the story. That makes my point and shows why the Government are so profoundly wrong on the matter. Those responsible for taking spending decisions are those who put the money into the kitty. Moreover, when they knowingly exceed a budget, as they presumably had to, even if only a monthly or quarterly budget, for the instant coverage of Romania, they know that it is likely that they will have to go to the companies that chip into the pot of ITN and say, "We did this and we need some extra money from you."

10.30 pm

I can think of no better example of accountability. The direct users of the ITV licence, the holders, are those who pay for it. Under the Government's proposals, a new factor will be introduced. If more than 51 per cent. of the company is owned by people who are not Channel 3 licence holders, those people will expect a profit. One of two things will happen: either the cost, and therefore the price, of providing the ITN news service will increase to provide that profit, or some or all of the profit will come out of what is now spent on gathering news. That must be so. It may be a combination of both. Extra money will be required which is not needed now because ITN is a non-profit-making company, as the hon. Member for South Hams (Mr. Steen) said. I hope that no one reads into that that ITN is careless about money. It is not.

The new ingredient and the prime effect of what the Government propose is that the profit has to be found from somewhere.

Mr. Gale: Taking up the hon. Gentleman's Romanian example, I hope that ITN will send a crew out to that country immediately to demonstrate to the free world how unfair and unfree the present electoral processes are. I also hope that it will scrutinise the results and the six days between the closing of the poll and the opening of the ballot boxes. I hope that it will make a further success of that by selling the coverage around the free world.

Mr. Corbett: The hon. Gentleman will forgive me if I say that for a moment I wondered which country he was referring to. No one setting budgets for international news coverage could possibly have imagined what was about to explode in eastern Europe and the Soviet Union, to which there had to be a response simply to satisfy the viewers, let alone from the point of view of selling the coverage. I have no doubt that ITN will take the points that the hon. Gentleman mentioned seriously.

ITN will face extra competition for the viewers to whom it appeals—it is used to competition from the BBC already—from the thematic dedicated satellite channels, whether programmes on those channels are better or worse. Either the cost of the service that ITN delivers will go up or there will be pressure on it to spend less on news collection. I cannot for the life of me understand how that is supposed to add to the performance of ITN.

Earlier, the Minister told us how rotten we were to expect Sky Television to divest itself almost instantly, as people would know that it was an unwilling seller. That argument may apply to ITN. If the clause remains as it is, what arrangements will be made and over what period to ensure that ITN is not ripped off for a valuable property?

Mr. Mellor: The arrangements for ITN do not spring fully armed from the brow of some poor benighted Minister, either myself or my predecessor. They reflect sustained discussions, including sustained lobbying from leading figures within ITN. It would be wrong to see the arrangements as something that has been imposed on ITN or the wider industry by the Government.

It is true that a number of people, not least the company, have an advocate in my hon. Friend the Member for South Hams (Mr. Steen) and that they do not like what is happening. I must advocate a fair position for the wider community rather than for the company.

We have two objectives in the provision of news on Channel 3. First, we want to ensure that Channel 3 offers

a high-quality national and international news service able to compete effectively with the BBC. Consistent with that objective there should, wherever possible, be competition in the supply of news to Channel 3. We believe, as do a number of people outside Government, that, if Channel 3 licensees are allowed to own all of a nominated news provider, a conflict of interest will arise between a news organisation that may be seeking to expand its interests and those licensees who are solely concerned about their news service. It would therefore be to the benefit of ITN if it was liberated to some degree—leading figures within ITN share that belief. As a result of the proposed measures, a controlling interest will almost certainly still be held by the companies holding the Channel 3 franchise, as we know that 49 per cent. is an effective controlling interest in almost every company.

The ITC will be masterminding divestment pursuant to clause 36. It will be able to do so over a specified period to avoid the problems that would otherwise arise. It will be for the ITC to determine how long a period of grace to allow, and I know that it is bending its mind to that now.

I do not consider that the proposals pose any threat to ITN—rather, they provide ITN with the opportunity to develop. If it is consistent with the maintenance of high-quality news, national and international, that there should be a competing provider, it is right to include that caveat. We know that such high-quality news is an expensive commodity, but if it is consistent with that to have a competing provider, it is important to have a proviso that such competition does not place in jeopardy the provision of that news. Other providers may want to enter the market, and it would be wrong not to allow them to do so.

Within a sensible framework that reflects the realities of the situation, I hope that we have introduced some much-needed competition.

Amendment agreed to.

Clause 30

NOMINATION OF BODIES TO PROVIDE NEWS FOR CHANNEL 3

Amendments made: No. 392, in page 25, line 41, leave out subsection (1) and insert—

'(1) With a view to securing that, at the commencement of section 29(2), there is at least one body corporate nominated under this section as a nominated news provider, the Commission shall, before the commencement of that provision, invite bodies corporate appearing to them to be qualified for nomination to make applications to be so nominated.

(1A) Where a body corporate—

(a) applies to the Commission (whether before or after the commencement of section 29(2)) to be nominated under this section as a nominated news provider, and

(b) appears to the Commission to be qualified for nomination,

the Commission shall so nominate that body unless they are satisfied that to do so would be likely, in view of the number of bodies already so nominated, to be prejudicial to the provision of high quality news programmes for broadcasting in regional Channel 3 services (taken as a whole).'.

No. 393, in page 26, line 8, leave out 'subsection (1)' and insert 'this section'.

No. 394, in page 26, line 11, leave out subsection (3) and insert—

'(3) Where the Commission have refused to nominate a body corporate under this section on the ground that they are satisfied as mentioned in subsection (1A), the Commission shall from time to time thereafter, at such intervals as they may determine, review the performance as nominated news providers of all of the bodies for the time being nominated under this section; and if on any such review they are satisfied, in the case of such body so nominated as they may determine, that another body corporate which—

(a) is not a nominated news provider, but

(b) appears to them to be qualified for nomination,

would offer a better service than the first-mentioned body as respects the provision of high quality news programmes for broadcasting in regional Channel 3 services, they shall (subject to subsection (5)) by notice terminate that body's nomination, and shall nominate the other body under this section in its place.'.

No. 395, in page 26, line 28, leave out from 'If' to end of line 29 and insert

'at any time the Commission—'.

No. 396, in page 26, line 33, leave out from 'that' to end of line 39 and insert

'to terminate that body's nomination would not be prejudicial to the provision of high quality news programmes for broadcasting in regional Channel 3 services (taken as a whole),'.

No. 397, in page 26, line 41, leave out from 'nomination' to end of line 42.

No. 398, in page 26, line 45, leave out 'matters complained of' and insert

'proposed termination of its nomination'.

No. 399, in page 26, line 46, at end insert—

'(5A) Before nominating or terminating the nomination of, any body under this section the Commission shall consult every person who is the holder of a licence to provide a regional Channel 3 service.'.

No. 400, in page 27, line 1, leave out 'subsection (1)' and insert 'this section'.

No. 401, in page 27, line 17, leave out 'Channel 3 licences' and insert

'licences to provide regional Channel 3 services'.

No. 402, in page 27, line 21, leave out subsection (8) and insert—

'(8) Any limit imposed in accordance with subsection (7)(a) shall have effect in relation to a particular participant as if he and every person connected with him were one person; and for this purpose the following persons shall be treated as connected with a particular participant, namely—

(a) a person who controls the participant;

(b) an associate of the participant or of a person falling within paragraph (a); and

(c) a body which is controlled by the participant or by any associate of the participant.'.

No. 403, in page 27, line 28, at end insert—

'(9A) A body corporate shall be disqualified for being nominated under this section if, by virtue of any provision in Part II of Schedule 2, it would be a disqualified person in relation to any description of licence granted by the Commission; and any reference in this section to a body corporate appearing to the Commission to be qualified for nomination is a reference to a body corporate appearing to them to be both—

(a) effectively equipped and adequately financed to provide high quality news programmes for broadcasting in regional Channel 3 services; and

(b) not disqualified for being nominated under this section by virtue of this subsection.'.

No. 404, in page 27, line 29, after '(10)', insert 'In this section—

(a) references to a nominated news provider are references to a body corporate for the time being nominated under this section; and

(b) references to nomination under this section are references to nomination under this section for the purposes of section 29(2);

and'.—*[Mr. Mellor.]*

Clause 31

SCHOOLS PROGRAMMES

Amendment made: No. 655, in page 28, line 3, at end insert—

'(dd) conditions requiring the licence holder to provide such material for use in connection with the schools programmes broadcast by him as may be necessary to secure that effective use is made of those programmes in schools;'.—*[Mr. Mellor.]*

Clause 32

SUBTITLING FOR THE DEAF

Mr. Mellor: I beg to move amendment No. 656, in page 28, line 11, leave out subsection (1) and insert—

'(1) A Channel 3 or Channel 5 licence shall include—

(a) conditions—

(i) specifying the relevant minimum number of hours in a week for the purposes of this section, and

(ii) requiring programmes with subtitling to be broadcast in the licensed service during not less than that number of hours in each week; and

(b) conditions requiring the holder of the licence to attain such technical standards relating to the provision of subtitling as are specified in the conditions.'.

Mr. Deputy Speaker (Sir Paul Dean): With this it will be convenient to take Government amendments Nos. 657 to 669.

Mr. Mellor: I am delighted to see the right hon. Member for Stoke-on-Trent, South (Mr. Ashley) in his place as well as my hon. Friend the Member for Harrow, West (Mr. Hughes) because they have both taken an active interest in this matter. It was a particular pleasure for me to be able to discuss certain changes in subtitling arrangements for the deaf with the right hon. Gentleman and I was most grateful to him for his kind words of commendation for what I announced in Committee.

The effect of the amendments will be substantially to redraft clause 32 and to require Channel 3 licensees to subtitle at least 50 per cent. of their programmes within the first five years of the new franchises. Similar requirements have been laid on Channel 5. I should make it clear that neither channel will be able to make a charge specifically for such subtitling. The cost will have to be absorbed. I believe that that is the very least that we should expect the companies to do. It is a substantial increase on what we said that we wanted them to do at the outset. I hope very much that they will not only achieve that, but will do better. There is nothing to stop them doing so. I see the figure not as a ceiling but as a floor, and I hope that they will create a ceiling above the floor. It is a challenge that we all want them to live up to, and more than meet. I commend the amendments to the House.

Mr. Jack Ashley (Stoke-on-Trent, South): I warmly welcome the amendments because I know that they are of great value to deaf people. The amendments will be warmly welcomed by the Deaf Broadcasting Association after its vigorous campaign for them. I pay tribute to Austin Reeves and Jane Oberman who have worked so hard on the issue of subtitling.

Amendment No. 661 is the crucial one. It ensures that, by 1998, 50 per cent. of all programmes on Channels 3 and 5 will be subtitled. The House should recognise that the amendment is largely due to the Minister of State, who has shown great understanding of the problems of deaf people. It is not the first time that he has done so. When he was a Minister at the Department of Health and I sought to press him about modern implants for deaf people, I found that I did not need to do so because he found millions of pounds for that precise cause to help deaf people. By supporting the amendments he is helping to ensure that deaf people are no longer excluded from the entertainment, education and information provided by television. I am grateful to him for the work that he has done. I wish to place that clearly on the record. He has a fine record. Television has a crucial role to play in society, and from now on deaf people will be able to join in the discussions about what was on the box last night, which they could not do in the past.

I have one reservation about the wording of the amendments, and I hope that the Minister will be able to deal with it later. The part of amendment No. 661 that refers to the year 1999 and thereafter refers only to the greatest number of hours in a week which seems to the ITC to be "reasonably practicable". Those magic words are always brought in by civil servants, whom I am not attacking for one moment, and they can be a means of evading the issue if we are not careful. They may leave a loophole so that in subsequent years the percentage could fall below 50 per cent. if that was later seen to be "reasonably practicable". That is unlikely because there would be a big row if any company tried it. Nevertheless, I hope that the wording will be changed so that deaf people can look forward to the increase in subtitling without a fear of backsliding by any company.

I hope that there will be a steady increase in the percentage of programmes covered by subtitling year by year so that 50 per cent. is achieved in 1998 and there is a steady continuation thereafter. The goal is 100 per cent. subtitling. Deaf people have a right to understanding and comprehension of television, and I am glad that we are moving in that direction.

10.45 pm

I also welcome amendment No. 656; subsection (1)(b) will ensure that subtitling is of the highest standard. Amendment No. 668 will ensure that no charge is made for subtitling. Both provisions will be greatly appreciated by deaf people, who tend to be among the poorest sections of society.

When the Bill reaches the other place, those who rely upon signing should not be forgotten. The Minister should consult the Deaf Broadcasting Association so that those who rely upon signing for communication may be included in this forward-looking provision for deaf people.

I express again my appreciation of the efforts made by the Minister, by the Deaf Broadcasting Association and by others outside the House who have campaigned so assiduously. The provisions mean something to deaf people. Subtitling, however imperfect, is of enormous value. I watch television when it is subtitled because I can comprehend it. Being totally deaf, I cannot understand programmes which are not subtitled, no matter how hard I try to lip-read. Subtitling is crucial—the box is meaningless without it. With subtitling, it is proper television for deaf people. I welcome the amendments.

Mr. Corbett: We all owe a particular debt to my right hon. Friends the Members for Stoke-on-Trent, South (Mr. Ashley) and for Manchester, Wythenshawe (Mr. Morris) and to the hon. Member for Exeter (Mr. Hannam) for making us more properly aware of the problems of those who have to live in the silent world of the deaf. We are grateful, too, for the representations of the Deaf Broadcasting Association and of deaf constituents. We are particularly grateful for the way in which the Minister responded in Committee by laying much higher targets on Channel 3 licence holders than were originally envisaged. I make no complaint about where we started from—it is where we end up that matters.

Perhaps "end up" is the wrong phrase. I take the Minister's point that 50 per cent. is to be regarded in no sense as a ceiling but as an encouragement. When Channel 3 licensees know that the duty lies ahead of them, once the investment is made in people and equipment I guess that there will be rapid progress to more than 50 per cent. subtitling. I hope that there will be an expansion of signing, too, which is also important to many deaf people.

The BBC should study the provisions carefully and should not fall behind. I am happy to acknowledge that the BBC is already committed to subtitling the "Nine O'Clock News" by, I think, the autumn. That will be a major step.

All those responsible for broadcasting are now more alert to the needs of deaf viewers, and there is a need for those of us who are blessed with good hearing to do all that we can to ensure that deaf people are brought more and more into our world, so that they can play their roles as properly informed and active citizens. I congratulate the Minister again on his response.

Mr. Roger Sims (Chislehurst): I warmly endorse the tributes paid by the right hon. Member for Stoke-on-Trent, South (Mr. Ashley) to the various organisations which have so effectively and vigorously promoted the campaign for more subtitling. There was only one omission from the right hon. Gentleman's list because, of course, the right hon. Gentleman himself has campaigned effectively for a long time for the cause of the deaf. He has the admiration of all hon. Members. We all appreciate what the right hon. Gentleman does, but we cannot appreciate the disability from which he suffers. Some years ago I was unfortunate enough to catch some sort of infection which for several weeks caused me to be completely deaf. That brought home to me the sort of world in which the profoundly deaf live and made me realise how they are cut off from so much communication.

The value of subtitling cannot be overrated. It is extremely useful, even in its present form, and the commitments made by the amendments are warmly welcomed. I am grateful to my hon. and learned Friend the Minister of State for tabling them and I congratulate the Government on their response to an effective campaign.

Miss Emma Nicholson: I congratulate my hon. and learned Friend the Minister of State on his splendid amendment. We are all grateful to the right hon. Member for Stoke-on-Trent, South (Mr. Ashley) who has been instrumental in bringing it about. I remind the House that the amendment benefits millions of people—not just those who have a hearing problem, but those who have a language difficulty. The English language is complex and subtitling will help millions of people in the United Kingdom for whom English is not the first language. That is important.

The amendment will also help people who have a below average learning ability or who have difficulties with reading and listening. Spoken English is highly complex but subtitling uses simple, short words and concise sentences to get the meaning across. We are pressing for more than 50 per cent. subtitling but that is not a large, extravagant or greedy aim because Covent Garden already has 100 per cent. subtitling.

Mr. Robert G. Hughes: The amendments put forward by myself and others in the Committee were tame compared with those that my hon. and learned Friend the Minister of State has tabled. Our amendments were described as draconian and unattainable by the television companies. However, my hon. and learned Friend went beyond what I and others had asked for and there was an audible gasp by deaf people and people in television when they heard his announcement. That was because deaf people recognised that the Government amendment was a major achievement brought about by their campaign.

Many people have been prepared to ignore this problem. One deaf boy who wrote to the Deaf Broadcasting Association said that he tried all the time to lip-read what was being said on television but that sometimes people turned away. Far from turning away, my hon. and learned Friend has opened a door for that young boy and many others and we are grateful to him for that.

Mr. Alfred Morris (Manchester, Wythenshawe): A word of appreciation to the Minister is in order, and I readily thank him for the help that he has given the hearing-impaired. I also pay warm tribute to my hon. Friend the Member for Birmingham, Erdington (Mr. Corbett) for all his humane concern for them.

Hon. Members on both sides of the House have contributed to the achievement of these amendments—not least all those who served on the Standing Committee. The Government's proposals go much further than seemed possible on Second Reading, which is very welcome, although the beneficiaries will have to wait some years for what they have sought for so long. The proposals vindicate a sustained campaign to make the Bill more acceptable to deaf people—a campaign that I am delighted to have been able to help.

My hon. Friend the Member for Erdington kindly referred to my interest in the matter, and the role that I played in working for tonight's outcome of the campaign. He also referred to the work of my right hon. Friend the Member for Stoke-on-Trent, South (Mr. Ashley) and the hon. Member for Exeter (Mr. Hannam), the chairman and the secretary of the all-party disablement group, which has played an important part in promoting the right of hearing-impaired people to lead fuller and more fulfilling lives.

Television is important in almost everyone's life nowadays, and exclusion from its benefits is a gratuitous further handicap for deaf people to have to bear. Sadly, all too few of those who are not hearing-impaired fail to realise that one of the most devastating additional handicap—over and above the sensory loss—is the extent of public ignorance about the social penalties imposed by deafness.

[Mr. Alfred Morris]

The amendments will, in time, reduce one of those penalties by allowing the hearing-impaired some of the benefits that everyone else takes for granted. I know that the BBC, which has already shown its concern for deaf people in many positive ways, will also do all that it can further to improve its contribution to making the deaf a part of, rather than apart from, a society in which they have an undoubted right to full citizenship.

All of us here have hearing-impaired people in our constituencies, and all of us know that they are entitled to the social equality that at present they are denied. The Bill, as amended, does not represent a millennium for deaf people, but it is a step forward for them, and one which I hope will soon lead to others on which they and their organisations have been, and will rightly go on insisting.

Mr. Mellor: I am deeply touched by the kind words that have been said about my role. I cannot think of a better cause to have advanced, and I am sure that all the effort that we have expended has been worthwhile.

The right hon. Member for Stoke-on-Trent, South (Mr. Ashley) raised the question of the wording of the obligation after 1999. The aim is to ensure that that obligation continues, and I am more than happy to undertake to look at the wording again to make sure that it is as tightly cast as possible.

Amendment agreed to.

Amendments made: No. 657, in page 28, line 15, leave out from '(2)' to end of line 16 and insert

'Subject to subsections (2A) and (2B), the relevant minimum number of hours in a week for the purposes of this section'.

No. 658, in page 28, line 31, leave out 'this section' and insert

'the provision of Channel 5'.

No. 659, in page 28, line 33, leave out

', in relation to Channel 5,'.

No. 660, in page 28, line 34, leave out 'in that service' and insert 'on Channel 5'.

No. 661, in page 28, line 40, at end insert—

'(2A) The Commission shall make such determinations under subsection (2) as are appropriate to secure that, subject to subsection (2B), the relevant minimum number of hours in a week for the purposes of this section represents—

(a) in the case of Channel 3 services—

(i) for the year 1998, fifty per cent. of the average number of hours in a week during which programmes were, during the year 1997, broadcast on Channel 3; and

(ii) for the year 1999 and each successive year, the greatest number of hours in a week that appears to the Commission to be reasonably practicable; and

(b) in the case of Channel 5—

(i) for the year which includes the fifth anniversary of the date of the commencement of the provision of Channel 5, fifty per cent. of the average number of hours in a week during which programmes were, during the year preceding that year, broadcast on Channel 5; and

(ii) for the year following that year and each successive year, the greatest number of hours in a week that appears to the Commission to be reasonably practicable.

(2B) In the case of—

(a) a Channel 3 service provided as mentioned in section 14(3) or (4), or

(b) a Channel 5 service provided as mentioned in section 26(2A),

the relevant minimum number of hours in a week for the purposes of this section shall for any year be such number of hours in a week as the Commission shall determine, being such proportion of the number of hours in a week determined by the Commission for that year under subsection (2)(a) or (b) (as the case may be) as appears to them to be appropriate.'.

No. 662, in page 28, line 41, leave out 'a' and insert 'any'.

No. 663, in page 28, leave out lines 42 and 43 and insert 'this section (other than one under subsection (2)(a)(i) or (b)(i))—'.

No. 664, in page 28, line 44, leave out

'the licence to provide that service of their'

and insert

'every licence to which the determination relates of the'.

No. 665, in page 28, line 46, leave out first 'the' and insert 'every such'.

No. 666, in page 28, line 48, leave out '(1)' and insert '(1)(a)(i)'.

No. 667, in page 28, line 49, at end insert—

'(3A) Where any week falls

(a) partly within one year to which subsection (2)(a) or (b) applies, and

(b) partly within another such year

that week shall be treated for the purposes of this section as falling wholly within the earlier of those years.'.

No. 668, in page 28, line 49, at end insert—

'(3B) The holder of a Channel 3 or Channel 5 licence shall not impose charges for providing subtitling in respect of any programme broadcast in his licensed service.'.

No. 669, in page 29, line 1, leave out subsection (4) and insert—

'(4) In this section—

"on Channel 3" means in Channel 3 services taken as a whole;

"on Channel 5" means in the television service referred to in section 26(1), taken as a whole;

"subtitling" means subtitling for the deaf, whether provided by means of a teletext service or otherwise.'.—*[Mr. Mellor.]*

Clause 33

PARTY POLITICAL BROADCASTS

Amendments made: No. 670, in page 29, line 5, leave out 'may' and insert 'shall'.

No. 671, in page 29, line 17, at end insert—

'(3) Any rules made by the Commission for the purposes of this section may make different provision for different cases or circumstances.'.—*[Mr. Mellor.]*

Clause 34

ANNOUNCEMENTS OF PROGRAMME SCHEDULES

Amendment made: No. 672, in page 29, line 21, leave out 'shall' and insert 'may'.—*[Mr. Mellor.]*

Clause 35

POWER TO DIRECT LICENSEE TO PUBLISH APOLOGY OR NOT TO REPEAT PROGRAMME

Mr. Mellor: I beg to move amendment No. 405, in page 29, line 33, leave out 'broadcasting of an apology' and insert

'inclusion in the licensed service of a correction or apology (or both)'.

Mr. Deputy Speaker: With this it will be convenient to take Government amendments Nos. 406, 407 and 472 to 474.

11 pm

Mr. Mellor: These amendments make some changes in the penalties for licensees who fail to abide by licence conditions. In addition to, or in place of, requiring an apology, the ITC may require the licensee to issue a correction where misinformation has been given in a programme. The amendments also deal with the situation in which correction rather than an apology is needed, and empower the authority to determine the sort of apology that would be appropriate.

Amendment agreed to.

Amendments made: No. 406, in page 29, line 35, leave out 'an apology' and insert—

'a correction or apology (or both)'.

No. 407, in page 29, line 40, leave out 'an' and insert 'a correction or'.—*[Mr. Mellor.]*

Mr. Mellor: I beg to move amendment No. 408, in page 30, line 8, leave out from '4' to end of line 9.

Mr. Deputy Speaker: With this it will be convenient to take Government amendments Nos. 409 to 414.

Mr. Mellor: Here we have added a ground for the ITC to revoke licences. In addition to revocation for giving false information in an application, the licence may also be revoked if an applicant withholds information with intent to mislead the ITC. Some consequential changes are also made.

Amendment agreed to.

Clause 36

POWER TO IMPOSE FINANCIAL PENALTY OR SHORTEN LICENCE PERIOD

Amendments made: No. 409, in page 30, line 15, after 'pay', insert ', within a specified period,'.

No. 410, in page 31, line 4, leave out from beginning to 'and' in line 5.—*[Mr. Mellor.]*

Clause 37

POWER TO REVOKE CHANNEL 3 OR 5 LICENCE

Amendments made: No. 411, in page 31, line 36, leave out from 'particular,' to end of line 38 and insert

', or

(b) that, in connection with his application for the licence, the holder of such a licence withheld any material information with the intention of causing them to be misled,'.

No. 380, in page 32, line 3, leave out 'Channel 3' and insert 'such'.—*[Mr. Mellor.]*

Clause 38

DOMESTIC AND NON-DOMESTIC SATELLITE SERVICES

Mr. Mellor: I beg to move amendment No. 501, in page 32, line 23, after '(a)', insert '(subject to subsection (2A))'.

Mr. Deputy Speaker: With this it will be convenient to take Government amendment No. 502.

Mr. Mellor: These amendments change the definition of a non-domestic satellite service so that in the case of services uplinked from the United Kingdom it applies only when the programmes included in it are provided by a person who is neither in the United Kingdom nor in a prescribed country. This is because under the Council of Europe convention any service provided by a person in a prescribed country will have to be regulated under the law of that country.

Mr. Darling: I do not think that we have any quarrel with the amendment, but I should be grateful if the Minister would tell me what a prescribed country is, or which they are. I think that I understand the basis of the amendment, but I should like to be sure of it.

Mr. Mellor: The prescribed countries are those which have signed the convention, so there is a reciprocal pattern of enforcement.

Mr. Darling: On that basis, I do not quarrel with the amendment.

Amendment agreed to.

Amendment made: No. 502, in page 32, line 38, at end insert—

'(2A) Subsection (2)(a) does not apply to a service if and to the extent that the programmes included in it—

(a) consist of material provided for inclusion in it (complete and unchanged) by a person in a prescribed country; and

(b) are intended for general reception in a prescribed country (and are not intended for such reception in the United Kingdom).'.—*[Mr. Mellor.]*

Clause 39

LICENSING ETC. OF DOMESTIC SATELLITE SERVICES

Amendment made: No. 381, in page 33, line 21, at end insert—

'(bb) section 18 shall have effect with the omission of subsection (4B);'.—*[Mr. Mellor.]*

Clause 41

LICENSABLE PROGRAMME SERVICES

Amendments made: No 731, in page 34, line 19, leave out 'simultaneous'.

No 503, in page 34, line 25, after 'group', insert 'or groups'.

No 732, in page 34, line 29, at end insert

'and whether the programmes are to be so conveyed as mentioned in paragraph (a) for simultaneous reception or for reception at different times in response to requests made by different users of the service.'.

No 504, in page 35, line 1, after 'who', insert

'does either or both of the following things, that is to say—(a)'.

No 505, in page 35, line 2, at end insert

', or (b) runs a telecommunication system which is so used,'.—*[Mr. Mellor.]*

Clause 42

LICENSING ETC. OF LICENSABLE PROGRAMME SERVICES

Amendments made: No 506, in page 35, line 30, leave out '6(1) ' and insert
'6'.

No 507, in page 35, line 31, leave out from 'effect' to end of line 32 and insert
'subject to the modifications specified in subsection (4A).

(4A) The modifications of section 6 are as follows—
(a) the following paragraph shall be substituted for paragraph (c) of subsection (1)—'.

No. 508, in page 35, leave out lines 38 and 39 and insert—

'(b) the following subsection shall be substituted for subsection (2)—

"(2) In applying subsection (1)(c) to any licensed service, the programmes included in that service shall be taken as a whole.";

and
(c) in subsection (3), paragraph (a)(i) and the words "in other respects" in paragraph (a)(ii) shall be omitted.'.—*[Mr. Mellor.]*

Clause 43

ADDITIONAL SERVICES

Amendments made: No. 509, in page 36, line 10, leave out 'on' and insert 'within'.

No. 510, in page 36, line 12, leave out 'a' and insert 'any'.

No. 511, in page 36, line 12, after '59(1)' insert
'other than a frequency which, in pursuance of section 66(2), is assigned by the Commission to a local delivery service (within the meaning of Part II)'.

No. 512, in page 36, line 15, leave out 'on' and insert 'within'.

No. 513, in page 36, line 17, leave out 'assigned under section 59(1)' and insert
'falling within subsection (1)(a) above'.—*[Mr. Mellor.]*

Clause 44

LICENSING OF ADDITIONAL SERVICES

Amendment proposed: No. 673, in page 37, line 15, after '(1)', insert 'Subject to subsection (1A),'.—*[Mr. Mellor.]*

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendment No. 674.

Mr. Rowlands: The amendments involve teletexting, and there are other aspects of subtitling. I apologise for raising yet another S4C point at this late hour, but there is the issue of subtitling in English from Welsh programmes.

I know that S4C has writen to the Minister to tell him that it will have a 75 per cent. subtitling programme, which is way beyond the statutory requirement. I suggest that the Minister considers the statutory requirement to ensure that, where there is a wish to subtitle in English when showing Welsh programmes, there will be no problems with monopolies, such as teletext, which makes expansion difficult. I think that the Minister and I agree that S4C should be able to expand English subtitling of Welsh-language programmes.

Mr. Mellor: Without notice, I cannot be as categorical as I would wish to be. What the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) has said sounds all right to me, but I shall check the position. As the hon. Gentleman knows, I have taken quite some trouble over these S4C matters. I shall drop him a note.

Mr. Simon Coombs: I pay tribute to my hon. and learned Friend the Minister for having responded to the campaign for the preservation of teletext on Channels 3 and 4. The issue led to a considerable argument in Committee, and it should not pass without comment on Report. The campaign will continue outside this place. I think that much was done in Committee to persuade my hon. and learned Friend that we needed to see an opportunity for the preservation of a teletext service on Channels 3 and 4, which may or may not be Oracle, for the many millions who benefit from it.

Amendment agreed to.

Amendments made: No. 514, in page 37, line 17, leave out 'assigned under section 59(1)' and insert 'falling within section 43(1)(a)'.

No. 674, in line 24, at end insert—

'(1A) The Commission shall do all that they can to secure that a teletext service is provided on so much of the spare capacity available for the provision of additional services on—

(a) frequencies on which Channel 3 services are provided, or

(b) frequencies on which Channel 4 is provided,

or both, as the Secretary of State may approve.'.

No. 515, in line 26, leave out 'on' and insert 'within'.

No. 516, in line 27, leave out 'on' and insert 'within'.

No. 127, in page 38, line 4, after 'facilities', insert 'reasonably'.

No. 128, in line 5, at end insert—

'(5A) Any person who grants to any other person access to facilities in accordance with conditions imposed under subsection (5) may require that other person to pay a reasonable charge in respect thereof; and any dispute as to the amount of any such charge shall be determined by the Commission.'.—*[Mr. Mellor.]*

Clause 45

APPLICATIONS FOR ADDITIONAL SERVICES LICENCES

Amendments made: No. 129, in page 38, line 18, after 'licence', insert
'and specifying the closing date for such applications'.

No. 130, in line 22, leave out from beginning to 'and' in line 23.

No. 131, in line 34, leave out 'and the deposit'.

No. 132, in line 35, leave out 'and (ii)'.

No. 517, in line 36, leave out from 'plan' to 'indicating' in line 37.

No. 518, in line 38, leave out 'he' and insert 'the applicant'.

No. 519, in line 40, leave out 'he is able to do so' and insert 'known to the applicant'.

No. 133, in page 39, line 7, leave out subsections (6) to (9).

No. 134, in line 33, at end insert—

'(10) the Commission shall, as soon as reasonably practicable after the date specified in a notice under this section as the closing date for applications, publish in such manner as they consider appropriate—

(a) the name of every person who has made an application to them in pursuance of the notice;

(b) particulars of the technical plan submitted by him under subsection (3)(b); and

(c) such other information connected with his application as the Commission consider appropriate.'.—*[Mr. Mellor.]*

Clause 46

PROCEDURE TO BE FOLLOWED BY COMMISSION IN CONNECTION WITH CONSIDERATION OF APPLICATIONS FOR, AND AWARDING OF, LICENCES

Amendments made: No. 520, in page 39, line 43, leave out

'he would be able to maintain his proposed service'

and insert

'the services proposed to be provided under the licence would be capable of being maintained'.

No. 135, in page 40, line 7, at end insert—

'(aa) subsection (3A) shall be omitted;'.

No. 136, in page 40, line 15, leave out subsection (5) and insert—

'(5) If at any time after an additional services licence has been granted to any person but before the licence has come into force—

(a) that person indicates to the Commission that he does not intend to provide the services in question, or

(b) the Commission for any other reason have reasonable grounds for believing that that person will not provide those services once the licence has come into force,

then, subject to subsection (5A)—

(i) the Commission shall revoke the licence, and

(ii) section 17 (as applied by subsection (3) above) shall have effect as if he had not made an application for the licence.

(5A) Subsection (5) shall not apply in the case of any person by virtue of paragraph (b) of that subsection unless the Commission have served on him a notice stating their grounds for believing that he will not provide the services in question once his licence has come into force; and they shall not serve such a notice on him unless they have given him a reasonable opportunity of making representations to them about the matters complained of.'.—*[Mr. Mellor.]*

Clause 47

ADDITIONAL PAYMENTS TO BE MADE IN RESPECT OF ADDITIONAL SERVICES LICENCES

Amendment made: No. 137, in page 41, line 19, leave out subsection (6).—*[Mr. Mellor.]*

Clause 48

DURATION OF LICENCES, AND RENEWAL OF LICENCES FOR PROVISION OF SERVICES ON ASSIGNED FREQUENCIES

Amendments made: No. 521, in page 42, line 13, leave out

'an additional service which would differ'

and insert

'any additional service which would differ in any material respect'.

No. 522, in line 14, leave out from 'licence' to end of line 18.

No. 138, in line 18, at end insert

', or

(c) they propose to determine that all or part of the spare capacity allocated by the licence is to cease to be available for the provision of additional services in order that it may be used by any relevant person for the purpose of enhancing the technical quality of his television broadcasting service;

and in paragraph (c) "relevant person" means the person providing a television broadcasting service on whose frequency the licensed service has been provided.'.

No. 523, in line 35, leave out 'service' and insert 'services'.

No. 139, in line 43, at end insert—

'(a)'.

No, 140, in line 47, at end insert

'; and

(b) section 46(5) and (5A) shall apply in relation to any time after the renewal of the licence but before the beginning of the period for which it has been renewed as those provisions apply in relation to any time after an additional services licence has been granted but before it has come into force (except that section 46(5) shall so apply with the omission of paragraph (ii)).'.—*[Mr. Mellor.]*

Clause 51

WELSH AUTHORITY TO CONTINUE IN EXISTENCE AS SIANEL PEDWAR CYMRU

Amendment made: No. 262, in page 43, line 45, leave out 'Part' and insert 'Act'.—*[Mr. Mellor.]*

Schedule 4

THE WELSH AUTHORITY: SUPPLEMENTARY PROVISIONS

Amendment made: No. 281, in page 154, leave out lines 16 to 29.—*[Mr. Mellor.]*

Clause 52

FUNCTION AND DUTIES OF WELSH AUTHORITY

Amendment made: No. 524, in page 44, line 9, leave out 'programme' and insert 'broadcasting'.

No. 263, in line 29, leave out from 'normally' to end of line 33 and insert

'a programme which is being, has been or is to be broadcast on Channel 4.'.

No. 525, in line 33, at end add—

'(4) In this section and section 53 "programme" does not include an advertisement.'.—*[Mr. Mellor.]*

Clause 53

SOURCES OF PROGRAMMES FOR S4C

Amendments made: No. 264, in page 44, line 40, leave out subsection (2).

No. 265, in line 43, leave out from '(3)' to 'it' in line 44.

No. 266, in page 45, line 5, leave out 'that subsection' and insert 'section 52(3)'.

No. 267, in line 7, leave out from 'which' to end of line 8 and insert

'are required by the Authority for the purpose of complying with that provision.'.

No. 268, in line 8, at end insert—

'(4) The programmes broadcast on S4C may, to the extent that they are not provided under subsection (1) or (3), be obtained by the Welsh Authority from such persons as they think fit.'.—*[Mr. Mellor.]*

No. 572, in page 45, line 8, at end insert—

'(5) Where any programmes provided under subsection (3) each form part of a series of programmes, the Welsh Authority shall ensure that the intervals between those programmes when broadcast on S4C normally correspond to the intervals between them when broadcast on Channel 4.

(6) The Welsh Authority shall publish, in such manner as they consider appropriate, advance notice of the programmes schedules for the programme to be broadcast on S4C.'.—*[Mr. Rowlands.]*

Clause 54

REQUIREMENTS TO BE COMPLIED WITH IN RELATION TO S4C PROGRAMMES IN WELSH

Amendments made: No. 269, in page 45, line 9, leave out subsection (1).

No. 270, in clause 54, page 45, line 11, leave out ', in relation to the relevant service—' and insert

'that the following requirements are complied with in relation to S4C, namely—'.

No. 271, in page 45, line 21, at end insert

', by using images of very brief duration or by any other means,'.

No. 272, in page 45, line 29, leave out

'included in the relevant service'

and insert 'broadcast on S4C'.

No. 273, in page 45, line 37, leave out 'the relevant service' and insert 'S4C'.

No. 274, in page 45, line 39, leave out 'the relevant service' and insert 'S4C'.

No. 275, in page 45, line 42, leave out 'the relevant service' and insert 'S4C'.—*[Mr. Mellor.]*

Clause 55

ADVERTISING ON S4C

No. 276, in page 46, line 12, after 'in', insert ', or in connection with,'.—*[Mr. Mellor.]*

Clause 56

FUNDING OF WELSH AUTHORITY

Mr. Mellor: I beg to move amendment No. 277, in page 46, line 19, leave out from 'shall' to second 'the' in line 20 and insert

'before the beginning of each of those years ("the relevant year")—

(a) estimate'.

Mr. Deputy Speaker (Sir Paul Dean): With this we shall discuss Government amendments Nos. 278 to 280 and 526.

Mr. Mellor: These amendments create the concept of an interim payment by S4C—I am sorry, I mean to S4C. There is an important difference, as I would expect a Welshman to notice. I was just checking that the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) was still with us.

The amendments create the concept of an interim payment to S4C by the Secretary of State based on an estimate of total television revenues, that estimate to be made by the ITC. It would be adjusted up or down in the light of the actual figure for the year in question, once that had been formally calculated. We thought about this matter, and we believe that it is the most practical way to do that. For example, it will not be clear by the beginning of 1993 what the revenues were for 1992. Indeed, it might be well into 1993 before the figure emerges. This mechanism is well tried in relation to the ITV levy administered by the IBA. Everyone thinks that it will be a good way to do this.

On amendment No. 526, we have been concerned to give S4C a reasonable degree of stability so that it can plan its future——

Mr. Steen: On a point of order, Mr. Deputy Speaker. The Annunciator is only just showing my hon. and learned Friend's name, even though he has been on his feet for three or four minutes. I apologise to the House for disturbing the debate.

Mr. Deputy Speaker: We are galloping, and these matters are therefore difficult. I hope that the hon. Gentleman is not saying that I am going too fast.

Mr. Steen: Not at all.

Mr. Mellor: I am always pleased if, in life, I can pass as someone else. I am not terribly bothered if my name is not on the Annunciator.

We have been concerned to give S4C reasonable stability so that it can plan its future. Hence the provision in clause 56(5) that prevents changes to the percentage base on which S4C's income is assessed until the end of 1997. We accept that adverse circumstances could arise that would make an increase in the level of S4C's income essential so that it could meet its commitments. Amendment No. 526 enables the Secretary of State to make such a change by an order subject to the affirmative resolution procedure before the end of 1997. In other words, it is a way of giving S4C an uplift if it is needed. Obviously, we hope that it will not: it is a safety net.

Mr. Rowlands: This is a useful and significant amendment. We discussed this matter in Committee, when I and other hon. Members proposed a possible safety net for S4C. The Minister rightly pointed out that problems could arise because of the complicated potential increase in the costs of transmission. I hope that the amendment is designed to ensure that, if transmission costs in the Principality are higher, the appropriate adjustment will be made.

There is also the matter of the total advertising revenue. When we initially sought a safety net, we made the point that the projections for advertising revenue suggested that there might be some problems.

I am hoping that the Minister will confirm with a nod that the amendment allows him to take into account possible transmission costs over and above those upon which the calculation has been based, but also that, if advertising revenues fall, in the quid pro quo S4C will not lose out overall.

11.15 pm

Mr. Fisher: I join my hon. Friend in thanking the Minister for the amendment. It is a constructive move and will be greatly appreciated in the Principality. Perhaps the Minister will join me in paying tribute to my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands), who has had a substantial and constructive effect on the Bill on behalf of the people of Wales.

The Minister will note, too, that we have not been joined on Report by either of the Plaid Cymru Members. People in Wales may be surprised at their absence. It is good for the people of Wales that my hon. Friend the Member for Merthyr Tydfil and Rhymney has been protecting their interests throughout all stages of the Bill.

Mr. Mellor: I have already paid tribute to the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) for his assiduity on this issue.

Only the transmission costs are covered in the amendment, but I will write to the hon. Gentleman and set out the thinking behind it.

Amendment agreed to.

Amendments made: No. 278, in page 46, line 21, at end insert—

(b) notify the Secretary of State of that estimated amount;

and the Secretary of State shall at the beginning of the relevant year pay to the Welsh Authority, by way of an interim payment for that year, an amount representing 3·2 per cent. of that estimated amount.

(2A) Once the Commission have finally determined the amount of the total television revenues for a particular year, they shall notify the Secretary of State of the amount so determined by them; and on receiving *any such notification* the Secretary of State shall, in respect of the year following that year—

(a) pay to the Welsh Authority any amount payable by him by virtue of subsection (1), after taking into account the interim payment made for that year under subsection (2), or

(b) notify the Welsh Authority of the amount of any overpayment made by him by means of any such interim payment.

(2B) The Welsh Authority shall, as soon as reasonably practicable after receiving any notification under subsection (2A)(b), pay to the Secretary of State the amount specified in the notification.".

No. 279, in line 32, after 'to', insert 'estimate or'.

No. 280, in line 38, leave out 'subsection (1)' and insert 'each of subsections (1) and (2)'.

No. 526, in line 40, at end insert—

'unless the Secretary of State is satisfied that it is necessary to make the order having regard to the cost to the Authority of transmitting S4C.'.—*[Mr. Mellor.]*

Clause 59

Assignment of frequencies by Secretary of State

Amendment made: No. 141, in page 47, line 29, at end insert—

'(1A) Any frequency assigned by the Secretary of State under subsection (1) may be so assigned for use only in such area as may be specified by the Secretary of State when making the assignment.'.—*[Mr. Mellor.]*

Clause 60

Requirements relating to transmission of Channels 3, 4 and 5 and S4C

Mr. Mellor: I beg to move, amendment No. 527, in page 47, line 39, leave out 'direct' and insert 'by order specify'.

Mr. Deputy Speaker: With this it will be convenient to take the following amendments:

No. 489, in page 47, line 43, at end insert—

'(1A) Every Channel 3 licence shall include the arrangements for charging for transmission of the service, such arrangements to be based upon the licensees's share of Channel 3 qualifying revenue, or share of population, as shall be recommended by the Commission and subject to regulation by the Office of Telecommunications for the duration of the Channel 3 licence and any extension thereof.'.

Government amendments Nos. 528 to 530.

Mr. Mellor: The hon. Member for Bradford, South (Mr. Cryer), who was a constructive member of the Committee, was concerned—very properly as he is Chairman of the Select Committee on Statutory Instruments—to ensure that parliamentary procedures were put into the Bill wherever appropriate. These amendments put arrangements for a negative resolution procedure into Clause 60. I hope that that will be welcome to the House, which I know would agree with the hon. Gentleman that wherever possible there should be parliamentary scrutiny of such activities.

Mr. Maclennan: I welcome the amendments. I only regret that the Minister—I hope that he does not think me churlish—is not in a position to be so forthcoming about the arrangements for cross-subsidisation of Channel 3 licences in the Bill as he was earlier for S4C.

However, there is a proposal in the name of the hon. Member for West Ham—amendment 489—and I hope that in response to a debate on that the Minister will give some assurance.

Mr. Steen: It is not West Ham—it is South Hams.

Mr. Maclennan: I apologise to the hon. Gentleman. At this time of night I am looking forward to my ham and eggs.

The general principle of cross-subsidy has been accepted by the Government, but there are many questions in the minds of companies about how it is to operate. I hope that we shall hear a little more about that aspect tonight.

Mr. Steen: I wish to speak to amendment 489 standing in my name and that of my hon. Friend the Member for Torridge and Devon, West (Miss Nicholson). This is an important amendment and I hope that the Minister will be able to say something about transmission arrangements, to be helpful to the House, as he usually is.

The House will know that, since the origins of ITV, the IBA has been responsible for transmission and has charged ITV companies for the costs involved. The Government intend that the IBA transmission system should be privatised by 1991-92 to a single national contractor.

Mr. Andrew Rowe (Mid Kent): On a point of order, Mr. Deputy Speaker. May I point out that the monitor is now showing the name of my hon. Friend the Member for South Hams (Mr. Steen)?

Mr. Deputy Speaker: That shows how very well served we are by our staff.

Mr. Steen: That is a very astute observation, Mr. Deputy Speaker.

I was talking about transmission arrangements. It is a serious matter, and I know that my hon. and learned Friend the Minister will be listening carefully.

By 1991-92, the IBA transmission system should be privatised to a single national contractor, and the charges should be regulated by Oftel. My right hon. and learned Friend the Home Secretary has stated that, until 1996, those charges will be based upon the share of the network advertising revenue, which broadly reflects the population. However, no arrangements have been specified for the period after 1996.

In the south-west, there are 81 transmitters, whereas there are two in London. As things stand, until 1996, the smaller television companies will be charged a percentage of their advertising revenue. The charges will not be based on the number of transmitters. Companies will be asked to put in for the franchise on the basis that they should be able to cost for 10 years, yet they have no idea how much they will be charged after 1996 and whether the charge will be based on advertising revenue or transmitter costs. If it is transmitter costs, areas such as the south-west, which

[Mr. Steen]

has a hilly terrain, could be charged on the number of transmitters—81, while London has only two. I invite the Minister to consider introducing an amendment in another place extending the period from 1996 to 2002 or specifying that the charge will be based not on the number of transmitters but on the advertising revenue or the population that the companies serve.

The amendment is important. I hope that my hon. and learned Friend the Minister will realise the seriousness of going blind into franchises in some of the smaller rural areas.

Miss Emma Nicholson: I recognise the great difficulty in tying down privatised companies for 10 years. The companies will no longer be public bodies, and it is difficult to tie down public limited companies for 10 years. As my hon. Friend the Member for South Hams (Mr. Steen) said, there will be extreme difficulties for those bidding for franchises.

In my constituency, we have had great difficulty in getting Channel 4 to all the villages, because Devon has many hills, dales and tiny villages. I am most grateful to the IBA for the service that it has provided in the past three years in bringing Channel 4 to Chagford, Taddiport and other villages that right hon. and hon. Members know only when they visit Devon on holiday. Most of those villages can now get Channel 4, although I understand that coverage is not yet total.

I should be sorry if, in the new era of untied broadcasting, which I welcome, the rural areas lost out and, perhaps because of loss of transmission due to high costs, could no longer share in the fulness and richness of the television service on offer. I recognise that it is probably an intractable problem, but I put it before my hon. and learned Friend to let him know of our concern.

Mr. Mellor: My two hon. Friends will be aware that the Government are sensitive to these matters and are making provision to take account of topographical difficulties that I well recall from my youth in the west country. My hon. Friends moved to the west country, whereas I moved from it; I do not know which of us had the better deal.

The reason for not specifying at this stage the arrangements for after 1996 is that, by that time, we intend that the BBC transmission system will be privatised. It will then be necessary to consider the future arrangements, but obviously regard will be given to transmission costs in sparsely populated areas. We have a commitment to maintain the transmission system. Our ambition is not to leave it at 99·3 per cent. but to increase it. Any arrangements in 1996 will be looked at in the light of a commitment that successive Governments will be only pleased to give—I certainly give it for this one—to the maintenance, indeed the enhancement, of a truly national system. That requires us to take account of the difficulties of rural areas and their transmission problems.

Mr. Fisher: So that the House is not misled into believing that this problem affects only west country constituencies, may I associate the Labour party with the constructive and sensible comments made by the hon. Members for South Hams (Mr. Steen) and for Torridge and Devon, West (Miss Nicholson)?

Like them, we are pleased about the Minister's commitment to the maintenance of a national network. That is a different position from the one that the Government held a few months ago. We welcome their change of heart and commitment. But that is not exactly the point that hon. Members have been making. They mentioned not only the maintenance of a national network but the method of apportioning cost. That should not be done on a transmission basis, because it is a problem not only in the west country but in Wales—my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) has left the Chamber—and many parts of Scotland, where transmitters are dense on the ground, unlike London. Apportioning cost on a transmission basis would have a disproportionate effect. An assurance from the Government, perhaps in another place, would be appreciated.

Amendment agreed to.

Amendments made: No. 528, in page 47, line 45 leave out

'direct that that period shall'

and insert

'by order provide for that period to'.

No. 529, in page 47, line 46, leave out 'his direction' and insert 'the order'.

No. 530, in page 48, line 18, at end insert—

'(7) Any order under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.'.

No. 480, in clause 62, in page 48, line 44, at end insert—

'(3A) Subsection (1) shall not be construed as applying to any amount which is required by the Commission for the making of an adjustment in respect of an overpayment made by any person.'.

No. 481, in clause 114, in page 88, line 9, at end insert—

'(2A) Subsection (1) shall not be construed as applying to any amount which is required by the Authority for the making of an adjustment in respect of an overpayment made by any person.'.

No. 142, in clause 63, in page 49, line 15, leave out

', under the supervision of the Commission,'.

No. 143, in page 49, line 23, leave out 'possible' and insert 'is reasonably practicable'.

No. 144, in page 49, line 25, after '(1)', insert 'or (3)'.

No. 145, in page 49, line 25, after 'out', insert

', under the supervision of the Commission,'.

No. 146, in page 49, line 28, leave out from 'is' to 'to' in line 29.—*[Mr. Mellor.]*

Clause 66

LOCAL DELIVERY SERVICES

Amendments made: No. 147, in page 50, line 39, after second 'service', insert 'provided by any person'.

No. 148, in page 50, line 40, after 'system', insert 'whether run by that or any other person)'.—*[Mr. Mellor.]*

Clause 67

LICENSING OF LOCAL DELIVERY SERVICES

Amendment made: No. 149, in page 51, line 44, after 'the', insert 'first'.—*[Mr. Mellor.]*

Clause 68

APPLICATIONS OF LOCAL DELIVERY SERVICES

Amendments made: No. 150, in page 52, line 23, after 'licence', insert

'and specifying the closing date for such applications'.

No. 151, in page 52, line 27, leave out from beginning to 'and' in line 28.

No. 76, in page 52, line 39, leave out 'and the deposit'.

No. 77, in page 52, line 40, leave out 'and (ii)'.

No. 154, in page 53, line 4, leave out 'and'.

No. 155. in page 53, line 8, at end insert

'and

(e) such other information as the Commission may reasonably require for the purpose of considering the application.'.

No. 156, in page 53, line 11, leave out 'or (d)' and insert ', (d) or (e)'.

No. 157, in page 53, line 15, leave out subsections (6) to (9).

No. 158, in page 53, line 40, at end insert—

'(9A) The Commission shall, as soon as reasonably practicable after the date specified in a notice under this section as the closing date for applications, publish in such manner as they consider appropriate—

(a) the name of every person who has made an application to them in pursuance of the notice;

(b) particulars of the technical plan submitted by him under subsection (3)(b); and

(c) such other information connected with his application as the Commission consider appropriate.'.

No. 159, in page 53, line 43, after 'amount', insert 'of money'.—*[Mr. Mellor.]*

Clause 70

AWARD OF LICENCE TO PERSON SUBMITTING HIGHEST CASH BID

No. 160, in page 54, line 35, leave out 'the amounts specified in the cash bids submitted by'.

No. 161, in page 54, line 36, leave out 'are the same,' and insert—

'have submitted cash bids specifying an identical amount which is higher than the amount of any other cash bid submitted in respect of the licence, then (unless they propose to exercise their power under subsection (3) in relation to the licence)'.

No. 162, in page 54, line 41, after 'may', insert 'disregard the requirement imposed by subsection (1) and'.

No. 163, in page 54, line 41, leave out 'other than the one who' and insert 'who has not'.

No. 164, in page 54, line 43, leave out 'do so' and insert 'award the licence to that applicant'.

No. 165, in page 54, line 44, leave out 'who submitted the highest bid', and insert 'to whom (apart from this subsection) they would award the licence in accordance with the preceding provisions of this section,'.

No. 166, in page 54, line 47, leave out 'granted' and insert 'awarded'.

No. 168, in page 55, line 18, leave out 'person who submitted the highest bid,' and insert 'applicant to whom (apart from any such requirement) they would have awarded it in accordance with the preceding provisions of this section,'.

No. 169, in page 55, line 20, at end insert '; and any such rules may provide for the awarding of licences by reference to orders of preference notified to the Commission by applicants at the time of making their applications.'.

No. 170, in page 55, line 25, leave out 'the applicant who submitted the highest bid' and insert 'an applicant'.

No. 171, in page 55, line 26, leave out from 'if' to end of line 31 and insert 'that person had not made an application for the licence.'.

No. 172, in page 55, line 33, at end insert ', as soon as reasonably practicable after awarding the licence'.

No. 173, in page 55, line 36, leave out 'as soon as is reasonably practicable'.

No. 174, in page 55, line 43, leave out 'and'.

No. 175, in page 55, line 45, leave out 'other than the one who' and insert 'who has not'.

No. 176, in page 55, line 47, at end insert '; and (d) such other information as the Commission consider appropriate.'.

No. 176, in page 56, line 1, leave out subsection (12) and insert—

'(12) If at any time after a local delivery licence has been granted to any person but before the licence has come into force—

(a) that person indicates to the Commission that he does not intend to provide the service in question, or

(b) the Commission for any other reason have reasonable grounds for believing that that person will not provide that service once the licence has come into force,

then, subject to subsection (13)—

(i) the Commission shall revoke the licence, and

(ii) this section shall have effect as if he had not made an application for the licence.

(13) Subsection (12) shall not apply in the case of any person by virtue of paragraph (b) of that subsection unless the Commission have served on him a notice stating their grounds for believing that he will not provide the service in question once his licence has come into force; and they shall not serve such a notice on him unless they have given him a reasonable opportunity of making representations to them about the matters complained of.'.—*[Mr. Mellor.]*

Clause 71

ADDITIONAL PAYMENTS TO BE MADE IN RESPECT OF LOCAL DELIVERY SERVICES

Amendment made: No. 178, in page 57, line 4, leave out subsection (6).—*[Mr. Mellor.]*

Clause 72

DURATION AND RENEWAL OF LOCAL DELIVERY LICENCES

Amendments made: No. 179, in page 57, line 12, leave out 'ten' and insert 'fifteen'.

No. 180, in page 58, line 20 after 'section', insert—

'(a)'.

No. 181, in page 58, line 24, at end insert—

'; and

(b) section 70(12) and (13) shall apply in relation to any time after the renewal of the licence but before the beginning of the period for which it has been renewed as those provisions apply in relation to any time after a local delivery licence has been granted but before it has come into force (except that section 70(12) shall so apply with the omission of paragraph (ii)).'.—*[Mr. Mellor.]*

Clause 73

APPLICATION OF CERTAIN REQUIREMENTS TO RELAYING OF FOREIGN SATELLITE PROGRAMMES

Amendment made: No. 182, in page 58, line 37, at end insert—

'(2A) Where any licensed local delivery service includes advertisements inserted by the person providing the service, sections 8 and 9 shall have effect as if the delivery of those

advertisements constituted the provision of a service licensed under Part I of this Act and that person were the holder of a licence in force under that Part.'.—*[Mr. Mellor.]*

Clause 77

THE RADIO AUTHORITY

Amendment made: No. 415, in page 60, line 13, leave out 'three' and insert 'four'.—*[Mr. Mellor.]*

Schedule 6

THE RADIO AUTHORITY: SUPPLEMENTARY PROVISIONS

Amendments made: No. 228, in page 159, leave out lines 16 to 19.

No. 479, in page 160, leave out lines 6 to 11.—*[Mr. Mellor.]*

Clause 78

REGULATION BY AUTHORITY OF INDEPENDENT RADIO SERVICES

Amendments made: No. 416, in page 60, line 26, leave out 'so provided' and insert

'provided from places in the United Kingdom'.

No. 531, in page 60, line 41, after 'service', insert

'(other than one provided by the BBC)'.

No. 532, in page 61, line 2, leave out ', or ranges of frequencies,'.

No. 533, in page 61, line 3, leave out 'or range of frequencies'.

No. 534, in page 61, line 6, leave out ', or range of frequencies,'.

No. 535, in page 61, line 10, leave out 'or range of frequencies'.

No. 536, in page 61, line 11, leave out

', or (as the case may be) any frequency falling within that range,'.—*[Mr. Mellor.]*

Clause 79

LICENSING FUNCTIONS OF AUTHORITY

11.30 pm

Mr. Mellor: I beg to move amendment No. 422, in page 61, leave out line 19 and insert—

'(a) a diversity of national services each catering for tastes and interests different from those catered for by the others and of which—

(i) one is a service the greater part of which consists in the broadcasting of spoken material, and

(ii) another is a service which consists, wholly or mainly, in the broadcasting of music other than pop music; and'.

Mr. Deputy Speaker: With this we will take amendment No. 581, in page 61, line 24, after 'of', insert 'national'.

Government amendments Nos. 423 and 424.

Amendment No. 588, in clause 92, page 69, line 43, leave out

'the service to be provided'

and insert

'they believe it is technically possible for a service to be provided and which will be at least the same as the area covered by an equivalent national service provided by the BBC'.

Government amendment No. 425.

Amendment No. 573, in page 69, line 4, at end insert—

'(iii) the type of service to be maintained and the nature of the differentiation between it and other national radio services.'.

Amendment No. 590, in page 70, line 10, at end insert—

'( ) In association with the notice referred to in subsection (1) the authority shall publish illustrative guidelines which shall include an indication of the range of programmes which the Authority expect applicants to include in their programme services.'.

Amendment No. 589, in page 70, line 11, leave out subsection (2).

Amendment No. 574, in page 70, line 19, at end insert—

'(c) The need for variety in radio services and the nature of the audience to which each national service is to be primarily directed.'.

Government amendments Nos. 428 and 431.

Amendment No. 94, in page 70, line 26, after 'interests', insert

'and which shall include in particular, news and current affairs, religious and social action programmes in such form as may be appropriate to the general nature of the service provided.'.

Government amendments Nos. 440 and 441.

Mr. Mellor: These amendments are important because they deal with quite major changes to national commercial radio. With the approbation of the House, we have moved away from an internal diversity test under which we might have ended up with three national radio channels broadly the same and not necessarily with great breadth to them. We have substituted for that an external diversity test with requirements set by the Radio Authority so that one will have to be a largely speech-based station, one will have to be a station consisting of music other than pop music—I make no bones about hoping that that means classical music—and the last station is not specified but almost inevitably will broadcast pop music.

Mr. Fisher: That is defeatist.

Mr. Mellor: The hon. Member for Stoke-on-Trent, Central (Mr. Fisher) may call it defeatist, but we must acknowledge that there is a large audience for pop music.

The effect of the proposals is that we have a remit for national commercial radio to which people can look forward and think will make some considerable use of the potential of the airwaves that have been vacated for that purpose. We could not have been so confident about that under the old arrangements and I am pleased to have made that change.

Mr. Maclennan: I remember our debate in Committee on this subject and how the minds of members of the Committee moved from internal diversity requirements to the arrangements outlined by the Minister. The arrangements will be widely welcomed because they promise that the public will be able to identify more readily, as they can with BBC national radio channels, the kind of programmes to which they want to listen.

I wish to refer to an issue contained in amendments Nos. 588, 589 and 590 which stand in my name. I am concerned by the language of the clause which sets up the national independent radio channels in that it is envisaged that transmission may not actually be national. My amendments are designed to ensure that national radio channels are indeed national and that they provide at least the same cover as that provided by the BBC. As the Bill is

drafted, there are strong hints that a national station could effectively opt out of transmitting to far-flung areas, because of the cost of transmission.

My amendments seek to make it a statutory requirement that coverage should be as far as technically possible, as opposed to what is financially most beneficial. I shall be relieved if the Minister assures me that that is what is intended. However, as the Bill is drafted, it appears that a national provider could opt out of covering parts of the country which at present enjoy national BBC coverage.

Mr. Fisher: The House will welcome what the Minister said about defining the characteristics and remit of the three stations. Before that is completely cast in stone, will he bear in mind the case that we put in Committee for putting the remit of one of the national stations on a Channel 4 publishing house basis? Not only has that worked well in television—there is no reason to suppose that it would not work well in radio—but it does several other things.

Both Opposition and Conservative Members have expressed anxieties about the financial future and viability of community stations and some local radio stations. A Channel 4 type national radio station would provide a marketplace and national forum for programmes all over the country and allow them to be broadcast. It would also provide a marketplace for those companies and a source of income and promotion. At the same time, it would provide a marketplace for independent producers in radio.

When he was formerly at the Home Office, as well as in his present incumbency, the Minister has been in the forefront of promoting the cause of independent producers in television. There is also a great future, both in Britain and internationally, for independent producers in radio. The only way to release the potential of independent radio production companies, which could even be subsets of independent television producers, would be to create a Channel 4 type structure for one of the stations. I commend that idea to the Minister. Perhaps, as the Bill passes through its remaining stages, he will give it further thought. Both on cultural and economic grounds, there is a good case to be made for that remit.

Mr. Mellor: With the leave of the House, may I say that I am grateful for the comments of both the hon. Member for Caithness and Sutherland (Mr. Maclennan) and the hon. Member for Stoke-on-Trent, Central (Mr. Fisher). In reply to the latter, there is nothing to stop someone applying on the basis that he desires. The question whether we should prescribe it is more difficult. I should like to reflect on what he said. There will be nothing to stop someone casting their application in that form. That would certainly be an interesting form in which to do it.

I understand what the hon. Member for Caithness and Sutherland means. He rightly wants to protect the interests of his constituency, which is in an area which is not one of the easiest to transmit to. I too should like to see a national station with universal coverage. However, that was not achieved overnight by BBC radio. Some people find the economics of national commercial radio rather doubtful. Therefore, it is a matter that we shall leave to the Radio Authority, which is presently considering the complex question of coverage planning for the new national networks. It is a matter for it, not for me. I envisage that it will want coverage of about 70 per cent. immediately. As the station becomes successful, it is hoped that it will build up the coverage.

The matter can be explored further with the Radio Authority. I do not want to be the bringer of bad news but it would not be easy to guarantee 100 per cent. coverage straight away. It would be wrong of me to stand at the Dispatch Box and mislead the hon. Gentleman on that point.

Mr. Maclennan: With the leave of the House. I find the Minister's answer rather disturbing, and it will take a number of people by surprise. What have been heralded as three new national radio stations are, initially, to cover only 70 per cent. of the country. I hope that another place will give serious consideration to the implications of that.

I wonder whether a reason for such coverage is the unwillingness of the Government to entertain other amendments that I moved at an earlier stage on the cross-subsidy of transmission costs. It is desirable that we should use our existing transmission arrangements. If it is technically possible to carry signals from one end of the country to the other, I hope that that will be done, notwithstanding the attenuation of some of the lines.

It is clearly too late in our deliberation on the Bill to effect a change in the Government's mind, but I hope that the matter will be considered in another place with great interest.

Mr. Cryer: Powers are included in the Bill for the Secretary of State to amend clause 79(2)(a), which allows certain variations on the national services. The proposed amendment No. 422 is welcome. What is even more welcome is the fact that any amendment to the Bill must come back to the House and be subject to an affirmative order.

I commend the Minister's attitude to other Departments that seem to want to change primary legislation—too often, I fear—without, in some instances, a further reference to the House. If a change is made via an affirmative order, it means that the Minister remains accountable to some degree, and that is welcome.

Amendment agreed to.

Amendments made: No. 417, in page 61, line 27, leave out

'between persons providing licensed services'

and insert

'in the provision of such services and services connected with them.'.

No. 423, in page 61, line 28, at end insert—

'(4) The Secretary of State may by order make such amendments of subsection (2)(a) as he considers appropriate—

(a) for including in that provision a requirement that one of the national services there referred to should be a service of a particular description, or

(b) for removing such a requirement from that provision;

and (without prejudice to the generality of section 178(2)(b)) any such order may make such consequential amendments of section 92(1)(b)(iii) as the Secretary of State considers appropriate.

(5) An order shall not be made under subsection (4) unless a draft of it has been laid before and approved by a resolution of each House of Parliament.'.

No. 613, in page 61, line 28, at end insert—

'(3A) Subsection (3)(b) shall not be construed as affecting the discharge by the Director General of Fair Trading, the

[Mr. Cryer]

Secretary of State or the Monopolies and Mergers Commission of any of his or their functions in connection with competition.'.—*[Mr. Mellor.]*

Clause 80

LICENCES UNDER PART III

Amendments made: No. 537, in page 61, line 35, at end insert

'; and (without prejudice to the generality of the preceding provision) a licence may be so granted for the provision of a service which to any extent consists in the simultaneous broadcasting of different programmes on different frequencies.'.

No. 418, in page 62, line 19, at end insert—

'(7A) Without prejudice to the generality of subsection (7), the Authority shall not give their consent for the purposes of that subsection unless they are satisfied that any such other person would be in a position to comply with all of the conditions included in the licence throughout the remainder of the period for which it is to be in force.'.—*[Mr. Mellor.]*

Clause 81

GENERAL LICENCE CONDITIONS.

Amendments made: No. 123, in page 63, line 10, leave out 'fee or'.

No. 124, in page 63, line 11, after 'be', insert

'in accordance with such tariff as may from time to time be fixed by the Authority; and the amount of any fee which is to be so paid by the holder of a licence of a particular class or description shall be'.

No. 125, in page 63, line 12, leave out 'licence holder' and insert

'holder of such a licence'.

No. 126, in page 63, line 14, at end insert—

'(3A) The tariff fixed under subsection (3) may specify different fees in relation to different cases or circumstances; and the Authority shall publish that tariff, and every revision of it, in such manner as they consider appropriate.'.—*[Mr. Mellor.]*

Clause 84

GENERAL REQUIREMENTS AS TO LICENSED SERVICES

Mr. Mellor: I beg to move amendment No. 538, in page 65, line 26, leave out from beginning to 'as' in line 29.

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendments Nos. 539 and 419.

Mr. Mellor: I am grateful to the hon. Member for Bradford, South (Mr. Cryer) for what he said earlier. In the Bill we have made a serious effort to include parliamentary procedures in a number of instances that were not present before. I am grateful to the hon. Gentleman for his persistent pressure on that point. At a similar hour towards the end of the Bill's Second Reading and its aftermath, I promised the hon. Gentleman to make such inclusions, and I hope that I have delivered on that promise six months later.

The first two amendments in the group remove an inconsistency in clause 84. At the moment, clause 84(3) refers to programmes taken as a whole, while subsection (4) refers to a series of programmes. We have taken out the reference to a series of programmes, since the two subsections would have made a different attempt to define the same concept. No substantive change has been made.

Amendment No. 419 honours an undertaking I gave in Committee, that the authority should be required, so far as reasonably practicable, to consult its licensees about the programme code as well as the advertising code in clause 87.

Amendment agreed to.

Amendment made: No. 539, in page 65, line 29, leave out 'in other respects'.—*[Mr. Mellor.]*

Clause 85

GENERAL CODE FOR PROGRAMMES

Amendment made: No. 419, in page 66, line 10, at end insert—

'(2A) Before drawing up or revising the code under this section the Authority shall (to such extent as they consider it reasonably practicable to do so) consult every person who is the holder of a licence under this Part.'.—*[Mr. Mellor.]*

Clause 86

GENERAL PROVISIONS AS TO ADVERTISEMENTS

Amendment made: No. 540, in page 66, line 35, at end insert—

'(2A) Nothing in subsection (2) shall be construed as prohibiting the inclusion in a licensed service of any party political broadcast which complies with the rules (so far as applicable) made by the Authority for the purposes of section 100.'.—*[Mr. Mellor.]*

Clause 87

CONTROL OF ADVERTISEMENTS

Amendments made: No. 475, in page 67, leave out line 11.

No. 476, in page 67, line 20, at end insert—

'and (to the extent that the Authority consider such consultation to be reasonably practicable) consultation with every person who is the holder of a licence under this Part.'.

No. 420, in page 67, line 41, after 'advertising', insert 'or sponsorship'.—*[Mr. Mellor.]*

Clause 89

USE BY AUTHORITY OF RECORDINGS ETC. TO MONITOR PROGRAMMES

Amendments made: No. 619, page 68, line 39, leave out 'may include conditions enabling the Authority to require' and insert 'shall include conditions requiring'.

No. 421, in page 68, line 41, leave out '90' and insert '42'.

No. 620, in page 68, line 44, leave out

'to produce any such recording to the Authority'

and insert

'at the request of the Authority, to produce to them any such recording'.

No. 621, in page 68, line 46, leave out

'to produce to the Authority'

and insert

'at the request of the Authority, to produce to them'.

No. 622, in page 68, line 46, after 'script', insert 'or transcript'.

No. 234, in page 68, line 47, at end insert—

'(3) Nothing in this Part shall be construed as requiring the Authority, in the discharge of their duties under this Part as respects licensed services and the programmes included in them, to listen to such programmes in advance of their being included in such services.'.—*[Mr. Mellor.]*

Clause 90

AUDIENCE RESEARCH

Amendments made: No. 235, in page 69, line 1, after 'ascertaining', insert—

'(a)'.

No. 236, in line 3, at end insert—

'(b) any effects of such programmes on the attitudes or behaviour of persons who listen to them; and

(c) the types of programme that members of the public would like to be included in licensed services.'.—*[Mr. Mellor.]*

Clause 92

APPLICATIONS FOR NATIONAL LICENCES

Amendments made: No. 424, in page 68, line 41, leave out 'and'.

No. 425, in line 43, at end insert—

'(iii) if the service is to be one falling within section 79(2)(a)(i) or (ii), that the service is to be such a service, and

(iv) if there is any existing licensed national service, that the service is to be one which caters for tastes and interests different from those already catered for by any such service (as described in the notice);'.

No. 426, in line 44, after 'licence', insert

'and specifying the closing date for such applications'.

No. 427, in page 70, leave out lines 3 and 4.—*[Mr. Mellor.]*

Mr. Fisher: I beg to move amendment No. 91, in page 70, line 9, leave out

'in pursuance of section 96(1)(b)'.

Mr. Deputy Speaker: With this it will be convenient to take the following amendments: No. 95, in line 27, leave out

'(c) the applicant's cash bid in respect of the licence;'

No. 97, in page 71, line 16, leave out from 'part' to end of line 19 and insert

'"qualifying revenue" means all payments received or to be received by the licence holder for any accounting period—

(a) in consideration of the inclusion in the licensed service in that period of advertisements or other programmes, or

(b) in respect of charges made by him in that period for the reception of programmes included in that service.'.

No. 101, in clause 96, page 74, leave out from line 14 to line 33, and insert—

'an amount representing the percentage of qualifying revenue determined by the Secretary of State for each accounting period to be paid in equal annual instalments throughout the period for which the licence is in force.'.

11.45 pm

Mr. Fisher: We covered this ground thoroughly in Committee, so I shall not detain the House and the Minister long, but we wish to put down a marker yet again to say that the Government have got it wrong in their determination to make money a substantial factor in the allocation of radio franchises. We had a long debate in Committee about the importance of a quality threshold for the national commercial radio stations, and the Minister said then that he believed that radio was different from television and there was not the same need for setting quality thresholds. We believed then that he was wrong, and we hoped that, when the Bill went to another place, that debate would be taken up.

I suspect that it would be over-optimistic to think that, since we concluded the Committee stage, the Minister has seen the error of his ways. In the many strong arguments that he made in defence of his position at various stages in Committee, that was not one of his finest moments. It is difficult for him to look squarely in the face those many hundreds of thousands—millions—of people in this country who care deeply about the quality of radio, and say that, when allocating franchises in radio, he does not believe that it is necessary to have a quality threshold, whereas he does accept that television is so important that it should have quality thresholds.

I think that, being a fair man, the Minister knows in his heart of hearts that that is wrong, and that there are millions of people for whom radio is a central part of their lives. It is important that the exciting potential of the three national stations that could add something to our radio culture should be given to the best broadcasters, and there should be a quality threshold that people applying for those franchises should have to overcome.

The Minister made a good case about the threshold in relation to television. It is every bit as true in relation to radio, and I urge him to give himself the space and time to find the words to come back to this matter, either now or later. In his heart of hearts, I think that he knows that it is important, and many people who believe in radio would appreciate it if he put down the marker that quality in radio was as important as quality in television.

Mr. Mellor: I certainly agree that quality is important. I think that the only issue is how best we attain it. I am grateful to the hon. Member for Stoke-on-Trent, Central (Mr. Fisher) for the understanding way in which he put his point. I appreciate that, although we have moved closer on some issues, there are others on which our positions remain apart. I cannot improve on, and certainly would not seek to repeat, the explanation that I gave in Committee, but I am sure that the hon. Gentleman's prediction that the other place will take an interest in the matter will undoubtedly prove true. I shall be following those discussions closely and will continue to evaluate the matter and other parts of the Bill as we progress.

Amendment negatived.

Amendments made: No. 428, in page 70, line 21, at end insert—

'(aa) the applicant's proposals for providing a service that would both—

(i) comply with any requirement specified in the notice under subsection (1)(b)(iii) or (iv), and

(ii) consist of a diversity of programmes calculated to appeal to a variety of tastes and interests;'.

No. 429, in page 70, line 22, leave out 'and the deposit'.

No. 430, in page 70, line 23, leave out 'and(ii)'.

No. 431, in page 70, leave out lines 24 to 26.

No. 432, in page 70, line 26, at end insert—

'(ba) the applicant's proposals for training or retraining persons employed or to be employed by him in order to help fit them for employment in, or in connection with, the making of programmes to be included in his proposed service;'.

No. 433, in page 70, line 27, leave out 'and'.

No. 434, in page 70, line 28, after 'require', insert—

'(i)'.

No. 435, in page 70, line 31, at end insert

', and

(ii) as to the arrangements which the applicant proposes to make for, and in connection with, the transmission of his proposed service; and

[Mr. Mellor]

(e) such other information as the Authority may reasonably require for the purpose of considering the application.'.

No. 436, in page 70, line 34, leave out 'subsection (3)(b) or (d)' and insert

'any of paragraphs (aa), (ba), (d) and (e) of subsection (3)'.

No. 437, in page 70, line 38, leave out subsections (6) to (8).

No. 438, in page 71, line 15, at end insert—

'(8A) The Authority shall, as soon as reasonably practicable after the date specified in a notice under this section as the closing date for applications, publish in such manner as they consider appropriate—

(a) the name of every person who has made an application to them in pursuance of the notice;

(b) the proposals submitted by him under subsection (3)(aa); and

(c) such other information connected with his application as the Authority consider appropriate.'.

No. 541, in page 71, line 15, at end insert—

'(8B) In this section "programme" does not include an advertisement.'.

No. 439, in page 71, line 18, after 'amount', insert 'of money'.—*[Mr. Mellor.]*

Clause 93

PROCEDURE TO BE FOLLOWED BY AUTHORITY IN CONNECTION WITH CONSIDERATION OF APPLICATIONS FOR NATIONAL LICENCES

Amendments made: No. 440, in page 71, line 24, after 'would', insert

'both—

(i) comply with any requirement specified under subsection (1)(b)(iii) or (iv) of section 92, and

(ii)'.

No. 441, in page 71, line 25, leave out 'section 92(3)(b)' and insert

'subsection (3)(aa) of that section'.—*[Mr. Mellor.]*

Clause 94

AWARD OF NATIONAL LICENCE TO PERSON SUBMITTING HIGHEST CASH BID

Amendments made: No. 442, in page 71, line 40, leave out

'the amounts specified in the cash bids submitted by'.

No. 443, in page 71, line 41, leave out 'are the same,' and insert

'have submitted cash bids specifying an identical amount which is higher than the amount of any other cash bid submitted in respect of the licence, then (unless they propose to exercise their power under subsection (3) in relation to the licence)'.

No. 444, in page 71, line 46, after 'may', insert

'disregard the requirement imposed by subsection (1) and'.

No. 445, in page 71, line 46, leave out 'other than the one who' and insert 'who has not'.

No. 446, in page 71, line 48, leave out 'do so' and insert 'award the licence to that applicant'.

No. 447, in page 72, line 1, leave out 'who submitted the highest bid,' and insert

'to whom (apart from this subsection) they would award the licence in accordance with the preceding provisions of this section,'.

No. 448, in page 72, line 4, leave out 'granted' and insert 'awarded'.

No. 449, in page 72, line 22, leave out subsections (7) and (8).

No. 450, in page 72, line 31, leave out

'the applicant who submitted the highest bid'

and insert 'an applicant'.

No. 451, in page 72, line 32, leave out from 'if' to end of line 37 and insert

'that person had not made an application for the licence.'.

No. 453, in page 72, line 39, at end insert

', as soon as reasonably practicable after awarding the licence'.

No. 453A, in page 72, line 42, leave out

'as soon as is reasonably practicable'.

No. 454, in page 72, line 48, leave out

'requirements of section 93(1)(a) and (b) were'

and insert

'requirement specified in section 93(1)(a) was'.

No. 455, in page 72, line 49 leave out 'and'.

No. 456, in page 73, line 2, leave out 'other than the one who' and insert 'who has not'.

No. 457, in page 73, line 4 at end insert

'; and

(d) such other information as the Authority consider appropriate.'.—*[Mr. Mellor.]*

Clause 95

HOLDER OF NATIONAL LICENCE TO GIVE SECURITY AGAINST FAILURE TO MAINTAIN PROPOSED SERVICE

Amendments made: No. 733, in page 73, line 19, leave out from beginning to 'and' in line 20.

No. 734, in page 73, line 21, leave out from 'effect' to end of line 24 and insert

'as if he had not made an application for the licence.'.

No. 735, in page 73, line 25, leave out subsection (4) and insert—

'(4) If at any time after a national licence has been granted to any person but before the licence has come into force—

(a) that person indicates to the Authority that he does not intend to provide the service in question, or

(b) the Authority for any other reason have reasonable grounds for believing that that person will not provide that service once the licence has come into force,

then, subject to subsection (4A)—

(i) the Authority shall revoke the licence,

(ii) the whole, or (if the Authority so determine) a specified part, of any security given by that person under this section shall be forfeited to the Authority, and

(iii) section 94 shall have effect as if he had not made an application for the licence.

(4A) Subsection (4) shall not apply in the case of any person by virtue of paragraph (b) of that subsection unless the Authority have served on him a notice stating their grounds for believing that he will not provide the service in question once his licence has come into force; and they shall not serve such a notice on him unless they have given him a reasonable opportunity of making representations to them about the matters complained of.'.—*[Mr. Mellor.]*

Clause 96

ADDITIONAL PAYMENTS TO BE MADE IN RESPECT OF NATIONAL LICENCES

Amendment made: No. 736, in page 75, line 29, leave out from beginning to 'estimating' in line 31.—*[Mr. Mellor.]*

Clause 97

APPLICATIONS FOR OTHER LICENCES

Amendments made: No. 458, in page 75, line 42, after 'licence', insert

'and specifying the closing date for applications'.

No. 459, in page 76, line 11, leave out 'and'.

No. 460, in page 76, line 12, after 'require', insert—

'(i)'.

No. 461, in page 76, line 15, at end insert

', and

(ii) as to the arrangements which the applicant proposes to make for, and in connection with, the transmission of his proposed service; and

(d) such other information as the Authority may reasonably require for the purpose of considering the application.'.

No. 462, in page 76, line 18, leave out 'or (c)' and insert ', (c) or (d)'.

No. 463, in page 76, line 18, at end insert—

'(3A) The Authority shall, at the request of any person and on the payment by him of such sum (if any) as the Authority may reasonably require, make available for inspection by that person any information furnished under subsection (2)(b) by the applicants for a local licence.'.

No. 464, in page 76, line 20, leave out '(a)'.

No. 465, in page 76, line 22, leave out from 'question,' to 'would' in line 24 and insert

'they shall, in accordance with subsection (1), publish a notice under that subsection relating to the proposed grant of the further licence to provide that service, unless it appears to them that to do so'.

No. 466, in page 76, leave out lines 28 and 29.

No. 542, in page 76, line 36, at end insert—

'(6) In this section and sections 98 and 99 "programme" does not include an advertisement.'.—*[Mr. Mellor.]*

Clause 98

SPECIAL REQUIREMENTS RELATING TO GRANT OF LOCAL LICENCES

Amendments made: No. 467, in page 76, line 39, leave out 'in particular'.

No. 468, in page 76, line 49, leave out 'and'.

No. 469, in page 77, line 4, at end insert

'; and

(d) the extent to which any application for the licence is supported by such persons.'.—*[Mr. Mellor.]*

Clause 99

REQUIREMENTS AS TO QUALITY AND COVERAGE OF NATIONAL AND LOCAL SERVICES

Amendment made: No. 470, in page 77, line 7, leave out 'quality and'.—*[Mr. Mellor.]*

Clause 100

PARTY POLITICAL BROADCASTS

Amendments made: No. 471, in page 77, line 30, leave out 'or local licence may' and insert 'licence shall'.

No. 543, in page 77, line 42, at end insert—

'(2A) Any rules made by the Authority for the purposes of this section may make different provision for different cases or circumstances.'.—*[Mr. Mellor.]*

Clause 101

POWER TO REQUIRE SCRIPTS ETC. OR PUBLICATION OF APOLOGY

Amendments made: No. 472, in page 78, line 24, leave out 'an' and insert 'a correction or'.

No. 473, in line 26, leave out 'an' and insert 'a correction or'.

No. 474, in line 32, leave out 'an' and insert 'a correction or'.—*[Mr. Mellor.]*

Clause 102

POWER TO IMPOSE FINANCIAL PENALTY OR SUSPEND OR SHORTEN LICENCE PERIOD

Amendment made: No. 412, in page 78, line 40, after 'pay', insert ', within a specified period,'.—*[Mr. Mellor.]*

Clause 103

POWER TO REVOKE LICENCES

Amendment made: No. 413, in page 80, line 21, leave out from 'particular,' to end of line 23 and insert

', or

(b) that, in connection with his application for the licence, the holder of such a licence withheld any material information with the intention of causing them to be misled,'.—*[Mr. Mellor.]*

Clause 104

LICENSABLE SOUND PROGRAMME SERVICES

Amendments made: No. 183, in page 80, line 41, leave out 'simultaneous'.

No. 184, in line 46, at end insert

', and whether the programmes are to be so conveyed for simultaneous reception or for reception at different times in response to requests made by different users of the service.'.

No. 544, in page 81, line 8, after 'who', insert

'does either or both of the following things, that is to say—

(a)'.

No. 545, in line 9, at end insert

', or

(b) runs a telecommunication system which is so used,'.—*[Mr. Mellor.]*

Clause 106

ADDITIONAL SERVICES

Amendments made: No. 546, in page 81, line 35, leave out 'on' and insert 'within'.

No. 547, in line 40, leave out 'on' and insert 'within'.

No. 185, in page 82, line 13, after 'taken', insert

'for the purposes of this Part'.—*[Mr. Mellor.]*

Clause 107

LICENSING OF ADDITIONAL SERVICES

Amendments made: No. 548, in page 82, line 39, leave out 'on' and insert 'within'.

No. 549, in line 40, leave out 'on' and insert 'within'.

No. 477, in page 83, line 8, leave out

'under this Part to provide any sound broadcasting'

and insert

'to provide a national'.

No. 478, line 12, leave out 'broadcasting' and insert 'national'.

No. 186, in line 17, after 'facilities', insert 'reasonably'.

No. 187, in line 18, at end insert—

'(5A) Any person who grants to any other person access to facilities in accordance with conditions imposed under section (5) may require that other person to pay a reasonable charge in respect thereof; and any dispute as to the amount of any such charge shall be determined by the Authority.'.—*[Mr. Mellor.]*

Clause 108

APPLICATIONS FOR ADDITIONAL SERVICES LICENCES

Amendments made: No. 188, in page 83, line 36, after 'licence', insert

'and specifying the closing date for such applications'.

No. 189, in line 40, leave out from beginning to 'and' in line 41.

No. 190, in page 84, line 8, leave out 'and the deposit'.

No. 191, in line 9, leave out 'and (ii)'.

No. 550, in line 10, leave out from 'plan' to 'indicating' in line 11.

No. 551, in line 12, leave out 'he' and insert 'the applicant'.

No. 552, in line 14, leave out

'he is able to do so'

and insert 'known to the applicant'.

No. 192, in line 28, leave out subsections (6) to (9).

No. 193, in page 85, line 7, at end insert—

'(9A) The Authority shall, as soon as reasonably practicable after the date specified in a notice under this section as the closing date for applications, publish in such manner as they consider appropriate—

(a) the name of every person who has made an application to them in pursuance of the notice;

(b) particulars of the technical plan submitted by him under subsection (3)(b); and

(c) such other information connected with his application as the Authority consider appropriate.'.—*[Mr. Mellor.]*

Clause 109

PROCEDURE TO BE FOLLOWED BY THE AUTHORITY IN CONNECTION WITH CONSIDERATION OF APPLICATIONS FOR, AND AWARDING OF, LICENCES

Amendments made: No 553, in page 85, line 17, leave out

'he would be able to maintain his proposed service'

and insert

'the services proposed to be provided under the licence would be capable of being maintained'.

No. 194, in line 37, leave out subsection (5) and insert—

'(5) If at any time after an additional services licence has been granted to any person but before the licence has come into force—

(a) that person indicates to the Authority that he does not intend to provide the services in question, or

(b) the Authority for any other reason have reasonable grounds for believing that that person will not provide those services once the licence has come into force,

then, subject to subsection (5A)—

(i) the Authority shall revoke the licence, and

(ii) section 94 (as applied by subsection (3) above) shall have effect as if he had not made an application for the licence.

(5A) Subsection (5) shall not apply in the case of any person by virtue of paragraph (b) of that subsection unless the Authority have served on him a notice stating their grounds for believing that he will not provide the services in question once his licence has come into force; and they shall not serve such a notice on him unless they have given him a reasonable opportunity of making representations to them about the matters complained of.'.—*[Mr. Mellor.]*

Clause 110

ADDITIONAL PAYMENTS TO BE MADE IN RESPECT OF ADDITIONAL SERVICES LICENCES

Amendments made: No. 675, in page 86, line 32, leave out 'this' and insert 'his'.

No. 195, in line 40, leave out subsection (6).—*[Mr. Mellor]*

Clause 114

CERTAIN RECEIPTS OF AUTHORITY TO BE PAID INTO CONSOLIDATED FUND

Amendments made: No. 554 page 88, line 1, leave out ', satellite or additional service,' and insert

'or satellite service or any additional services,'.

No. 481, in page 88, line 9 at end insert—

'(2A) Subsection (1) shall not be construed as applying to any amount which is required by the Authority for the making of an adjustment in respect of an overpayment made by any person.'.—*[Mr. Mellor.]*

Clause 115

FREQUENCY PLANNING AND GENERAL RESEARCH AND DEVELOPMENT

Amendments made: No. 196, in page 88, line 24, leave out 'possible' and insert 'is reasonably practicable'.

No. 197, in page 88, line 26, after '(1)', insert 'or (3)'.

No. 198, in page 88, line 30, leave out from 'is' to 'to' in line 31.—*[Mr. Mellor.]*

Clause 118

INTERPRETATION OF PART III

Amendment made: No. 555, in page 89, line 8, leave out 'granted by the Authority' and insert 'in force'.—*[Mr. Mellor.]*

SCHEDULE 7

SCHEME PROVIDING FOR DIVISION OF ASSETS OF IBA

Amendments made: No. 567, in page 161, line 38, leave out 'take effect' and insert

'be capable of coming into force in accordance with section 119(1) of this Act'.

No. 568, in page 162, line 4, at end insert—

'(4A) If, at any time after the Secretary of State has either—

(a) approved (either with or without modifications) a scheme under this Schedule made by the IBA, or

(b) himself made such a scheme,

but before the scheme has come into force in accordance with section 119(1) of this Act, the Secretary of State considers it appropriate to do so, he may determine that the scheme shall, on its so coming into force, come into force with such modifications as may be specified in his determination; and, in any such case, the scheme shall accordingly, on its coming into force, come into force with those modifications.'.

No. 482, in page 162, line 36, at end insert—

'(9) Nothing in this paragraph shall require a scheme under this Schedule to make provision with respect to any equipment which the IBA have agreed to dispose of in

pursuance of section (*Functions exercisable by IBA before transfer date in connection with local sound broadcasting*)(6).'.

No. 687, in page 163, line 47, at end insert—

'(4) Where, in consequence of any transfer made in accordance with a transfer scheme, all the property, rights and liabilities comprised in a particular part of the IBA's undertaking are transferred to a relevant transferee—

(a) the Transfer of Undertakings (Protection of Employment) Regulations 1981 shall apply to the transfer, whether or not they would otherwise so apply, and

(b) that undertaking shall accordingly (whether or not it would otherwise be so regarded) be regarded for the purposes of those Regulations as an undertaking in the nature of a commercial venture.'.—*[Mr. Mellor.]*

Schedule 8

SUPPLEMENTARY PROVISIONS RELATING TO DISSOLUTION OF CABLE AUTHORITY

Amendment made: No. 688, in page 167, line 40, at end insert—

'(3) The Transfer of Undertakings (Protection of Employment) Regulations 1981 shall apply to the transfer to the Commission, by virtue of section 120(1), of the undertaking of the Cable Authority, whether or not they would otherwise so apply; and that undertaking shall accordingly (whether or not it would otherwise be so regarded) be regarded for the purposes of those Regulations as an undertaking in the nature of a commercial venture.'.—*[Mr. Mellor.]*

Schedule 10

TRANSITIONAL PROVISIONS RELATING TO EXISTING CABLE SERVICES

Amendments made: No. 569, in page 182, line 17, leave out 'on' and insert

'at any time on or after'.

No. 570, in page 182, line 19, leave out 'date' and insert 'time'.—*[Mr. Mellor.]*

Clause 122

INITIAL GOVERNMENT HOLDING IN NOMINATED COMPANY

Amendment made: No. 676, in page 91, line 33, after '(6)', insert

'Without prejudice to the generality of section 176(2),'.—*[Mr. Mellor.]*

Schedule 11

THE BROADCASTING COMPLAINTS COMMISSION: SUPPLEMENTARY PROVISIONS

Amendment made: No. 571, in page 189, line 31, leave out

'and the statement prepared for each financial year'.—*[Mr. Mellor.]*

Clause 129

FUNCTION OF BCC

Amendment made: No. 556, in page 94, line 21, leave out from 'service' to end of line 22.—*[Mr. Mellor.]*

Clause 131

CONSIDERATION OF COMPLAINTS

Amendments made: No 623, in page 96, line 2, at end insert—

'(aa) to provide the BCC with a visual or sound recording of the relevant programme or of any specified part of it, if and so far as the relevant person has such a recording in his possession;'.

No. 624, in line 3, leave out

'and any member or employee of the BCC'.

No. 625, in line 6, leave out 'possesses' and insert 'has in his possession'.

No. 626, in line 17, at end insert—

'(4A) For the purposes of this section, section 141 and section (*Power to make copies of recordings*), it shall be the duty of each broadcasting body to make a recording of every television or sound programme which is broadcast by that body and to retain that recording—

(a) where it is of a television programme, during the period of 90 days beginning with the broadcast, and

(b) where it is of a sound programme, during the period of 42 days beginning with the broadcast.'.

No. 627, in page 96, leave out line 20.

No. 628, in page 96, line 21, after 'corporate', insert 'to arrange for'.

No. 629, in page 96, line 22, after 'body', insert

'to attend the BCC and assist them in their consideration of the complaint'.

No. 630, in page 96, line 23, leave out from 'individual', to end of line 25 and insert

'to attend, or to arrange for one or more of his employees to attend, the BCC and assist them in their consideration of the complaint.'.

No. 631, in page 97, line 2, leave out 'and assist the BCC' and insert

'the BCC and assist them'.

No. 557, in page 97, line 13, leave out 'by whom it was so included' and insert 'providing the service'.—*[Mr. Mellor.]*

Clause 132

PUBLICATION OF BCC'S FINDINGS

Amendments made: No. 632, in page 97, line 25, leave out

'in a form approved for the purpose by the BCC'.

No. 633, in page 97, line 27, leave out

'in a form so approved'.

No. 634, in page 97, line 28, at end insert—

'(2A) The form and content of any such summary as is mentioned in subsection (2)(a) or (b) shall be such as may be approved by the BCC.'.—*[Mr. Mellor.]*

Clause 135

CONTRIBUTIONS TOWARDS COST OF BCC

Amendments made: No. 677, in page 98, line 27, leave out 'total'.

No. 678, in page 98, line 28, after 'of', insert

'that body, in respect of'.

No. 679, in page 98, line 33, leave out subsections (2) and (3).

No. 680, in page 98, line 42, after '(4)', insert 'Each regulatory body and'.

No. 681, in page 98, line 43, leave out '(1)(b)' and insert '(1)'.—*[Mr. Mellor.]*

Schedule 12

THE BROADCASTING STANDARDS COUNCIL: SUPPLEMENTARY PROVISIONS

Amendments made: No. 689, in page 191, line 27, leave out 'directions' and insert 'direction'.

No. 648, in page 193, line 2, leave out 'The Council shall' and insert

'It shall be the duty of the Council—

(a) to'.

No. 649, in page 193, line 3, leave out 'and shall' and insert—

'(b) to'.

No. 650, in page 193, line 5, at end insert

'and

(c) to send copies of each such statement to the Secretary of State and the Comptroller and Auditor General not later than 31st August next following the end of the financial year to which the statement relates.

(1A) The Comptroller and Auditor General shall examine, certify and report on each statement of accounts sent to him by the Council and shall lay a copy of every such statement and of his report before each House of Parliament.'.

No. 651, in page 193, line 6, leave out sub-paragraphs (2) to (4).—*[Mr. Mellor.]*

Clause 138

PREPARATION BY COUNCIL OF CODE RELATING TO BROADCASTING STANDARDS

Amendment made: No. 558, in page 100, leave out line 13.—*[Mr. Mellor.]*

Clause 139

MONITORING BY COUNCIL OF BROADCASTING STANDARDS

Amendments made: No. 237, in page 100, line 39, after 'any', insert 'effects or'.

No. 238, in page 100, line 39, after 'attitudes', insert 'or behaviour'.—*[Mr. Mellor.]*

Clause 140

CONSIDERATION BY COUNCIL OF COMPLAINTS RELATING TO BROADCASTING STANDARDS

Amendments made: No. 635, in page 101, line 24, leave out from 'made' to end of line 29 and insert—

'(a) where the relevant programme is a television programme, more than two months after the relevant date, or

(b) where the relevant programme is a sound programme, more than three weeks after that date,'.

No. 636, in page 101, line 31, at end insert—

'(3A) In subsection (3) "the relevant date" means—

(a) the date on which the relevant programme was broadcast by a broadcasting body or included in a licensed service, or

(b) where it has been so broadcast or included on more than one occasion, the date on which it was last so broadcast or included.'.

No. 637, in page 101, line 33, at end insert—

'(aa) that the matter complained of is the subject of proceedings in a court of law in the United Kingdom, or

(ab) that the matter complained of is a matter in respect of which the complainant has a remedy by way of proceedings in a court of law in the United Kingdom, and that in the particular circumstances it is not appropriate for the Council to consider a complaint about it, or'.

No. 638, in page 101, line 35, leave out 'do so' and insert 'entertain, or proceed with the consideration of, the complaint.'.—*[Mr. Mellor.]*

Clause 141

CONSIDERATION OF COMPLAINTS

Amendments made: No. 639, in page 102, line 11, leave out from 'complaint,' to 'furnish' in line 15 and insert

'it shall be the duty of that person, if so required by the Council—

(a) to provide the Council with a visual or sound recording of the relevant programme or any specified part of it, if and so far as he has such a recording in his possession;

(b) to provide the Council with a transcript of so much of the relevant programme, or of any specified part of it, as consisted of speech, if and so far as he is able to do so;

(c) to provide the Council with copies of any documents in his possession being the originals or copies of any correspondence between him and the complainant in connection with the complaint;

(d) to'.

No. 640, in page 102, line 17, leave out subsections (4) and (5).

No. 559, in page 103, line 10, leave out

'by whom it was so included'

and insert

'providing that service'.—*[Mr. Mellor.]*

Clause 142

PUBLICATION OF COUNCIL'S FINDINGS

Amendments made: No. 641, in page 103, line 22, leave out

'in a form approved for the purpose by the Council'.

No. 642, in page 103, line 26, leave out

'in a form so approved'.

No. 643, in page 103, line 26, at end insert—

'(2A) The form and content of any such summary as is mentioned in subsection (2)(a) or (b) shall be such as may be approved by the Council.'.—*[Mr. Mellor.]*

Clause 143

POWER OF COUNCIL TO UNDERTAKE OR COMMISSION RESEARCH

Amendments made: No. 644, in page 103, line 34, leave out

'undertake or arrange for other persons to undertake,'

and insert

'make arrangements for the undertaking of'.

No. 645, in page 103, line 36, leave out 'television or radio programmes' and insert

'programmes to which this Part applies'.

No. 646, in page 103, line 41, at end insert—

'(2A) Arrangements made under subsection (1) shall secure that, so far as it is reasonably practicable, any research undertaken in pursuance of the arrangements is undertaken by persons who are neither members nor employees of the Council.'.—*[Mr. Mellor.]*

Clause 146

ANNUAL REPORTS

Amendment made: No. 647, in page 104, line 22, leave out from '139(1)(a)' to end of line 24.—*[Mr. Mellor.]*

Clause 147

INTERPRETATION OF PART VI

Amendment made: No. 560, in page 104, line 43, after '73(1)', insert 'or (2A)'.—*[Mr. Mellor.]*

Clause 148

OBSCENITY IN PROGRAMME SERVICES: ENGLAND AND WALES

Amendments made: No. 561, in page 105, line 14, leave out 'is hereby repealed' and insert

'shall cease to have effect'.

No. 291, in page 105, line 18, leave out 'television or sound programme' and insert

'programme included in a programme service'.

No. 292, in page 105, line 19, leave out 'television or sound programme' and insert 'programme so included'.

No. 293, in page 105, line 25, leave out from 'section' to end of line 27 and insert

'"programme" and "programme service" have the same meaning as in the Broadcasting Act 1990.".'.—*[Mr. Mellor.]*

Schedule 13

APPLICATION OF 1959 ACT TO TELEVISION AND SOUND PROGRAMMES

Amendments made: No. 300, in page 193, leave out line 32 and insert—

'"relevant programme" means a programme'.

No. 301, in page 193, line 38, leave out 'television or sound' and insert 'relevant'.

No. 302, in page 194, line 3, leave out 'any' and insert 'the'.

No. 303, in page 194, line 4 leave out 'television or sound' and insert 'relevant'.

No. 304, in page 194, line 14, leave out 'television or sound'.

No. 305, in page 194, line 24, leave out 'television or sound'.

No. 306, in page 194, line 39, leave out 'television or sound' and insert 'relevant'.

No. 307, in page 194, line 44, leave out 'television or sound' and insert 'relevant'.

No. 308, in page 194, line 45, leave out from 'but' to end of line 47.

No. 309, in page 195, line 2, leave out from 'a' to end of line 4 and insert

'relevant programme is justified as being for the public good on the ground that it is in the interests of—

(i) drama, opera, ballet or any other art,

(ii) science, literature or learning, or

(iii) any other objects of general concern.'.

No. 310, in page 195, line 7, after '4', insert '(1) and'.

No. 311, in page 195, line 11, leave out 'television or sound' and insert 'relevant'.

No. 312, in page 195, line 16, leave out 'television or sound'.

No. 313, in page 195, line 18, leave out 'such a programme' and insert

'a programme which is to be so included.'—*[Mr. Mellor.]*

Clause 149

OBSCENITY IN PROGRAMME SERVICES: SCOTLAND

Amendments made: No. 294, in page 105, line 37, leave out 'television or sound programme' and insert

'programme included in a programme service'.

No. 295, in page 105, line 38, leave out 'television or sound programme' and insert 'programme so included'.

No. 296, in page 106, line 2, leave out from '"material",' to end of line 10 and insert

'the words from "and" onwards shall be omitted;

(b) after the definition of "prescribed sum" there shall be inserted—

""programme" and "programme service" have the same meaning as in the Broadcasting Act 1990;" and

(c) the word "showing," shall be omitted.'.—*[Mr. Mellor.]*

No. 297, in page 108, line 30, leave out clause 153.—*[Mr. Mellor.]*

No. 298, in page 109, line 9, leave out clause 154.—*[Mr. Mellor.]*

No. 299, in page 109, line 42, leave out clause 155.—*[Mr. Mellor.]*

Clause 157

OFFENCE OF ALLOWING PREMISES TO BE USED FOR PURPOSE OF UNLAWFUL BROADCASTING

Amendment made: No. 284, in page 111, line 15, leave out ', hovercraft'.—*[Mr. Mellor.]*

Clause 158

PROHIBITION OF ACTS FACILITATING UNAUTHORISED BROADCASTING

Amendment made: No. 283, in page 113, line 3, at end insert—

'"broadcasting station" means any business or other operation (whether or not in the nature of a commercial venture) which is engaged in the making of broadcasts;'.—*[Mr. Mellor.]*

Clause 159

AMENDMENTS OF THE MARINE, &C., BROADCASTING (OFFENCES) ACT 1967

Amendment made: No. 285, in page 113, line 13, leave out from 'shall' to end of line 28 and insert

'have effect subject to the amendments specified in Schedule *[Amendments of the Marine, &c., Broadcasting (Offences) Act 1967]* (which include amendments that impose further restrictions on broadcasting at sea and on acts facilitating such broadcasting).'.—*[Mr. Mellor.]*

Clause 160

AMENDMENTS OF PROVISIONS OF 1949 ACT RELATING TO PENALTIES AND FORFEITURE

Amendment made: No. 287, in page 114, line 18, leave out ', hovercraft'.—*[Mr. Mellor.]*

Clause 161

EXTENSION OF SEARCH AND SEIZURE POWERS IN RELATION TO UNLAWFUL BROADCASTING ETC.

Amendments made: No. 288, in page 115, line 1, leave out from beginning to 'and' in line 2.

No. 289, in page 115, leave out lines 5 and 6.

No. 286, in page 115, line 15, leave out subsection (4).—*[Mr. Mellor.]*

Clause 163

USE AS RIGHT OF SOUND RECORDINGS IN BROADCAST AND CABLE PROGRAMME SERVICES

Mr. William Cash (Stafford): I beg to move, amendment No. 709, in page 116, line 10, leave out 'or (3)'.

Mr. Deputy Speaker (Sir Paul Dean): With this it will be convenient to consider the following amendments: No. 710, in page 116, line 19, leave out '(a)' and insert after the first 'the' 'conditions and'.

No. 711, in page 116, line 21, leave out from 'him' to end of line 26.

No. 712, in page 116, leave out lines 27 to 33 and insert

'(3) A licensing body shall not be entitled to propose a restriction on needletime unless expressly requested by a licensee, provided that where a person who has expressly so requested such a restriction later requests a relaxation of a restriction as to needletime, the condition referred to in section 135A(1)(b) shall be deemed to be fulfilled.'.

No. 713, in page 116, line 34, leave out 'references' and insert 'reference'.

No. 714, in page 116, line 37, leave out from 'licence' to 'failing' in line 37 and insert 'includes'.

No. 715, in page 116, leave out lines 41 to 45 and insert

'"needletime" means the amount of time a sound recording, or an aggregate number of sound recordings is included in a broadcast or cable programme service,'.

No. 716, in page 117, line 32, leave out from 'condition' to end of line 35 and insert

'intended to prevent or hinder unauthorised copying of the sound recordings, notice of which has been given to him by the licensing body,'.

No. 717, in page 118, line 19, leave out 'and' and insert

'(taking into account the provision of paragraph (d) below.)'.

No. 718, in page 118, line 24, leave out 'less than reasonable' and insert

'of an unreasonably low amount'.

No. 719, in page 118, line 26, at end insert—

'(c) if asked to do so by a person exercising the right conferred by section 135C shall determine whether the payment proposed by the licensing body in response to a request under section 135B(1) was of an unreasonably high amount and if it was may order the costs of the person on that application to be paid by the licensing body,

(d) shall not be entitled to treat as a relevant consideration when determining whether the terms of payment are reasonable, any increase in usage of sound recordings whether as a result of a removal of a restriction on needletime or otherwise and sections 129 and 134 (factors to be taken into account) are modified accordingly.'.

No. 720, in page 118, line 36, leave out from 'condition' to 'sound' in line 38 and insert

'intended to prevent or hinder the unauthorised copying of the'.

No. 721, in page 118, line 44, after 'and', insert '(i)'.

No. 722, in page 118, line 45, at end insert—

'or

(ii) if it is not reasonable the tribunal may order any costs of the applicant on the reference to be paid by the licensing body.'.

No. 723, in page 119, line 27, after 'licence', insert

'save as modified by section 135D(1)(d)'.

Mr. Cash: In one minute I shall celebrate my 50th birthday, on 10 May. That day in 1940 was a great day for this nation, but not on account of my birth.

The Minister is well acquainted with the arguments about needletime and I should be interested to hear his response to my amendments.

Mr. Mellor: I am glad to say that, in view of the brevity of his speech, it appears that my hon. Friend the Member for Stafford (Mr. Cash) will indeed reach his birthday. Had he spoken for longer, that might have been doubtful. I shall filibuster for 30 seconds so that I can wish him a happy birthday.

This is a complex set of provisions, but my hon. Friend has, I think, raised points which need to be considered very carefully. I am happy to give him an undertaking that we shall consider them positively, and I will write to him. If our decision is favourable, it will be possible to make some of the changes that he wants in another place. We have not yet reached the time, but I wish my hon. Friend a happy birthday anyway.

12 midnight

Mr. Jim Lester (Broxstowe): I hope that, despite what my hon. and learned Friend the Minister has said, he will consider the full implications of amendments that have been moved so arbitrarily at such a late hour. As I am sure he realises, there is a good deal more to them, and those who oppose them would like an opportunity to say so in—or through—another place.

Mr. Simon Coombs: I echo what my hon. Friend has just said. It is important for hon. Members to understand that a balance must be struck between the interests of the music industry and those of broadcasters. If the Government are to move at all, they must move with great deliberation. This is not the time to do more than put on record the fear of many Conservative Members that a move will be made to upset that delicate balance, so I merely urge hon. Members to resist the amendments.

We discussed these matters when we debated the Bill which became the Copyright, Designs and Patents Act 1988, and no change was made then. Similar amendments were defeated. If these amendments were approved, or reintroduced in another place, broadcasters would have access to unlimited quantities of material without making payments which related in any way to their volume use. That would represent a serious change in the delicate balance between the rights of the music industry and those of broadcasters.

By all means let us debate the matter, but not at such a late hour. I hope that my hon. and learned Friend will bear in mind what I have said.

Mr. Cash: Having reached the age of 50, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 164

DUTY TO PROVIDE ADVANCE INFORMATION ABOUT PROGRAMMES

Mr. Corbett: I beg to move amendment No. 360, in page 119, line 49, at end insert

'but the person providing the programme service will not be required to make available a complete schedule for any one week period more than ten days before the first day of that week'.

Mr. Deputy Speaker (Sir Paul Dean): With this we may take the following amendments: No. 365, in schedule 14, page 196, line 23, leave out 'reasonable' and insert

'not less than three months'.

No. 366, in schedule 14, page 196, line 27, leave out 'reasonable' and insert
'not less than three months'.

No. 367, in schedule 14, page 196, line 30, at end insert—

'(c) deposit in a trust account in the names jointly of himself and the owner of the copyright in the information to which this Schedule applies an amount equal to the difference between the amount that would have been payable in the first three months of the licence in accordance with any proposal for terms of payment made pursuant to a request under paragraph 3(1)(a) and the amount which the publisher under paragraph 3(1)(b) has notified he is willing to pay in the first three months of publication, on terms that the owner of the copyright shall be entitled to have recourse to up to the whole of the amount so deposited and any interest thereon in satisfaction of any order of the Copyright Tribunal.'.

No. 576, in schedule 14, page 196, line 48, at end insert—

'4A.—(1) The requirement in paragraph 4 to make payments, and the requirements in paragraph 3 to give notice, do not apply in relation to any acts which consist only of the publication of the date, time and title of programmes.

(2) Where the publisher does any such acts as are mentioned in sub-paragraph (1) he shall (instead of making payments under paragraph 4) pay to the person providing the programme service a fee in respect of the reasonable administrative costs of supplying the information concerned in pursuance of section 164 of this Act.'.

No. 368, in schedule 14, page 197, line 11, at end insert ', and

(c) where the applicant has been exercising the right conferred by paragraph 4 for a period of not less than three months and no order as to the terms of payment has been made, may if asked to do so by the owner of the copyright in the information to which the Schedule applies order the applicant to deposit such further amount in the trust account as it may determine to be reasonable in the circumstances.'.

Mr. Corbett: I am afraid that it is not my 50th birthday yet, but the Minister will recall our long discussions in Committee about the way in which the monopoly of the TV listings was to be broken up. Perhaps he will be kind enough to repeat what I think that he was trying to say in his press release of 24 April—that amendments will be introduced in another place which will, among other things, make the change in the monopoly ownership of programme listings in the early part of next year.

Mr. Gale: I wish to speak briefly to amendment No. 576, which stands in my name.

There is a fear that the provisions in the Bill relating to the purchase of listings from broadcasting companies may lead to unseemly legal wrangling. The amendment seeks to simplify the issue in cases in which only the date, time and nature of the broadcast are involved. No one believes that that information should be provided at a cost to the broadcaster—by implication, secretarial time and effort will be required to provide publishers with such information—hence the second part of the amendment, which seeks to allow a small charge to be made. It would be much simpler to make the date, time and title of a television production available to publishers free of charge.

Mr. Maclennan: I welcome the Minister's announcement in his press release of 24 April about the detail of the arrangements that he has in mind for ending the "duopoly" in television programme listings. He will recall that in Committee I expressed my concerns, and those of Independent Television Publications Limited, a subsidiary of Reed International plc. I understand that it is gratified by the Minister's proposals, and although they are not entirely ideal for the company it regards them as a fair compromise.

I am also anxious to hear from the Minister whether it is his intention to introduce amendments to the Bill in another place, and what he intends to do about the timing of the transition. The company naturally attaches much importance to that. The Minister's press release spoke of six months after Royal Assent being a reasonable time —a view that is generally accepted. If it is his intention to proceed along those lines, he will have achieved a satisfactory settlement.

Mr. Mellor: The hon. Member for Birmingham, Erdington (Mr. Corbett) jested about his age. This provoked me, for the first time ever, to look it up. I discoverd with great horror that he is 56 years old, so we had better treasure him while we still have him. I hasten to assure him about the point that was worrying him, lest he overload his heart fretting about it. It is our intention to implement these arrangements about six months after Royal Assent, if that comes in the summer. However, one cannot guarantee that the last stages of the Bill will not go on into the spill-over period, so perhaps I should say within the first three months of the next year.

We have tried to do this sensibly, recognising the interests of the broadcasters, who want to ensure that the details of programmes are not disclosed so early that they can be of commercial use to other broadcasters, while allowing the development of sensible broadcasting magazines and others who could make use of this information.

With respect to my hon. Friend the Member for Thanet, North (Mr. Gale), I do not think that this should be free, because it is copyright material and we should not prevent those holding it from charging for it. Equally, I expect the charges to be relatively modest, and the copyright tribunal will have the right to adjudicate on that.

We have recognised the position of Reed International about which concern was expressed in Committee. It owns the copyright to ITV programmes until 1992, and we have said that it—rather than the broadcasters—can negotiate the fees involved. I discovered that the proprietor of *Time Out* lashed out—to use the phrase of the popular press —at these arrangements. No one has lashed out at them tonight, for which I am grateful, and I hope that most hon. Members think that they are sensible. Amendments to give effect to them will be introduced in another place.

Mr. Corbett: I am grateful for much of what the Minister has said, although he has a habit of letting out Corbett family secrets. It has been helpful to have this quick exchange, and, in the light of what the Minister has said, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendment made: No. 562, in page 120, line 47, leave out 'programme' and insert 'broadcasting'.—*[Mr. Mellor.]*

Clause 166

OFFENCE OF SUPPORTING PROSCRIBED FOREIGN SATELLITE SERVICES

Amendment made: No. 563, in page 122, line 43, after 'possession', insert 'for supply'.—*[Mr. Mellor.]*

Clause 168

RESTRICTIONS ON INCLUSION OF CERTAIN EVENTS

Mr. Lester: I beg to move amendment No. 282, in page 123, line 31, at end insert—

'(1A) The Independent Television Commission shall do all that they can to secure that a listed event shall not be included live in any programme broadcast in England, Scotland, Wales or Northern Ireland unless that programme is capable of being received by a substantial proportion of the population of each such country.

(1AA) Where any person has acquired broadcasting rights in respect of a listed event, that person shall be under a duty to make those rights available on reasonable terms to persons providing a domestic satellite service, a non-domestic satellite service or a cable service.

(1AAA) The Independent Television Commission shall do all that they can to secure that the requirements of subsections (1A) and (1AA) are complied with.'.

Mr. Deputy Speaker: With this it will be convenient to take the following amendments: No. 361, in page 123, line 31, at end insert—

'(1A) Section 14(1) of the Cable and Broadcasting Act 1984 shall continue to have effect subject to the following modifications—

(a) references to "the Authority" shall be construed as being references to the Commission, and

(b) the words "and for the purposes of this subsection an opportunity given to the Welsh Authority, the IBA's subsidiary or a programme contractor to acquire broadcasting rights in respect of a listed event shall be treated as given to the IBA" shall be deleted.'.

No. 601, in page 124, line 19, at end add—

'(8) The Secretary of State shall monitor the availability of major sporting or other events of national interest on terrestrial channels after the implementation of this Act and do all that he can to secure, if necessary, any changes required to ensure the availability of such events to the general public.'.

No. 602, in page 124, line 19, at end add—

'(8) Nothing in this section shall affect the availability of any extract from any sporting or national event for inclusion in any service providing a news programme and it shall be the duty of the person including such an event in their service to make such extracts available.'.

No. 369, in schedule 17, page 202, line 30, column 3, 'after 'Act', insert 'except for section 14(1)'.

Mr. Lester: I pay tribute to the stamina of the Minister, because this is his second day on the Front Bench, listening to the debates on the Bill. He has also listened carefully throughout the passage of the Bill, and made many sensible concessions. We have heard what he has done for deaf people, which is greatly to his credit. Through this amendment, I appeal to his logic, and his understanding of the broad mass of the people. As all hon. Members will know, the listed event was brought in by a Conservative Government because it was recognised that such events as the cup final, which many of us will be watching on television this weekend, the Grand National, the Derby, the all-England championships at Wimbledon and test matches are not simply sporting events. They are events that belong to all of us—because we all have an interest in them. Whether we watch racing or not, we all take an interest in the Grand National.

It seems illogical that, having established the list of events, we should go on, as we have in the Bill, to take the risk that, when they come up for option, any one of them could be purchased by any one of the satellite companies, and used as a trading mechanism. They could say, "If you want to watch the cup final when the present system runs out, the only way to do so is to buy Sky or BSB equipment." That seems entirely wrong in the sense of what we seek to do by listing events.

In drafting the amendment, I have tried to be helpful to my hon. and learned Friend the Minister and to the industry. I request in the amendment that no one should have the sole rights to any listed event unless he has a substantial viewing public. That means that either the BBC or ITV can buy the rights. It is suggested that they should have to make them available at reasonable cost to either of the satellite companies, or alternatively the satellite companies can buy the event, but only if they are in partnership with either the BBC or ITV. That means that the free market principles of my hon. and learned Friend are satisfied, and we ensure that the vast majority of the population can view these events live in the way they traditionally have.

I hope that neither amendment will appear to my hon. and learned Friend to be contentious. Both are intended to be helpful to him. I am on the side of the viewing public and not on that of any group which seeks to purchase or to use the events for commercial purposes.

Mr. Hattersley: I rise partly to support the arguments of the hon. Member for Broxtowe (Mr. Lester) and mainly to draw the attention of the House to amendment No. 361, which was tabled by the official Opposition. It attempts to achieve the same effect as the hon. Gentleman's amendment.

The Minister has been so reasonable on so many issues throughout the consideration of the Bill that I hope that he will be helpful on listed events. It may be that neither the solution proposed by the hon. Member for Broxtowe nor that which has been proposed by the Opposition is technically the best one to achieve the results that, I believe, most of the House wants to secure. If the Minister tells us that he wants to move towards our view and general public opinion on listed events, I shall be happy to withdraw the Opposition's amendment. I think that the principle should be stated once more, however, in the hope that the Minister, in his reasonableness, will accept it.

The 12 listed events are, I suppose, with the possible exception of the boat race, regarded by an overwhelming majority as national events. The boat race enables people to make claims, of course, about the universities that they once attended. Apart from that, the other 11 events are matters of general national interest. People watch them because they seem to be occasions that concern the whole nation and its interests and not only because of their sporting interests.

In our view and, if the opinion polls are to be believed, in the view of the entire nation, or the vast majority of it, it would be an absurdity if such national occasions were seen only by a small proportion of the population. I do not want to feed the neuroses of the right hon. Member for Chingford (Mr. Tebbit) by suggesting that our concern is

restricted to one satellite company. It extends to every cable or satellite company that might bid for and obtain exclusive rights to one of the events and prevent the majority of the population from seeing it.

On Saturday, 12 million people or more will watch the cup final. Were the final the exclusive property of a satellite company, the proportion who would watch it would not be anything like that. If, however, the listed event system is changed, there is a clear possibility that a satellite company will bid for and obtain exclusive viewing rights over these events. It would be a sensible commercial decision to do so. It would be a loss leader that would encourage millions of people to buy a dish and install the necessary equipment on the basis that it was the only way in which to see the event.

The one occasion when I was tempted to buy a dish was when I discovered that a satellite company was broadcasting a test match live from the West Indies.

Mr. Cryer: But my right hon. Friend resisted the temptation.

Mr. Hattersley: My hon. Friend, who has known me for 30 years, knows that that is the sort of temptation that I resist. I confess that there was a moment when I felt that such a sacrifice of principle might be worth it to watch the ball-by-ball transmission of a test match from the West Indies.

Seriously, millions of people would be attracted to the new market if it was the only way that they could see, for example, the cup final. However, there would also be millions of others who would not. While it might be a commercial proposition for a satellite company, it is not the right proposition for the nation as several million people would be prevented from seeing an event that is central to the life of the country. Such events are of interest to men and women who are not usually interested in or likely to watch such sporting occasions. They are national events as well as listed events.

12.15 am

I understand that the BBC, concerned about the Government's enthusiasm for competition, has suggested a compromise. It is neither exactly that proposed by the hon. Member for Broxtowe nor that proposed by the Opposition. It suggests that the national networks—ITV and BBC—should bid against each other for the listed events, thereby ensuring that there is some competition. The price would be bid up so that the cup final, the Grand National or the Derby would receive a market-oriented price from the two national networks bidding against each other.

There should then be a second bidding—not a second coming—so that the satellite companies can obtain the rights to show those programmes on the Sunday after the event, late at night, as a recording. That would be a second opportunity for the listed event companies to obtain some revenue from selling a second right.

The BBC's suggested alternative is acceptable to the Opposition. All that we want is the prospect of all 12 listed events being available to every family with a television set. The scheme by which that is achieved is less important than the principle.

Mr. Gale: The right hon. Gentleman is saying that he wants satellite television excluded from the marketplace for the live transmission of listed events. He said that he was tempted to buy a satellite dish—although he did not—to watch a match that neither of the other companies chose to show. The BBC has purchased Wimbledon, but it has not shown many matches for a long time. It is time that the cartel was broken.

Mr. Hattersley: I said earlier that I hoped that hon. Members would not see this issue simply in terms of protecting the interests of satellite television. We are trying to protect the interests of the consumer—the viewer. The simple fact is that, if a satellite company, whichever it may be, bid for the listed events—which it might well be in its commercial interests to do—and obtained the exclusive rights to show them, the inevitable result would be that several million British viewers would not have the opportunity to see events which previous Governments, of both persuasions, believed to be the property of the whole nation, and which should be available for viewing by the whole nation. Put in those terms, it is not easy to argue against the principle that the hon. Member for Broxtowe and I have attempted to outline.

By describing the compromise suggested by the BBC—which provides a place for satellite broadcasting—we want to secure the broadcasting opportunity. How it is done is much less important. If the Minister tells us that, in another place, he will ensure that listed events are universally available, we will gladly withdraw the amendment to give him time to think of the best way to meet that desirable objective.

Mr. Mellor: The right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) has spoken effectively. I know that he is a genuine sports fan, as is my hon. Friend the Member for Broxtowe (Mr. Lester). So, too, am I. I shall be among those at the cup final and I am looking forward to the game.

This is not an issue that I regard as purely academic. I have thought about it quite deeply. I am sorry that my reputation for reasonableness will not, in the eyes of the right hon. Member for Sparkbrook, be much enhanced by my reply. However, I accept that it is one of those issues on which people of goodwill should find it possible to agree. It is not one about which there is any absolute truth.

The present arrangements give no absolute guarantee that a sporting event will be made available to everyone who wants to see it. At the moment there is a right to match and a non-BBC or ITV company could put in a large bid and both the BBC and the ITV could refuse to match it, in which case it would go exclusively to that other channel. There is no absolute right at the moment. We propose to maintain the prohibition on pay per view, which is the only way in which it is likely that a channel which is not a mainstream channel will be able to afford the kind of bid that they would have to put in.

There is no duty on sporting bodies to sell television rights and any one of the 12 could decide that it did not want to sell them and any right the public might have to see the event would fall by the way.

By the same token, the broadcasting organisations are placed under no obligation to carry the programmes. I fully accept that channels would want to show most of the events on the list. There may be genuine reservations about the boat race, although it has the advantage of starting in my constituency. Apart from that, one cannot make a big case for it, particularly now that Cambridge seem to be losing all the time. [HON. MEMBERS: "Hear, hear."] I knew

[Mr. Mellor]

that I should get an appreciative cheer for that. There might be some doubt about whether the race should be shown.

Most hon. Members would agree that the sporting event which held the most interest for people in the past six months was the England-Scotland rugby game. The right hon. Member for Sparkbrook shakes his head, but even a non-rugger fan like me got quite interested in it. Although I went to see my football team instead of watching the match, I was notionally interested in the rugby match.

None of the rugger internationals are listed events, which suggests that the list is somewhat arbitrary. I also think that all sports fans should be ambivalent about the list for this reason. I remember as a child going to events organised by the Dorset Schools Football Association, of which my father was the secretary. Those events were funded by the Football Association on the basis of the moneys they received from various activities, not least television rights to the cup final. The grass roots of sport are watered by media fees and I am not sure how justifiable it is for BBC and ITV to have an inside track to such events at a relatively low price if, as a consequence, the sports concerned cannot finance their activities as well as they might have been able to do. Sports fans must feel ambivalent about that.

While some companies may have to spend more for such rights, I do not think that the proprietors will sell to satellite stations because they have an interest in their sport having a shop window and major access to a lot of homes. The organisers of Wimbledon have stated that in their terms.

Also every time one watches a Wimbledon player drinking some substance—legal or illegal—out of a cardboard cup, whatever it might be, it alleges that it is a particular soft drink. No doubt it is not entirely coincidental that the label is on the drink as someone has paid a large amount of money for it. The sponsors will not welcome the prospect of that sporting event being seen only in a limited number of homes. Wimbledon said in its terms that it is not interested in a small audience.

It is not insignificant that all of the sporting bodies concerned have welcomed the freedom that the arrangements in the amendment give. It will allow a normal, sensible and rational set of decisions to be made about the broadcasting of events which will militate in favour of a large audience. It would be much better for that to be done in the normal way in which such transactions take place, rather than through some arbitrary imposition that has become increasingly irrelevant

Mr. Hattersley: I wonder why the Minister is so optimistic about the organisers of sporting events wanting a larger audience as distinct from a smaller but more remunerative one. Although the Minister reminded us of what Wimbledon said, organisers of two major race meetings which get some coverage but are of no intetrest to me have written in strong terms saying that they want the right to get the biggest bid and the biggest income irrespective of the size of the audience. Why does the Minister think that Wimbledon will continue behaving in the way he described rather than behaving in the same way as the German lawn tennis association behaved? When Germany had world champions in the men's and women's singles events at Wimbledon, only 4 per cent. of the German public could see the matches which were not shown on general German television.

Mr. Mellor: I understand that point, but for what it is worth my prediction is that Wimbledon will stick to its clear statement that it wants a mass audience in the United Kingdom. My hon. Friend the Member for Thanet, North (Mr. Gale) said that there is plenty of scope for many more games at Wimbledon to be shown. Games on the centre court and sometimes on court No. 1 are shown, but there is plenty of scope for other television organisations to cover the games on the other courts. It may just be bad luck, but whenever I have centre court tickets there is usually something much more exciting happening on court No. 16.

However, all good things must come to an end and it is 25 minutes past 12. Suffice it to say that I understand that there is a populist sentiment behind the case for retaining the limited list. I understand that we run the risk that at some point in future a major sporting event may go to a minority channel, but there is no continued justification for a fetter on the discretion of the sporting bodies to sell their product where they wish and common sense will ensure that the British public continue to have the opportunity to see those great events on live television.

I am sorry but I cannot assist my hon. Friend. I have given the matter intense consideration, but I cannot undermine the central pillars of the argument in favour of the major sporting bodies enjoying the same sensible and free rights of contracting as owners of important commercial products enjoy.

Mr. Menzies Campbell (Fife, North-East): The Minister was quite right to say that the England-Scotland rugby match was the most important sporting event of the year. For those of us who were there it seemed rather more like a rally against the poll tax, but we need not dwell on that.

The speeches have revealed two apparently irreconcilable points of view. That is why I hope that the Minister will give some consideration to amendments Nos. 601 and 602 in the names of my hon. Friends. Amendment No. 601 places a duty on the Minister to monitor the circumstances following the enactment of the Bill. The truth or otherwise of the assertions which have been made on both sides of the House is bound to be demonstrated in due course. For that reason, I hope that he will look with some favour on amendment No. 601, which allows the freedom for which he argues to be instituted but provides protection, if necessary, for those who are most keenly interested in sport.

Those who obtain the exclusive right to broadcast the events that we are discussing are extremely reluctant to make extracts of them available for news purposes and often particular sections of the total coverage are important for strictly news considerations. Amendment No. 602 is directed to that issue.

I hope therefore that the Minister will be willing to give the amendments some sympathetic consideration, even if he is not willing to accept the more radical proposals which have been referred to in previous speeches.

Miss Kate Hoey (Vauxhall): I agree with almost everything that the hon. Member for Broxtowe (Mr. Lester) said. If we are serious about finding ways of

making it impossible for a single satellite or cable company to acquire the sole right to national events, we must support amendment No. 361.

I do not share the Minister's confidence that many of our sporting governing bodies will consider the long term rather than the short term. Given the many difficulties facing sport and the paltry increase that once again the Sports Council received this year, I am afraid that, despite what ordinary members of that sporting body may want, the enormous amounts of money available for satellite companies to show national events will win.

12.30 am

Much has been said to the effect that the Bill is about competition and quality, but little about the choice of the majority of people in this country who do not have access to satellite or cable television. I am not being anti-satellite or anti-cable television. As BSB and Sky become more available, there will be partnership between the BBC and the satellite broadcasting companies. We were able to get cricket from the West Indies, and we will see more football.

There is room for partnership, but it is important that the listed events are available to everyone. This Saturday, the cup final will take place between Crystal Palace and Manchester United. Thousands of genuine supporters of those clubs will not be able to obtain a cup final ticket. People who have watched their matches week in and week out will not be able to get to Wembley. Many hon. Members will attend Wembley on Saturday who never go to football matches. I am not referring to the Minister because I know that he is a genuine football supporter.

Mr. Corbett: No, he is not; he supports Chelsea.

Miss Hoey: He supports Chelsea, and he is likely to be at the cup final.

It is important to elderly and house-bound people for national sporting events to be available on television. The Minister has not given way on this in any way, but I hope that even at this late stage he will consider some way of ensuring that our national events are available on television for everyone and not just a few people who can afford or who have access to cable or satellite.

Mr. Frank Haynes (Ashfield): I speak for a particular purpose. What we are really talking about again is the old profit motive—pouring money into certain people's pockets. It is a right old racket. Here we are talking about how it is happening with sport.

There is a sport known as the noble art. We have an all-party boxing group in the House. It has not been in operation very long, but it is a successful group. I am proud to be standing next to one of the stewards of the British Boxing Board of Control. My hon. Friend the Member for Bolsover (Mr. Skinner) and I, when we get the opportunity, regularly watch the noble art on BBC or ITV.

I am proud because I was lucky enough to see on BBC 1 Kirkland Laing win the European welterweight boxing championship. That is what it is all about. Millions of people could switch on BBC 1, while on ITV there was a potential heavyweight champion who won quite easily in the first round.

The problem is cable television because not everyone can afford it. That is where the unfairness comes in.

Mr. Skinner: And the ugly.

Mr. Haynes: That is right. There is the good, the bad and the ugly. I remember the picture in *The Star* yesterday of my hon. Friend the Member for Bolsover. He was likened to Clint Eastwood. We get Clint Eastwood films on TV and they also appear on that other channel that is piped in. The ordinary person in the street cannot see those films if they do not appear on BBC, ITV or Channel 4. I object to those films appearing on cable. However, that wonderful picture of my hon. Friend the Member for Bolsover appeared in *The Star* yesterday and he was likened to that marvellous cowboy actor. I felt right proud when I saw it.

My hon. Friend the Member for Bolsover has an interest in the noble art just like me. The all-party group will continue and it is connected with the British Boxing Board of Control with a view to ensuring fair play. However, we also need fair play with the TV channels.

It is all right for the hon. Member for Thanet, North (Mr. Gale). He has a real link with TV—he came from it. He protects the people who are raking it in day after day. Those people could not care less about the ordinary people in the street. There are many old miner pensioners in my constituency and in the constituency of my hon. Friend the Member for Bolsover.

Mr. Greg Knight (Derby, North): You are one yourself.

Mr. Haynes: Wait a minute. Was it the hon. Member for Thanet, North who said that I was one of them? If so, he is right. I will be 65 next March and I am proud of that. I am fighting fit, but I am not fit to go in the ring. However, I am sure that my hon. Friend the Member for Bolsover and my other colleagues are concerned about the quality of television that our pensioners will see back in our constituencies. We want them to have channels that they can switch on and watch without having to keep on paying through the nose for it.

I agreed with my right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley), who tabled amendment No. 361. However, I felt drawn into saying something about sport on TV. When the Labour party gets back into office, people who think that they can just walk into this country from the United States or wherever and set up their TV channels and make a fortune at the expense of the pensioners in our constituencies will have another think coming.

The Minister of State mentioned the boat race. That might be on his doorstep and many other people can enjoy the race because it is covered by BBC and ITV. However, there are many sporting events that people cannot see because they cannot afford it. We must be fair to the people who really cannot afford to pay. We must give them a fair deal. I have got that off my chest now, Mr. Deputy Speaker.

Mr. Lester: I suspect that the hon. Member for Ashfield (Mr. Haynes) is busy trying to become a listed event himself in terms of his parliamentary performance. I do not know what fee he might attract for that. However, I will resist his strictures about Conservative Members, because I moved the amendment.

I was disappointed by the response from my hon. and learned Friend the Minister of State, after having read the reports of all the debates in Committee. I crafted my amendment to deal with the points that he made in

[Mr. Lester]

Committee. I cannot conceive of any reason why one should not require that a substantial proportion of the population should be able to see any programme.

I have dealt with the point raised by my hon. Friend the Member for Thanet, North (Mr. Gale). The second part of the amendment says:

"Where any person has acquired broadcasting rights in respect of a listed event, that person shall be under a duty to make those rights available on reasonable terms to persons providing a domestic satellite service, a non-domestic satellite service or a cable service."

One could not be fairer than that. It brings in the whole range of activities that people should be able to view.

I hope that my hon. and learned Friend the Minister will consider the proposition in the amendment. I do not consider it unreasonable. I recognise that, at this time of night, it does not make a lot of sense to divide the House on the amendment. Therefore, I am prepared to withdraw it. However, I hope that my hon. and learned Friend will think again in time for the other place. I beg to ask leave to withdraw the amendment.

Hon. Members: No.

Amendment negatived.

Amendment proposed: No. 361, in page 123, line 31, at end insert—

'(1A) Section 14(1) of the Cable and Broadcasting Act 1984 shall continue to have effect subject to the following modifications—

(a) references to "the Authority" shall be construed as being references to the Commission, and

(b) the words "and for the purposes of this subsection an opportunity given to the Welsh Authority, the IBA's subsidiary or a programme contractor to acquire broadcasting rights in respect of a listed event shall be treated as given to the IBA" shall be deleted.'.—*[Mr. Hattersley.]*

Question put, That the amendment be made:—

The House divided: Ayes 31, Noes 83.

Division No. 199] **[12.40 am**

AYES

Barnes, Harry *(Derbyshire NE)*	McKelvey, William
Caborn, Richard	Maclennan, Robert
Campbell, Menzies *(Fife NE)*	Marek, Dr John
Corbett, Robin	Marshall, Jim *(Leicester S)*
Cryer, Bob	Morley, Elliot
Cunliffe, Lawrence	Nellist, Dave
Darling, Alistair	Pendry, Tom
Dixon, Don	Pike, Peter L.
Fisher, Mark	Rowlands, Ted
Foster, Derek	Skinner, Dennis
Hattersley, Rt Hon Roy	Wallace, James
Hoey, Ms Kate *(Vauxhall)*	Wareing, Robert N.
Jones, Martyn *(Clwyd S W)*	Welsh, Michael *(Doncaster N)*
Lloyd, Tony *(Stretford)*	
Loyden, Eddie	**Tellers for the Ayes:**
McAllion, John	**Mr. Frank Haynes and**
McAvoy, Thomas	**Mrs. Llin Golding**
McKay, Allen *(Barnsley West)*	

NOES

Alison, Rt Hon Michael	Brown, Michael *(Brigg & Cl't's)*
Amess, David	Carlisle, Kenneth *(Lincoln)*
Amos, Alan	Carrington, Matthew
Baker, Nicholas *(Dorset N)*	Chapman, Sydney
Batiste, Spencer	Coombs, Anthony *(Wyre F'rest)*
Bennett, Nicholas *(Pembroke)*	Coombs, Simon *(Swindon)*
Boswell, Tim	Couchman, James
Bowis, John	Cran, James
Brandon-Bravo, Martin	Davies, Q. *(Stamf'd & Spald'g)*
Brazier, Julian	Dorrell, Stephen
Dover, Den	Mitchell, Andrew *(Gedling)*
Durant, Tony	Neubert, Michael
Franks, Cecil	Nicholls, Patrick
Freeman, Roger	Nicholson, Emma *(Devon West)*
Gale, Roger	Paice, James
Garel-Jones, Tristan	Patnick, Irvine
Goodlad, Alastair	Patten, Rt Hon John
Goodson-Wickes, Dr Charles	Redwood, John
Gow, Ian	Renton, Rt Hon Tim
Greenway, John *(Ryedale)*	Sackville, Hon Tom
Gregory, Conal	Shaw, David *(Dover)*
Hamilton, Neil *(Tatton)*	Shephard, Mrs G. *(Norfolk SW)*
Hanley, Jeremy	Shepherd, Colin *(Hereford)*
Harris, David	Stanley, Rt Hon Sir John
Hawkins, Christopher	Stern, Michael
Heathcoat-Amory, David	Stevens, Lewis
Hicks, Robert *(Cornwall SE)*	Stewart, Andy *(Sherwood)*
Howarth, Alan *(Strat'd-on-A)*	Stradling Thomas, Sir John
Howarth, G. *(Cannock & B'wd)*	Taylor, Ian *(Esher)*
Hughes, Robert G. *(Harrow W)*	Thurnham, Peter
Irvine, Michael	Townsend, Cyril D. *(B'heath)*
Jack, Michael	Tredinnick, David
Janman, Tim	Trippier, David
Jopling, Rt Hon Michael	Waddington, Rt Hon David
King, Roger *(B'ham N'thfield)*	Warren, Kenneth
Kirkhope, Timothy	Watts, John
Knight, Greg *(Derby North)*	Wells, Bowen
Knowles, Michael	Widdecombe, Ann
Lennox-Boyd, Hon Mark	Yeo, Tim
Lilley, Peter	
MacGregor, Rt Hon John	**Tellers for the Noes:**
McLoughlin, Patrick	**Mr. John M. Taylor and**
Mans, Keith	**Mr. David Lightbown.**
Mellor, David	

Amendment accordingly negatived.

Clause 171

Duties of BBC as respects independent productions

Mr. Maclennan: I beg to move amendment No. 698, in page 126, line 21, leave out subsections (3) to (9).

Mr. Deputy Speaker: With this it will be convenient to take the following amendments: No. 606, in page 126, line 21, leave out

'The Director General of Fair Trading ("the Director")' and insert

'the Chairman of the Board of Governors of the BBC'.

No. 607, in line 25, leave out subsection (4) and insert—

'(4) the Chairman shall publish any report made by him under this section in such manner as he considers appropriate and for the purposes of the law relating to defamation, absolute privilege shall attach to any such report'.

No. 608, in clause 172, page 127, line 27, leave out clause 172.

Mr. Maclennan: This group of amendments returns to a subject that we debated exhaustively in Committee relating to the requirement that the BBC should achieve a target of 25 per cent. production of designated programmes by independent producers from 1993 onwards. The amendments deal with the Bill's proposed requirement that that should be monitored by the Office of Fair Trading. The BBC has strongly argued that that is unnecessary and will duplicate its efforts in that role. The achievement of that target is on course. This year—the year up to March 1990—independent transmissions will be running at the agreed target of 360 hours. There is no evidence that the BBC is unwilling to meet the target, and the system of monitoring in place has been carried on since the BBC was set up.

The board of governors has responsibility for regulating the BBC, and it would be a remarkable departure from the board's historic role to give the task of detailed regulation of that requirement to the Office of Fair Trading. It is not clear why that has been done. It suggests a lack of confidence in the board of governors——

Mr. Skinner: What is the reason?

Mr. Maclennan: I have yet to hear the reason. I think it may be that the Minister simply wanted to demonstrate the Government's hostility to the BBC, but it is an odd way of doing so.

I shall not repeat the warnings uttered earlier by the hon. Member for Buckingham (Mr. Walden) about the danger of tampering with the BBC in future. I take the point which has been made forcefully by the BBC—that, if this form of regulation is to be imposed upon it, it is odd that it is not being imposed upon independent producers as well. What is sauce for the goose ought to be sauce for the gander.

Mr. Skinner: That is one way of putting it.

Mr. Maclennan: It is not an original way of putting it, but it is certainly a way of putting it. At this time of night, it is not too bad.

I shall not delay the House, because the arguments were extensively canvassed in Committee and the points were made forcefully. The BBC remains strongly hostile. When the BBC is as cost-conscious as it has to be, and is making savings that are leading to cuts in manning, to sackings and to a diminution of service, it is irresponsible to impose upon it the double duty of monitoring itself and providing the information to the Office of Fair Trading at its behest. It seems like a fifth wheel, which I hope the Government will remove.

Mr. Corbett: I do not intend to repeat the arguments which were made extensively in Committee. Very few of us can understand the logic behind the Government wanting to import the Director General of Fair Trading into this position. It looks very much as if the Government do not trust the BBC. If that is the case, it is unfair. There is no reason to assume that the BBC will not do what is asked of it, especially as it reports to the House annually.

Mr. Mellor: The answer is that no organisation can be above regulation. The governors of the BBC, in whom we have a great deal of confidence, are part of the BBC structure. They are the broadcasters. Although the initiative is going well, the relationship can be fraught with difficulty. The independent producers are entitled to expect that there should be an independent body charged by the House with responsibility for competition policy, monitoring the way in which these arrangements are carried through. It is no disrespect to the BBC, any more than it is disrespect to Ministers that we can be made subject to Parliament, to Select Committees or to the judiciary. It is part and parcel of the checks and balances in a sophisiticated society.

We went over the arguments in Committee. I am grateful for the forbearance of the hon. Members for Caithness and Sutherland (Mr. Maclennan) and for Birmingham, Erdington (Mr. Corbett). I cannot devise any novel arguments as to why we are doing this. We should not have to apologise for saying that there should be objective assessment by an indpendent body charged with dealing with competition policy. That is the thinking behind the provision. We mean no disrespect to the governors of the BBC, but the governors are just that—the broadcasters in relation to the BBC. They cannot claim to stand sufficiently apart from the BBC to be accepted as entirely independent should any difficulties arise.

On that basis, I hope that the hon. Gentleman will not feel the need to press the amendment.

Mr. Maclennan: The Minister has repeated the arguments which we heard before. They carry no greater weight than they did when they were first deployed. It remains mysterious that the Government should feel so vulnerable to unreasonable criticism from other quarters removed from the BBC that they feel they must impose a duty upon the governors. It is not a duty which will involve no cost, and it will involve a considerable amount of bureaucratic time. It is unlike the Government to go down that route for what we cannot regard as a practical reason. To this audience the Minister feels that he has made his point and that there is nothing more to say.

I hope that the Government will think again. I have no doubt that the matter will be considered in another place, where there are former senior figures from the BBC and from the regulatory authority. They will latch on to this point and reconsider it. For all the Minister's disclaimers about hostility to the BBC or lack of trust, there is no history whatever of the BBC not carrying out the statutory obligations imposed upon it by the House. If Parliament imposes upon the BBC an obligation to have a certain proportion of independently produced programmes, there can be no case on the basis of history for arguing that the BBC will not fulfil that obligation.

The Minister has baffled us by using what seems to be a piece of dogma but not a "cost less" piece of dogma. I hope that the matter will be taken up in another place and that we shall hear more about it in later debates on the Bill. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendment made: No. 614, in page 126, line 35, leave out 'relevant to' and insert

'appearing to him to arise out of, or to be conducive to,'.—*[Mr. Mellor.]*

Clause 173

POWER TO GIVE BROADCASTING BODIES ETC. DIRECTIONS RELATING TO INTERNATIONAL OBLIGATIONS

Mr. Cryer: I beg to move amendment No. 682, in page 128, line 30, at end add

'such direction shall be given by order subject to annulment in pursuance of a resolution of either House of Parliament.'.

Mr. Deputy Speaker: With this it will be convenient to consider amendment No. 362, in page 128, line 36, at end insert—

'(3)—Without prejudice to the generality of subsection (1), in relation to section 168, (Restrictions on inclusion of certain events), above, international obligations include Article 9 of the European Convention on Transfrontier Television.'.

Mr. Cryer: This is a minor amendment to clause 173, which gives power to the Secretary of State to give directions relating to international obligations. The bodies to which directions can be given include the BBC, the ITC, the Welsh Authority, the Radio Authority and the Broadcasting Standards Council. Rather than simply

[Mr. Cryer]

hand that power to the Secretary of State, it would be preferable to make some more formal provision. My amendment suggests that this should be done by statutory instrument. I have not made it an affirmative statutory instrument but one that is subject to annulment in the House, so that a prayer can be tabled against it. That means that, for those interested, there would be some opportunity to table a prayer and perhaps obtain a debate.

Amendment No. 362 shows the potential importance of the directions, because they will be to carry out international obligations, one of which is specified in the amendment. The legislation will apply to bodies such as the BBC, and rather than the Secretary of State being given powers that can be applied behind closed doors, even though there may appear to be a transparent relationship under international obligations, it would be better in cases where the Minister is giving directions that have to be followed for there to be some relationship to Parliament. Those are my reasons for tabling the amendment, and I shall listen with interest to the Minister's reply.

Mr. Mellor: The hon. Member for Bradford, South (Mr. Cryer) knows that I have accepted parliamentary procedures for crucial parts of the Bill, not least the schedule 2 ownership arrangements, about which there will be an affirmative resolution. I have a problem in relation to the directive because of the number of occasions on which this might arise and whether the use of a statutory instrument would be a rather protracted way of dealing with what might be largely routine matters.

In deference to the hon. Gentleman, I should like to reflect further on the matters that he raises. He knows that is not a pious statement, because I have made changes as a result of reflection.

I am not suggesting that I can accept the amendment as it stands: I will, however, try to find out the likely volume of work involved, and perhaps write to the hon. Gentleman to tell him that the matter can be further considered in another place.

Mr. Cryer: In view of the Minister's interesting comments and his commitment to examine the matter—and the possibility of a debate in the House of Lords—I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 177

NOTICES

Amendments made: No. 683, in page 130, line 17, after 'on', insert 'or to'.

No. 564, in page 130, line 26, leave out

'for the purposes of this subsection the principal office of'

and insert ', in relation to'.

No. 565, in page 130, line 28, leave out 'is' and insert

', the reference in paragraph (a) or (b) to its principal office includes a reference to'.

No. 414, in page 130, line 34, at end insert

', and shall be so published as soon as reasonably practicable after it is served.'.—*[Mr. Mellor.]*

Clause 178

REGULATIONS AND ORDERS

Mr. Cryer: I beg to move amendment No. 684, in page 130, line 38, at end add:

'Such statutory instruments shall be subject to annulment in pursuance of a resolution of either House of Parliament.".

Mr. Deputy Speaker: With this we may take amendment No. 686, in clause 181, page 132, line 45, at end insert—

'(5) Any order under subsection (3) shall be subject to annulment in pursuance of a resolution of either House of Parliament.'.

Mr. Cryer: The amendment is intended merely to clear up any possibility that powers are being granted to the Secretary of State to make regulations or orders that will be exercisable by statutory instrument without reference to the House.

There is a procedure under which Ministers can make statutory instruments that are not subject to annulment or to any affirmative procedure: they are simply made by the Ministers, who will have no further parliamentary accountability. I know that the Minister is keen to avoid that in any event, but I want to give him the opportunity to make it clear that all the orders made under the Bill will be subject to a parliamentary procedure.

Government amendment No. 423, which the House has passed, allows an affirmative order procedure for clause 79. I should like an assurance that all the powers in the Bill with which we have dealt so far will be subject to a parliamentary procedure. If they are not, I trust that the Minister will accept the reserve power proposed in the amendment.

Clause 181(4) states:

"An order under subsection (3) may in particular make provision for amending, repealing or revoking (with or without savings) any provision of an Act passed before or in the same Session as this Act, or of an instrument made under an Act before the passing of this Act".

I take it that that is subject to the ejusdem generis rule—that is, that although couched in general terms, it relates specifically to broadcasting legislation, and is not a wider power. The Minister is being given a very wide power, and I am not entirely happy that it is being subjected only to the negative procedure, although I am pleased to note that the Government amendment ensures parliamentary accountability through the statutory instrument procedure.

The power is, in effect, one of the "Henry VIII" instruments, giving the Minister power to alter and amend primary legislation without the necessity for further legislation. I always think that that should be done by affirmative procedure, but the fact that the Government have tabled an amendment to provide for the negative procedure is at least an improvement on the provisions in the Bill.

Mr. Mellor: We have tried to incorporate proper parliamentary procedures. The difficulty with the hon. Gentleman's blanket amendment is that, by its very nature, its effect would be indiscriminate. As I said earlier, the schedule 2 issues are plainly important, and an affirmative resolution would be appropriate for them, but for others we consider the negative resolution procedure appropriate. In other instances, I wonder whether any parliamentary procedure would be appropriate: for

instance, we will make an order under clause 38, which defines "prescribed country", which will list the states that are signatories to the Council of Europe convention and the EC directive. I doubt whether anyone would seriously want to debate that list.

I have made these changes on a number of occasions. Perhaps the hon. Gentleman will send me a note of any point in the Bill that he thinks we have not got quite right. I guarantee that we shall give that the most serious consideration, because, as I have said before, any one of us who takes a Bill through Parliament should be first and foremost a parliamentarian. That is what the process is about. I should be happy to look at any note that the hon. Gentleman sent me to see whether we needed some further amendments.

Mr. Cryer: Will the Minister say something about the ejusdem generis point?

Mr. Mellor: I understand that it goes a bit further, because it paves the way for some of the changes that will be made by way of secondary legislation. I should be happy to drop the hon. Gentleman a note about this, giving him a rather more learned response than I am capable of as I get into my 11th hour of listening to the debate today.

Mr. Cryer: In view of the Minister's point, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 179

PROGRAMME SERVICES

Amendment made: No. 685, in page 131, line 18, at end insert—

'(aa) a local delivery service (within the meaning of Part II of this Act);'.—*[Mr. Mellor.]*

Clause 180

GENERAL INTERPRETATION

Amendments made: No. 343, in page 131, line 24, leave out '"advertising agency" and'.

No. 566, in page 131, line 33, at end insert—

'"modifications" includes additions, alterations and omissions;'.

No. 344, in page 132, leave out lines 28 and 29.—*[Mr. Mellor.]*

Clause 181

CONSEQUENTIAL AND TRANSITIONAL PROVISIONS

Amendment made: No. 686, in page 132, line 45, at end insert—

'(5) Any order under subsection (3) shall be subject to annulment in pursuance of a resolution of either House of Parliament.'.—*[Mr. Mellor.]*

Schedule 16

MINOR AND CONSEQUENTIAL AMENDMENTS

Amendments made: No. 690, in page 200, line 3, at end insert—

'1.—(1) In section 133(2)(a) (exemptions to restriction on disclosure of information), after "the Electricity Act 1989," insert "or the Broadcasting Act 1990,".'.

No. 691, in page 200, line 7, at end insert—

'RESTRICTIVE TRADE PRACTICES ACT 1976 (C.34)

. In section 41(1)(a) (exceptions to restriction on disclosure of information), after "the Electricity Act 1989" insert "or the Broadcasting Act 1990".

COMPETITION ACT 1980 (C.21)

. In section 19(3) (exceptions to restriction on disclosure of information), after paragraph (m) insert—

"(n) the Broadcasting Act 1990.".'.

No. 652, in page 201, leave out lines 16 to 48 and insert—

'"(2) Copyright is not infringed by anything done in pursuance of—

(a) a condition which, in accordance with any provision of the Broadcasting Act 1990, is included in a licence granted under Part I or III of that Act; or

(b) a direction given under section 101(2) of that Act (power of Radio Authority to require production of recordings etc.).

(3) Copyright is not infringed by—

(a) the use by the Independent Television Commission or the Radio Authority, in connection with the performance of any of their functions under the Broadcasting Act 1990, of any recording, script or transcript which is provided to them under or by virtue of any provision of that Act; or

(b) the use by the Broadcasting Complaints Commission or the Broadcasting Standards Council, in connection with any complaint made to them under that Act, of any recording or transcript which is provided to them in accordance with section 131(4) or (as the case may be) section 141(3) of that Act.".'.—*[Mr. Mellor.]*

Schedule 17

REPEALS

Amendment made: No. 314, in page 202, column 3, leave out line 23 and insert—

'In section 51, subsection (6)(a) and, in subsection (8), in the definition of "material" the words from "and" onwards, and the word "showing,".'.—*[Mr. Mellor.]*

New Schedule

'AMENDMENTS OF THE MARINE, &C., BROADCASTING (OFFENCES) ACT 1967

1.—(1) Section 2 (prohibition of broadcasting from marine structures) shall be amended as follows.

(2) In subsection (1)(a) for "external waters or in tidal waters in the United Kingdom" substitute "any waters to which this section applies".

(3) After subsection (2) insert the following subsection—

"(3) This section applies to—

(a) tidal waters in the United Kingdom;

(b) external waters; and

(c) waters in a designated area within the meaning of the Continental Shelf Act 1964."

2. After section 2 insert the following section—

"*Unlawful broadcasting from within prescribed areas of the high seas*

2A.—(1) Subject to subsection (4) below, it shall not be lawful to make a broadcast which—

(a) is made from a ship other than one registered in the United Kingdom, the Isle of Man or any of the Channel Islands while the ship is within any area of

the high seas prescribed for the purposes of this section by an order made by the Secretary of State; and

(b) is capable of being received in, or causes interference with any wireless telegraphy in, the United Kingdom.

(2) If a broadcast is made from a ship in contravention of subsection (1) above, the owner of the ship, the master of the ship and every person who operates, or participates in the operation of, the apparatus by means of which the broadcast is made shall be guilty of an offence.

(3) A person who procures the making of a broadcast in contravention of subsection (1) above shall be guilty of an offence.

(4) The making of a broadcast does not contravene subsection (1) above if it is shown to have been authorised under the law of any country or territory outside the United Kingdom.

(5) Any order under this section shall be made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament."

3. In section 3 (prohibition of acts connected with broadcasting from certain ships and aircraft, and from marine structures outside the United Kingdom)—

(a) in subsection (1), at the beginning insert "Subject to subsection (1A) below,"; and

(b) after subsection (1) insert the following subsection—

"(1A) Subsection (1)(a) above does not apply to any broadcast made in contravention of section 2A(1) of this Act, and subsections (1)(c) and (d) above do not apply to structures or other objects in waters falling within section 2(3)(c) of this Act."

4. After section 3 insert the following section—

"*Prohibition of management of stations broadcasting from ships, aircraft etc.*

3A.—(1) Any person who, from any place in the United Kingdom or external waters, participates in the management, financing, operation or day-to-day running of any broadcasting station by which broadcasts are made—

(a) in contravention of sections 1, 2 or 2A(1) of this Act, or

(b) as mentioned in section 3(1)(a) of this Act,

shall be guilty of an offence.

(2) In this section "broadcasting station" means any business or other operation (whether or not in the nature of a commercial venture) which is engaged in the making of broadcasts."

5.—(1) Section 4 (prohibition of acts facilitating broadcasting from ships, aircraft etc.) shall be amended as follows.

(2) In subsection (1), after paragraph (a) insert—

"(aa) where paragraph (a) above does not apply but the broadcasts in question are made, or are to be made, from any structure or other object (not being a ship or aircraft) in waters falling within section 2(3)(c) of this Act, he does the act on that structure or other object within those waters; or

(ab) where paragraph (a) above does not apply but the broadcasts in question are made, or are to be made, from a ship in contravention of section 2A(1) of this Act, he does the act in that ship within any such area of the high seas as is mentioned in paragraph (a) of that provision; or".

(3) In subsection (3)(e), for "or 2(1)" substitute ", 2(1) or 2A(1)".

6.—(1) Section 5 (prohibition of acts relating to matter broadcast from ships, aircraft etc.) shall be amended as follows.

(2) In subsection (1), after paragraph (a) insert—

"(aa) where paragraph (a) above does not apply but the broadcasts in question are made, or are to be made, from any structure or other object (not being a ship or aircraft) in waters falling within section 2(3)(c) of this Act, he does the act on that structure or other object within those waters; or

(ab) where paragraph (a) above does not apply but the broadcasts in question are made, or are to be made, from a ship in contravention of section 2A(1) of this Act, he does the act in that ship within any such area of the high seas as is mentioned in paragraph (a) of that provision; or".

(3) In subsections (3)(a) and (4), for "or 2(1)", in each place where those words occur, substitute ", 2(1) or 2A(1)".

7.—(1) Section 6 (penalties and legal proceedings) shall be amended as follows.

(2) In subsection (1)(a), for "three" substitute "six".

(3) In subsection (5), for "on behalf of", in both places where those words occur, substitute "with the consent of the Secretary of State or".

8. After section 7 insert the following section—

"*Powers of enforcement in relation to marine offences under this Act.*

7A.—(1) The following persons are enforcement officers for the purposes of sub-section (5) below—

(a) persons authorised by the Secretary of State to exercise the powers conferred by this section;

(b) police officers;

(c) commissioned officers of Her Majesty's armed forces;

(d) officers commissioned by the Commissioners of Customs and Excise under section 6(3) of the Customs and Excise Management Act 1979; and

(e) persons not falling within any of the preceding paragraphs who are British sea-fishery officers by virtue of section 7(1) of the Sea Fisheries Act 1968;

and in this subsection "armed forces" means the Royal Navy, the Royal Marines, the regular army and the regular air force, and any reserve or auxiliary force of any of those services which has been called out on permanent service, or called into actual service, or embodied.

(2) If an enforcement officer has reasonable grounds for suspecting—

(a) that an offence under this Act has been or is being committed by the making of a broadcast from any ship, structure or other object in external waters or in tidal waters in the United Kingdom or from a ship registered in the United Kingdom, the Isle of Man or any of the Channel Islands while on the high seas,

(b) that an offence under section 2 of this Act has been or is being committed by the making of a broadcast from a structure or other object in waters falling within subsection (3)(c) of that section, or

(c) that an offence under section 2A of this Act has been or is being committed by the making of a broadcast from a ship,

and the Secretary of State has issued a written authorisation for the exercise of the powers conferred by subsection (5) below in relation to that ship, structure or other object, then (subject to subsections (6) and (7) below) the officer may, with or without persons assigned to assist him in his duties, so exercise those powers.

(3) If—

(a) the Secretary of State has issued an authorisation under subsection (2) above for the exercise of the powers conferred by subsection (5) below in relation to any ship, structure or other object, and

(b) an enforcement officer has reasonable grounds for suspecting that an offence under section 4 or 5 of this Act has been or is being committed in connection with the making of a broadcast from that ship, structure or other object,

then (subject to subsections (6) and (7) below) the officer may, with or without persons assigned to assist him in his duties, also exercise those powers in relation to any ship, structure or

other object which he has reasonable grounds to suspect has been or is being used in connection with the commission of that offence.

(4) Where—

(a) an enforcement officer has reasonable grounds for suspecting that an offence under section 4 or 5 of this Act has been or is being committed in connection with the making of a broadcast from a ship, structure or other object, but

(b) an authorisation has not been issued under subsection (2) above for the exercise of the powers conferred by subsection (5) below in relation to that ship, structure or other object,

then (subject to subsections (6) and (7) below) the officer may, with or without persons assigned to assist him in his duties, nevertheless exercise those powers in relation to any ship, structure or other object which he has reasonable grounds to suspect has been or is being used in connection with the commission of that offence if the Secretary of State has issued a written authorisation for the exercise of those powers in relation to that ship, structure or other object.

(5) The powers conferred by this subsection on an enforcement officer in relation to any ship, structure or other object are—

(a) to board and search the ship, structure or other object;

(b) to seize and detain the ship, structure or other object and any apparatus or other thing found in the course of the search which appears to him to have been used, or to have been intended to be used, in connection with, or to be evidence of, the commission of the suspected offence;

(c) to arrest and search any person who he has reasonable grounds to suspect has committed or is committing an offence under this Act if—

(i) that person is on board the ship, structure or other object, or

(ii) the officer has reasonable grounds for suspecting that that person was so on board at, or shortly before, the time when the officer boarded the ship, structure or other object;

(d) to arrest any person who assaults him, or a person assigned to assist him in his duties, while exercising any of the powers conferred by this subsection or who intentionally obstructs him or any such person in the exercise of any of those powers;

(e) to require any person on board the ship, structure or other object to produce any documents or other items which are in his custody or possession and are or may be evidence of the commission of any offence under this Act;

(f) to require any such person to do anything for the purpose of facilitating the exercise of any of the powers conferred by this subsection, including enabling any apparatus or other thing to be rendered safe and, in the case of a ship, enabling the ship to be taken to a port;

(g) to use reasonable force, if necessary, in exercising any of those powers;

and references in paragraphs (a) to (c) and (e) above to the ship, structure or other object include references to any ship's boat or other vessel used from the ship, structure or other object.

(6) Except as provided in subsection (7) below, the powers conferred by subsection (5) above shall only be exercised in tidal waters in the United Kingdom or in external waters.

(7) Those powers may in addition—

(a) in relation to a suspected offence under this Act committed in a ship registered in the United Kingdom, the Isle of Man or any of the Channel Islands while on the high seas, be exercised in relation to that ship on the high seas;

(b) in relation to a suspected offence under section 2 of this Act committed on a structure or other object within waters falling within subsection (3)(c) of that section, be exercised in relation to that structure or other object within those waters; and

(c) in relation to a suspected offence under section 2A of this Act committed in a ship within any such area of the high seas as is mentioned in subsection (1)(a) of that section, be exercised in relation to that ship within that area of the high seas.

(8) Any person who—

(a) assaults an enforcement officer, or a person assigned to assist him in his duties, while exercising any of the powers conferred by subsection (5) above or intentionally obstructs him or any such person in the exercise of any of those powers, or

(b) without reasonable excuse fails or refuses to comply with any such requirement as is mentioned in paragraph (e) or (f) of that subsection,

shall be guilty of an offence under this Act.

(9) Neither an enforcement officer nor a person assigned to assist him in his duties shall be liable in any civil or criminal proceedings for anything done in purported exercise of any of the powers conferred by subsection (5) above if the court is satisfied that the act was done in good faith and that there were reasonable grounds for doing it.

(10) Nothing in this section shall have effect so as to prejudice the exercise of any powers exercisable apart from this section.

(11) Any reference in this section, in relation to a person assigned to assist an enforcement officer in his duties, to the exercise of any of the powers conferred by subsection (5) above is a reference to the exercise by that person of any of those powers on behalf of that officer."'.—*[Mr. Mellor.]*

Brought up, read the First and Second time, and added to the Bill. Bill to be read the Third time this day

PETITIONS

Local Government Finance

1.11 am

Mr. Harry Barnes (Derbyshire, North-East): It is never too late to introduce a petition against the poll tax, and I have three good petitions here, although none of them has been signed by the right hon. Member for Henley (Mr. Heseltine). The poll tax is the worst general taxation system that has ever been introduced into any western democratic system.

The first petition is from constituents in Dronfield. It reads:

To the Honourable the Commons of the United Kingdom of Great Britain and Northern Ireland in Parliament assembled. The Humble Petition of the Residents of Dronfield, North East Derbyshire sheweth that legislation to introduce a poll tax will

Place an unbearable financial burden upon your petitioners.

Subsidise wealthy people at the direct expense of others.

Create fear and despondency amongst those who cannot pay.

Disenfranchise many who will be frightened to claim their right to vote.

Attack the civil liberties of your petitioners by opening up areas of sensitive and private information to the Poll Tax Registrar.

Destroy the democratic freedom of your petitioners to elect local Councillors who can act with a degree of independence from the power of the central state.

Wherefore your petitioners pray that your Honourable House will take measures to repeal the Poll Tax legislation. And your petitioners, as in duty bound, will ever pray etc.

This is signed by Mrs. Wendy Bower of 22 Lundy Road, Hill Top, Dronfield, and 468 other people, whose signatures she collected.

A similar petition comes from the residents of Hollingwood, Chesterfield, collected by a Mr. R. Dixie, of 62 Laburnum street. It also stresses points such as the loss of the franchise, which is quite substantial. It might lead to as many as half a million people losing the right to vote in England and Wales alone, according to the statistics that I have been collecting.

The third petition is worded differently, and is from three young women who, in the week before Easter, were camped on the green outside Norman porch, where they were collecting signatures against the poll tax.

The petition reads:

To the Honourable Commons of the United Kingdom of Great Britain and Northern Ireland in Parliament assembled.

The Humble Petition of Chris Carter, Aileen Ryder and Janet Woods sheweth that the implementation of the poll tax is completely against the will of the vast majority of the people. People will stand up against this tax precisely because they live in a free and democratic country.

Even in the heart of Westminster the overwhelming majority of people we talked to are against this tax. Many freely admitted to being ex-Tory voters who could well afford it but opposed it because it is so unfair and unjust. In our own areas people are frightened and angry because so many cannot afford this tax. Families will be driven into poverty and more and more people, particularly young people, will be forced to live on the streets.

The Government's claims about increased accountability have been completely discredited by their poll tax cutting plans. People are well aware that the purpose of this tax is to take from the poor and give to the rich. As Gandhi said, "The worst violence is the violence of poverty." Consequently, we believe, people will not be deterred by the aggression of the authorities, whatever form it takes, because the violence of the poll tax must be stopped.

Wherefore your petitioners, as in duty bound, will ever pray.

That is signed by Aileen Ryder of Lewisham, Janet Woods of Woolwich and Chris Carter of Plumstead.

I beg leave to present the petitions.

To lie upon the Table.

Haemophilia

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Durant.]*

1.16 am

Mr. William McKelvey (Kilmarnock and Loudoun): I am grateful for the opportunity to speak about an important and urgent issue. I refer to those suffering from haemophilia and the further difficulties that they have encountered. I welcome the new Under-Secretary of State for Health and congratulate him on his recent appointment. He is to face his baptism at the Dispatch Box, and at this time of the morning it is hardly likely to be an exciting debate. It is probable that the temperature will not rise, but it is an extremely important debate. I know that the Minister will have done his homework. I am not here to harangue or harass a new Minister but, as I have said, the issue is important. I hope that the Minister will make a progressive response to my submissions.

The debate was prompted by a family in my constituency. I refer to Donald and Margaret Baird and their two sons, Ian and Walter. The tragedy that surrounded that family is directly connected with the fact that the two sons are both suffering from haemophilia and both are HIV-positive.

I am sure that it will help the Minister in his deliberations if I trace the difficulties that haemophiliacs have faced over recent years. There are over 5,000 people who suffer from haemophilia in the United Kingdom. Two thousand of them are seriously affected by the disease in their daily lives and receive treatment by means of blood products to enhance the ability of their blood to clot. There are 1,200 who have been identified as HIV-positive. I think that the House will agree that it is now recognised by all authoritative bodies that these people became infected through the use of contaminated blood products provided to them by the NHS, which were mostly obtained from America.

The Haemophilia Society, to which I am indebted for the information that I am imparting to the House, has consistently campaigned for out-of-court compensation for the victims of this disaster since it was first recognised. Hon. Members on both sides of the House have been involved in the campaign. The national campaign resulted in an ex gratia cash payment of £10 million in 1987. That was followed by a further £24 million last December. That has been distributed to victims and their families under the auspices of a newly created trust fund, the Macfarlane Trust.

Everyone realises that at the time of those payments the Government made it clear that the money was intended not as compensation but as a special payment made on the basis of a claim for the special suffering and need of the victims. The sum so far given amounts to £20,000 to £30,000 per person. That falls well short of a realistic figure for compensation for livelihood and life that would be acceptable to members of the Haemophilia Society. In the absence of real compensation, a significant proportion of people with haemophilia and HIV have taken out court cases aganist their local regional health authorities and, in some cases, the Department of Health.

The current position is not a happy one. The court cases are being substantially delayed. In England, the earliest possible start date is January 1991, but there are already strong signs that even that distant date may be too optimistic. In Scotland, the position is even worse. It is not yet possible to obtain an estimate for the start of any court procedures. Some 50 people in Scotland are taking out court cases against their individual health authorities. However, it appears that much of the delay in starting proceedings stems from difficulties with applications for legal aid. Very few people in Scotland have obtained legal aid so that they can begin the process of going to court.

For whatever reason, the Scottish Legal Aid Board is applying somewhat more stringent standards of documentation than its English counterparts before it grants legal aid. That is causing the current delay. It is an issue that I intend to take up privately. It may have something to do with the vagaries of the different legal systems, but any delay has serious and devastating consequences for those attempting to bring the matter to court. It is vital that we all recognise that delay must be prevented.

While the delays continue, those unfortunate people with haemophilia and HIV continue to die. By February 1990, 118 people had died. The longer they wait to go to court, the greater will be the number of people who die. Of those 118 people, 11 died between November 1989 and February 1990. It must be all too obvious to hon. Members that by the time the cases come to court many more will have died. Given that, the Haemophilia Society and those who support its views have reaffirmed that an out-of-court settlement is the only possible humanitarian solution to a problem that will be with us for some time.

I was prompted to request this debate by a letter from Donald Baird. He has been in contact with me for a number of years. I have not sought in any way to make publicity out of this case, and I am sure that other hon. Members do not intend to do so. It is a tragic and difficult case of two boys with haemophilia who were injected by their parents—the injections took place at home—and who have subsequently been found to be HIV positive. That was a terrible double tragedy, but they have now been informed that the elder boy, Ian, who is now 19, has full-blown AIDS. It is virtually the pronouncement of a death sentence.

I would find it difficult to read the whole of the letter to the House because it is emotional and private, but I have given a copy to the Minister, and I am sure that he will understand why it is impossible for me to quote all of it. Nevertheless, the father can express in a few words, and much more elequently than I could, the case that he wishes me to put to the House. He writes:

"Dear Willie, It is with a heavy heart I write to you, to confirm the fact that my son Ian has started treatment for the full blown AIDS. Although always a probability, it was such a shock that some three weeks passed before we could speak about it."

Further on in the letter he sadly says:

"I cry alone at night as I pray for them, and I think every day that passes I also die a little with them.

Why oh why, can this government not realise that time is something my sons—people like them—do not have. Their insistence that the courts must settle the matters of fault and compensation means that more and more haemophiliacs will not live to see justice being done."

It is a very moving letter, as I am sure hon. Members appreciate.

There are steps that the Government can take. The general secretary of the Haemophilia Society wrote to my right hon. Friend the Member for Manchester, Wythenshawe (Mr. Morris) who was a Minister in a previous Labour Government which dealt with a similar problem. In that role, David Watters, the general secretary

[Mr. William McKelvey]

of the society, had asked him to approach the Prime Minister with the idea of setting up an inquiry into the matter through the office of a retired ombudsman. The Labour Government did exactly that for the outstanding thalidomide cases. Sir Anthony Barraclough could be appointed to resolve the dispute between the Government and the people with haemophilia who have contracted HIV in the course of NHS treatment. The Prime Minister is aware of the matter.

Perhaps when the Minister speaks to the Secretary of State he will bring the issue to his attention. That would be a positive step. Sir Anthony Barraclough is much respected by hon. Members on both sides of the House and in all establishments outside the House. If he were to be given that opportunity, he could perhaps draw up grounds for a settlement, and that would end the matter more quickly than it could be ended by going to court, if it can ever be settled in court. In many cases—particularly in Scotland—defendants have to prove negligence by the health boards and that will be difficult.

The third issue that we should consider is that the Macfarlane Trust has already spent most of its money.

In cases such as that of the Baird family, when a young man has been given what is virtually a death sentence, will the Minister arrange for the Macfarlane Trust to reconsider the case? The figures that have been mentioned to me by lawyers—not necessarily to be considered as the final figure that should be accepted in settlement—if the case went to court in Scotland are in the region of £80,000 to £90,000 per person. If that sum was made available to the Baird family at the moment, it would ease much of their grief and it would give the opportunity for the boys, and Ian in particular, to live a far better life for whatever time they have left. I ask the Minister to consider that seriously.

There is an opportunity for the Government to increase the funds to the Macfarlane Trust, to ensure that they are paid out as quickly as possible and to examine the position in general and the particular point that has been raised with the Prime Minister with a view to setting up an inquiry to settle the case.

It seems to me that a totally unfair battle is being fought. The burden of proof is on the victims of medical accidents: they have to prove negligence. Although I cannot ask the Minister, particularly in his first days of office, to promote the legislation that would be required to provide terms whereby medical accidents could be settled through compensation, which is an extremely long and complicated process, perhaps he will ask the Government to give the matter some thought along those lines so that we can correct the imbalance.

In this and other cases, young people cannot take their cases to court. They cannot get legal aid, and even if they get their case to court there is no telling how long it will take to settle, if they get settlement. Some people are gambling their settlements from the Macfarlane Trust to get the matter resolved in court before they expire.

It is a David and Goliath situation: the Government represent Goliath but David is unarmed. I ask the Minister to give the points I have raised serious consideration. Although I cannot expect definitive answers from the Dispatch Box tonight, perhaps he could give the House an undertaking that at least the matter is back on the agenda and, hopefully, we can make some progress.

1.31 am

The Parliamentary Under-Secretary of State for Health (Mr. Stephen Dorrell): I begin by congratulating the hon. Member for Kilmarnock and Loudoun (Mr. McKelvey) on taking the opportunity of an Adjournment debate this evening to raise a matter of real concern to his individual constituents and to the 1,200 people who are affected by this tragedy. May I also thank him for his best wishes on my appointment. There can be no better illustration than tonight's debate of the fact that I shall need those best wishes and the best wishes of anyone else who feels able to offer them.

The House will understand that it is a special moment for any Member of Parliament when he is asked to become a Minister. It is perhaps understandable that there is a certain amount of celebration and partying. However, the knowledge that I had to reply to tonight's debate in my first week in the Department has brought me up short. We all know in the abstract that a Minister's life is not all roses, but there can be no sharper illustration of the difficult issues that Ministers have to face than the particular human tragedy represented by the case that the hon. Gentleman has drawn to our attention.

The hon. Gentleman sent me Mr. Baird's letter, which is quite as emotional as he described it. It underlines the special human tragedy represented by those events. Against that background, it would be totally inappropriate for me to begin with a recital of what has already happened and the Government's position. It is appropriate to begin simply by recognising that it is a tragedy and nothing that I can say from the Dispatch Box will change it. I hope to alleviate by actions and words some of the problems and effects of that tragedy, but the tragedy itself will remain and nothing that we say in the House will change its essential nature.

I remind the House that the Government's sympathy for those affected by these tragic events has been given practical expression. As the hon. Gentleman recognised, in November 1987 we announced an ex-gratia payment of £10 million to fund the Macfarlane Trust. That money has allowed the trust to give help to families in particular need by way of grants for a wide variety of purposes and through regular payments. Up to 31 March this year, the trust had paid out almost £1·7 million in one-off grants and almost £1·6 million in regular payments. Those payments have helped to ease the financial worries of the families who have received them.

Furthermore, the Government announced substantial extra help on 23 November last year. Under those arrangements, each infected individual is entitled to a lump sum of £20,000. With the help of the trustees of the Macfarlane Trust, arrangements have been made to administer those payments, and I am pleased to say that payments totalling almost £24 million have been made.

In addition to that money, the Government have made regulations to ensure that the payments from the trusts do not affect entitlement to income support, family credit or housing benefit. Payments, therefore, are genuinely additional money to those affected, and there is no question of our taking with one hand what we are seeking to give with the other.

I recognise that much hard work has been done by the trust in making payments, particularly on the £20,000 scheme, in such a short time. It is right to place on record the Government's thanks, and I am sure the thanks of the whole House, for the efforts represented by that action.

I should like to refer to a written answer given by my right hon. and learned Friend the Secretary of State in announcing the £20,000 scheme. He said:

"The Government accept the need to ensure that the fund has adequate resources both to meet its existing commitments and to give more generous help to families in particular need. We will be discussing further with the trust how these objectives should be met."—[*Official Report*, 23 November 1989; Vol. 162, c. *12*.]

It is clear that when announcing the £20,000 scheme Ministers accepted the need to ensure that the original Macfarlane Trust had adequate resources both to meet its existing commitments and to enable it to give more generous help to families in particular need.

Naturally, the first priority of all concerned has been to implement the £20,000 scheme as quickly as possible. As that has been achieved, we should be following up my right hon. and learned Friend's commitment to discuss with the Macfarlane Trust the best way of providing additional targeted help.

I should stress that, as the hon. Gentleman recognised, the £34 million total provided to the two Macfarlane Trusts represents ex-gratia payments. They are not intended as compensation because in this country, under successive Governments, there has never been a scheme of no-fault compensation for those damaged by medical treatment.

The case for alternative means of compensating those who suffer from medical accidents was carefully considered by the Royal Commission on civil liability and personal injury, which reported in 1978. It decided against introducing a scheme of no-fault compensation. The system remains that those seeking compensation should pursue the matter through litigation. A number of haemophiliacs with the AIDS virus, as the hon. Gentleman said, are now doing just that. I am sure that the House will understand that it would not be appropriate for me to comment on issues that are before the courts.

The hon. Gentleman referred to the timetable for the hearing. He may be aware that yesterday the court decided that the main hearing of the English case should take place in March 1991. The Scottish case will, I imagine, follow that. He asked about entitlement to legal aid in Scotland. I shall look into that and write to him.

The hon. Gentleman said that the right hon. Member for Manchester, Wythenshawe (Mr. Morris) has written to the Prime Minister seeking to establish an inquiry as a means of resolving the compensation issue. He will obviously receive a considered reply from my right hon. Friend the Prime Minister. However, the right hon. Gentleman tried to draw a parallel between this case and the thalidomide case established in the late 1970s. That is not a precise parallel because in that case there was no dispute about the acceptance of liability on the part of the Distillers company. The simple question was whether there was a causal connection between the children affected on list Y and the smaller group for whom Distillers had accepted liability earlier. In the case to which the hon. Gentleman refers, the defendant does not accept any claim of liability in the negligence action.

Mr. McKelvey: I was not trying to draw a parallel between the cases. I was just saying that the Labour Government took the opportunity to set up an inquiry. I was not asking for something that we had not done or which could not be done. There is still the possibility that the Government will set up an inquiry, particularly because the people must in effect sue the NHS or the various health boards. The Government have a responsibility to solve the matter as quickly as possible if an inquiry can be set up.

Mr. Dorrell: My right hon. Friend the Prime Minister will obviously respond to the specific point about an inquiry. The much narrower point that I was trying to make was that there is not a precise parallel between the case referred to by the hon. Gentleman and the Distillers-thalidomide case. Against that background, the Government are entitled to claim a degree of credit for having recognised the special circumstances of haemophiliac victims of this tragedy. Thirty four million pounds is not an insignificant sum of money to be made available to provide financial assistance.

To sum up, the compensation that many of the haemophiliac victims are pursuing is a matter for the courts. We believe that the measures that we have already taken demonstrate the Government's willingness to do what they properly can to meet the special needs of haemophiliacs with the AIDS virus. We have already made available substantial sums of money and we have accepted also—and to some degree this responds to one of the points made by the hon. Gentleman—the need to discuss with the Macfarlane Trust how more generous help can be provided for families in particular need.

I am grateful for another opportunity to discuss this important topic. I hope that the hon. Gentleman will accept that, while our means may differ, the Government share with him the proper human desire to respond to this very human tragedy.

Question put and agreed to.

Adjourned accordingly at eighteen minutes to Two o'clock.

House of Commons

Thursday 10 May 1990

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

BIRMINGHAM CITY COUNCIL (No. 2) BILL *(By Order)*

Order read for resuming adjourned debate on Question proposed [26 February], That the Bill be now considered.

Debate further adjourned till Thursday 17 May.

CLYDE PORT AUTHORITY BILL *(By Order)*

Order for Second Reading read.

To be read a Second time on Monday 14 May at Seven o'clock.

Mr. Speaker: As the remaining 10 Bills set down for Second Reading have blocking motions, with the leave of the House I shall put them together.

ADELPHI ESTATE BILL *(By Order)*

Order read for resuming adjourned debate on Question [27 February], That the Bill be now read a Second time.

Debate further adjourned till Thursday 17 May.

CATTEWATER RECLAMATION BILL *(By Order)*

SHARD BRIDGE BILL *(By Order)*

VALE OF GLAMORGAN (BARRY HARBOUR) BILL *[Lords] (By Order)*

LONDON DOCKLANDS RAILWAY BILL *(By Order)*

LONDON UNDERGROUND (VICTORIA) BILL *(By Order)*

LONDON UNDERGROUND BILL *(By Order)*

Orders for Second Reading read.

To be read a Second time on Thursday 17 May.

EXMOUTH DOCKS BILL *(By Order)*

Order read for resuming adjourned debate on Question [29 March], That the Bill be now read a Second time.

Debate further adjourned till Thursday 17 May.

GREAT YARMOUTH PORT AUTHORITY BILL *[Lords] (By Order)*

HEATHROW EXPRESS RAILWAYS BILL *[Lords] (By Order)*

Orders for Second Reading read.

To be read a Second time on Thursday 17 May.

Oral Answers to Questions

NORTHERN IRELAND

Sunday Trading

1. **Mr. John Marshall:** To ask the Secretary of State for Northern Ireland if he will make a statement about the law relating to Sunday trading in Northern Ireland.

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Richard Needham): The relevant law is contained in the Shops Act (Northern Ireland) 1946, and is similar to the law applying in England and Wales.

Mr. Marshall: Does my hon. Friend agree that a law which prohibits the sale of the Bible but allows the sale of girlie magazines, which allows the sale of gin but not of condensed milk and which allows the sale of chocolate but prohibits the sale of sugar, is illogical, immoral and fortunately, rarely enforced? Should not the Shops Act (Northern Ireland) 1946 reflect the realities of life in the 1990s instead of the prejudices of the 1940s?

Mr. Needham: I accept that many elements of the Sunday trading laws are ridiculous. One can buy food for an ass but not for a cat in Northern Ireland on a Sunday. However, there is no significant political pressure for changing the trading laws on Sunday in Northern Ireland, least of all from Unionist Members of Parliament. Although we shall keep the matter under review, it would be unwise for us to do anything without seeing what happens in the rest of the country.

Rev. Martin Smyth: Does the Minister agree, as I am sure the hon. Member for Hendon, South (Mr. Marshall) does, that the real problem involves traders who for profit motives rather than community interests want to trade on the Sabbath day? Was not that problem with us long before Nehemiah was governor of Jerusalem, and is not it likely to remain? The real issue is to apply the law and maintain the sanctity of that day.

Mr. Needham: As the hon. Gentleman knows, the enforcement of the law is the responsibility of district councils in Northern Ireland, and I am sure that he will pass that message on to them.

Rev. Ian Paisley: Does the Minister agree that those anomalies refer to England and Wales as well as to Northern Ireland? When poking fun at Northern Ireland, he should also poke fun at the parts of Great Britain that come under the same laws. Will he give the House an assurance that if the Sunday trading law is considered in a Bill for the rest of Great Britain, the people of Northern Ireland will have the same opportunity of having a proper Bill and not something pushed through the House by an Order in Council which would be unacceptable in Northern Ireland?

Mr. Needham: The hon. Gentleman is aware that it is a transfered matter, so any changes will be dealt with under the transferred procedure. I assure the hon. Gentleman that I never poke fun, least of all at him.

Mr. Ray Powell: I have very rarely been called during Northern Ireland Question Time, but the matter concerns

the Shops Act 1950. The Government are continually preaching that we should abide by the law and obey it. Is it not time that the Government themselves ensured that the Shops Act 1950 was properly upheld and enforced as an Act of Parliament?

Mr. Needham: The hon. Gentleman is probably not aware that in Northern Ireland, enforcement of the law is the responsibility of the district council.

Local Authority Powers

2. **Mr. Cran:** To ask the Secretary of State for Northern Ireland what further talks he has had with representatives of the political parties in Northern Ireland regarding the transfer of certain powers to local authorities.

The Secretary of State for Northern Ireland (Mr. Peter Brooke): I have been having discussions with the leaders of the main constitutional parties in Northern Ireland about the possibilities of transferring greater power to locally elected representatives. I have made it clear that the Government would give serious consideration to any workable proposals for more local involvement in the government of Northern Ireland if they seemed likely to command widespread acceptance.

Mr. Cran: Does my right hon. Friend agree that far too much power is exercised in Northern Ireland by Northern Ireland Ministers and that, perforce, not enough is exercised by local people in the Province? Because the transfer of powers is well understood and accepted, and because the constitutional arrangements are there to accept, does my right hon. Friend agree that now may be the time for Northern Ireland politicians to sink their differences—which we all accept have been very real—in the interests of transferring power, which would be in everyone's interest?

Mr. Brooke: My hon. Friend is right in saying that Northern Ireland Ministers hold considerable power in Northern Ireland. It is within the knowledge of the House that we have been seeking to persuade locally elected politicians in Northern Ireland to accept that we might transfer some of that responsibility elsewhere. It is, inevitably, a two-way process and requires involvement in talks and consultations.

Mr. Clifford Forsythe: The Secretary of State intends to introduce compulsory competitive tendering in local councils in Northern Ireland. What plans does he have to prevent paramilitary involvement in those services in future?

Mr. Brooke: The hon. Gentleman is right to draw attention to that particular danger, which the Government have very much in mind.

Mr. Kilfedder: The truth is that the onus is on the Government to act. They must get off their knees and not let Dublin stymie political progress in Northern Ireland any longer by setting down conditions for such progress. Without further delay, the Government must now restore the Northern Ireland Assembly which they brought scandalously to an abrupt end in a way that was a disgrace to them. They also entered the Anglo-Irish Agreement which was a betrayal of the Ulster majority. Surely the Government should now recognise that betrayal and return powers to elected representatives in Northern Ireland.

Mr. Brooke: I recognise the hon. Gentleman as a distinguished Speaker of the Assembly to which he refers. Conversations relating to the transfer of power to locally-elected representatives are covered in article 4 of the Anglo-Irish Agreement which acknowledges the possibility of such developments occurring, but the involvement of the Irish Government in such conversations, as stated in article 4, would relate to the attitudes and modalities to be expressed. The decision about the talks themselves rests wholly with the parties in Northern Ireland and with the Government.

Mr. McGrady: Does the Secretary of State agree that although in certain enlightened councils in Northern Ireland, especially those on which minority parties have a substantial say, progress has been made, in the mainstream of local government sectarian practices and attitudes are still very much to the fore? That is especially true of the Belfast corporation, which should be the flagship of local government in Northern Ireland. Is the right hon. Gentleman aware that the committee structures have been arranged there to prevent proper participation by the minority parties and that they have been deprived of offices and proportional representation? Even this week, financial resources have been denied to community services in minority areas. In those circumstances, does the right hon. Gentleman agree that the return of functions to local government in Northern Ireland is still inappropriate and is best left to an overall agreement between the parties in due course?

Mr. Brooke: It will not have escaped the attention of the hon. Gentleman that contacts between Ministers and Belfast city council have been limited in recent years. In those circumstances, it would be wrong for me to pass comment on those with whom I have not been directly in contact. The hon. Gentleman is right in saying that if we were to advance on the transfer of power, we should need to see widespread acceptance of the principles involved.

Breathalysers

3. **Mr. Colvin:** To ask the Secretary of State for Northern Ireland if he has any plans to introduce the breathalyser into Northern Ireland; and if he will make a statement.

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Peter Bottomley): We propose to consult on the introduction of the hand-held breathalyser for use by the Royal Ulster Constabulary.

The major drop in drink-driving is coming from the allied efforts of the drinks trade to encourage all hosts to provide an attractive range of alcohol-free drinks and non and low-alcohol lager and beer for drivers; to support passengers in choosing in advance a driver who does not take alcohol, and to prompt potential drivers to decide whether to drive or to drink alcohol.

These approaches, with the necessary and welcome enforcement work by police, will help to reduce the number of times a police officer has to knock on a stranger's door to announce that a mother or father, or a son or daughter will never return because of a drink-driver crash.

Mr. Colvin: I was interested to hear my hon. Friend's reply. What consultations did he have before reaching his decision? I accept that there has been a downward trend in drink-driving offences since the introduction of low-alcohol drinks and the campaigns run by the on-licence trade, but what is the trend in drink-related accidents? If that is also downward, is it really necessary to introduce the breathalyser in the Province?

Mr. Bottomley: I pay tribute to those in the drinks trade —the on-trade, vintners, off-licences and brewers—for coming together to help to support the efforts to cut casualties. In the United Kingdom as a whole, and in Northern Ireland, the trend in drink-related deaths is clearly a downwards trend, and pedestrians are benefiting just as much as drivers and their passengers. The reason for introducing the hand-held breathalyser is that it provides a screening device and only those who fail the screening test need to be taken to the roadside evidential machine. That means that the RUC will be able to process more people more quickly and so get off the road faster, which in Northern Ireland is sometimes important.

Mr. A. Cecil Walker: Is the Minister aware of the number of breathalysed drivers driving written-off vehicles imported from the mainland, repaired by cowboy garages and unleashed on the Northern Ireland community?

Mr. Bottomley: That is something which we shall want to keep under control, but with the vehicle-testing system in place, vehicle defects contribute to less than 10 per cent. of crashes, whereas road conditions contribute to about one third and driver error to 95 per cent. of crashes. I should welcome the hon. Gentleman's support in dealing with the driver error problem, which is by far the largest.

Natural Gas

4. **Mr. Molyneaux:** To ask the Secretary of State for Northern Ireland what representations he has made to the Commission of the European Community for financial assistance for the provision of a natural gas supply to Northern Ireland.

Mr. Needham: The town gas industry in Northern Ireland is virtually closed down and there seems little prospect of re-establishing a viable gas industry. However, the possibility of burning gas in power stations is being examined in the context of overall energy provision for Northern Ireland and officials of the Department of Economic Development are in touch with the European Commission.

Mr. Molyneaux: Is the Minister aware that buried in the ground in Northern Ireland are 1,600 miles of perfectly good sound pipeline? Is he further aware that it would be comparatively easy to connect the gas supply from Great Britain—in the first instance to industry in Northern Ireland and thereafter to domestic consumers? Can the Minister say how, in the long-term, the Government can defend the exclusion of Northern Ireland from continental sources of energy?

Mr. Needham: We will, of course, accept energy at a competitive price wherever it comes from. The right hon. Gentleman is fully aware that, at its peak, gas only accounted for some 4 per cent. of energy use. To restore the infrastructure to which the right hon. Gentleman refers, which is not in perfect condition, would cost some £300 million, whereas to build Kilroot II would cost £300 million and give us 18 per cent. of our energy requirement. I am afraid that it makes no sense whatever to bring back the natural gas industry in Northern Ireland—either to the domestic or to the industrial consumer—but it is certainly worth considering whether gas can be used for electricity generation.

Mr. Dickens: Will my hon. Friend accept from me, as a former director of a Northern Ireland company, that Northern Ireland industry would very much like a natural gas supply to make it more competitive with the rest of the world and to enable it to stand more on its own two feet —as will become apparent when the question tabled by my hon. Friend the Member for Fylde (Mr. Jack) is answered?

Mr. Needham: What Northern Ireland industry needs is competitive energy. However beautiful natural gas may be, if it is very much more expensive than other forms of energy, it makes no sense to bring it back, and I am afraid that that is the position.

Mr. Jim Marshall: Does the Minister accept that we all wish the Province to have access to the cheapest form of energy for both domestic and industrial consumers? In the Minister's reply to the right hon. Member for Lagan Valley (Mr. Molyneaux), he referred to the comparative costs of natural gas and electricity. To put an end to the continuing debate, will he give an assurance that he will publish the basis of the answers that he has already given? Clearly, the evidence exists. To ensure an open debate, it would be in the best interests of Northern Ireland to publish that evidence and information.

Mr. Needham: Of course, we shall publish the information about the alternatives for electricity generation and energy usage in Northern Ireland. We shall be happy to do that.

Economic Assistance

5. **Mr. Jack:** To ask the Secretary of State for Northern Ireland how much economic assistance Northern Ireland has received *(a)* from Her Majesty's Government and *(b)* from the European Community since 1979.

The Minister of State, Northern Ireland Office (Mr. John Cope): Since 1978-79, the average amount by which Northern Ireland public expenditure has been financed by revenue raised in Great Britain has been approximately £1,400 million a year. Over the same period, Northern Ireland has received an annual average of some £66 million from the European Community's structural fund as well as further amounts which cannot be separately identified under, for example, the common agricultural policy.

Mr. Jack: I thank my right hon. Friend for those impressive figures on economic assistance from the British taxpayer and the European Community. To what purpose is that money put? Can my right hon. Friend reassure me that the quality of industrial investment as a result of that assistance is high? Will he take it from me that we are grateful for the support that his Department continues to give to Northern Ireland, in spite of security and political problems?

Mr. Cope: The figures that I gave are for the total public expenditure in Northern Ireland financed by Great Britain

and the Community respectively. Clearly, the money is used for a wide range of purposes, including economic development, to which my hon. Friend referred and, to some degree, security and other such matters. Of course, we do our best to make sure that all economic investment is of the best quality. The House will be aware of the Government's recent proposals to improve the quality.

Mr. Grocott: Can the Minister confirm that Northern Ireland Ministers believe that it is extremely important that there should be Government intervention and support, and a regional policy? How does he cope in Cabinet battles with the ideological gulf between his view and that of the Prime Minister?

Mr. Cope: Of course, we think it important that there should be support of one kind or another. As I said, the money to which I referred is used across the board, not only for economic development. If the hon. Gentleman studies the new proposals of my right hon. Friend the Secretary of State for Northern Ireland and of the Under-Secretary of State for Northern Ireland, my hon. Friend the hon. Member for Wiltshire, North (Mr. Needham), who looks after economic development, he will see that we are doing our best to target the money on precise job creation projects.

Rev. Ian Paisley: Can the Minister explain to the House why the Irish Republic receives from the European Community an average of £3 million per day and why there is such a differential between that and what is paid to Northern Ireland? Will he also explain, on the question of additionality, how much money that comes from Europe for Northern Ireland goes directly to Northern Ireland? I ask that in view of the answers that have been given to me by Ministers on those questions.

Mr. Cope: The European Commission and European Community divide the money according to objective economic criteria. Commissioner Millan and his colleagues have made it clear that that is the basis on which the money is divided for the structural funds. The gross domestic product per head in Northern Ireland is more than 75 per cent. of the average in the European Community. It is higher than that in the Republic of Ireland and higher than that for any other objective single region. That is why we do not have the same amount per head as, for example, the Republic or other countries. We are entirely within the rules of additionality laid down by the European Community.

Railways

6. **Mr. Foulkes:** To ask the Secretary of State for Northern Ireland when he next intends to meet the chairman of Northern Ireland Railways to discuss service improvements.

Mr. Peter Bottomley: I will continue to meet the chairman as the occasion requires. Sir Myles Humphries is retiring in June after 24 years as a chairman dedicated to improving service for customers.

Mr. Foulkes: I am glad that Sir Myles is dedicated to improving services—it is more than can be said for InterCity. Will the Minister tell the House what action the Northern Ireland Office is taking about the axing of the Stranraer to Euston sleeper, which is as vital for Northern Ireland as it is for the south-west of Scotland? If, as I suspect, his answer is that the Northern Ireland Office has done little or nothing on that, will he get together with the Secretary of State for Scotland and the Secretary of State for Transport, and tell British Rail to put the service back into operation immediately?

Mr. Bottomley: If more people had used the service, it would have been more commercial. The Department in Northern Ireland made representations to British Rail. It takes seven and a half hours to get from London to Stranraer and costs £53 second class. I have no doubt that anyone travelling with the hon. Gentleman would find that as time and distance passed they would become sleepy so there would be no need to pay the extra £20 for the sleeper. Most people who go to Northern Ireland now fly.

Mr. Beggs: I welcome the views expressed and the support of the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes), but I very much regret that, as he said, the Northern Ireland Office has failed to weigh in and support the promotion of that service. We consider that it is important to maintain it. When the Minister meets the chairman of Northern Ireland Railways will he suggest getting together with the Secretary of State for Scotland and the Secretary of State for Transport with a view to promoting the service because it could be of great economic advantage to south-west Scotland and Northern Ireland?

Mr. Bottomley: Perhaps I could ask the hon. Gentleman to come and see me, and we might do a joint survey on how many times hon. Members representing Northern Ireland have used the service in the past year. That would give an indication of what weight we should put behind the representations that have been made.

Political Progress

7. **Mr. John D. Taylor:** To ask the Secretary of State for Northern Ireland what is the main obstacle to political progress in Northern Ireland; and if he will make a statement.

The Parliamentary Under-Secretary of State for Northern Ireland (Dr. Brian Mawhinney): We believe that the main obstacle is the absence of talks with and between the Northern Ireland political leaders about political matters. However, there is now a significant common understanding on the issues such talks might address and I am hopeful that the conditions for holding such talks may exist soon.

Mr. Taylor: Does the Minister agree that while the different political parties in Northern Ireland understand each other's position, the Government's position is as clear as mud? Will the Minister come clean on the long-term policies of the Northern Ireland Office? Is he aware that the Secretary of State for Northern Ireland has confirmed in writing that his objective is devolution, but that two fellow Members in the ministerial team have been canvassing in Upper Bann for a candidate who is opposed to devolution and wants integration? When will we get consistency in the Northern Ireland Office?

Dr. Mawhinney: The Government's position on political progress in Northern Ireland is absolutely clear. We are committed to seeking devolved institutions in

Northern Ireland to allow locally elected representatives to have a greater say in the decisions that govern their constituents' lives. With regard to Upper Bann, I am told that the right hon. Gentleman is wrong yet again. His party is having some difficulty in convincing the electorate about why its members are always to be found in the voting lobbies with the socialists.

Mr. Peter Robinson: As a general principle, does the Minister agree that in entering negotiations no party should be at a disadvantage? To ensure that the Unionists are not at a disadvantage at the negotiating table would the Minister accept that the Anglo-Irish Agreement should not be operating at full belt?

Dr. Mawhinney: I certainly accept the hon. Gentleman's first point that no one party should be at a disadvantage. With regard to his second point, he will know that my right hon. Friend the Secretary of State has recently made it clear that in the context of such discussions on possible future arrangements for the government of Northern Ireland, we would give serious consideration to any implication for the agreement that such arrangements might have. I can confirm that in the context of those discussions, we would also consider including any proposal for an alternative to the agreement that the Northern Ireland parties might put forward that would advance the underlying objectives that I believe we all share.

Mr. Hume: Does the Minister agree that anybody who is serious about making political progress in Northern Ireland would want to address the relationships that go to the heart of the problem and have never been satisfactorily addressed? Those relationships are within Northern Ireland, within Ireland and between Britain and Ireland. Does he agree that if the Unionists, who say that they are British, do not trust the British Government to negotiate those relationships on their behalf, either with ourselves who share the North with them or with the Irish Government who share the island, then logically they should be willing to negotiate those relationships themselves?

Dr. Mawhinney: I think that it is common ground between the Government and all the constitutional parties in Northern Ireland that the relationships to which the hon. Gentleman refers must be addressed. That must be done first in the context of Northern Ireland, which means that the representatives of the Nationalist and Unionist traditions must sit down together, with the Government or without, to address those issues. In addressing them, other relationships will, of course, come into play.

Mr. Andrew McKay: In view of the remarks by the right hon. Member for Strangford (Mr. Taylor) and the hon. Member for Belfast, East (Mr. Robinson), does my hon. Friend agree that less charitable people than I might think that one of the main obstacles to political progress in the Province is the intransigence of some of the political parties there?

Dr. Mawhinney: We have been seeking to address the political future of Northern Ireland, and my right hon. Friend the Secretary of State has devoted much time and energy to that. We have done that, recognising the legitimate concerns and aspirations of the various parties, and we have been seeking to cause arrangements to be put in place that will enable them to talk together constructively with Government about an objective that I believe is shared by the vast majority of people in Northern Ireland.

Extradition

8. **Mr. Corbett:** To ask the Secretary of State for Northern Ireland what proposals he is considering on extradition.

Mr. Cope: At the last meeting of the Anglo-Irish Intergovernmental Conference, Ministers had a constructive discussion of arrangements for dealing with fugitive offenders. Officials were instructed to undertake a review of the situation and to report back to a future conference. My right hon. Friend will consider all proposals arising from this review.

Mr. Corbett: I thank the Minister for his reply. Does he share the confidence of the Irish Government that the 1987 extradition Act will remedy the defects of the last three cases which were before the Irish Supreme Court?

Mr. Cope: The last three cases were, of course, disappointing, but we have to accept that they were the judgments of an independent judiciary on the basis of the then law. As the hon. Gentleman acknowledges, the law has since been changed. The whole point of the study to which I referred is to consider whether the arrangements are now satisfactory for the future.

Mr. Stanbrook: Will my right hon. Friend confirm that the arrangements regarding the extradition of ordinary decent criminals—*[Interruption]*—are working perfectly satisfactorily? However, where the person sought to be extradited is an alleged IRA criminal, the law, the courts and the Government of the Irish Republic put every obstacle in the way.

Mr. Cope: I would not entirely agree with the last part of my hon. Friend's supplementary. The phrase "ordinary decent criminals" is well understood in Northern Ireland and is in frequent use—I have become used to it myself—but it obviously came as a novelty to some hon. Members. The position in relation to terrorists has improved since 1985. That does not mean, of course, that the position is now perfect. That is why we are carrying out the study.

Mr. William Ross: Surely the right hon. Gentleman understands perfectly well that after the McGimpsey case, which clarified the position in the Irish Republic, it was a foregone conclusion that any extradition requests brought under the 1965 Irish Act on extradition were bound to fail. Does he recall that when the 1987 Act was being passed in the Irish Republic the Prime Minister said that it would make matters worse than under the 1965 Act? In the light of that, what possible confidence can the right hon. Gentleman or any hon. Member have that we will get any IRA murderer extradited from the Irish Republic to face justice in this kingdom?

Mr. Cope: I do not think that there is a sound legal basis for the hon. Gentleman's assertion about the effects of the McGimpsey case judgment on extradition. In view of the legal advice that I have received, I cannot support his assertion. In terms of his general question, I can tell him that of course there have been three refusals of

extradition for terrorists to which I have recently referred, but that compares with 38 refusals in the years preceding 1985 and, obviously, preceding the new legislation. Four terrorists have been returned to Northern Ireland since 1985, compared with only three in the preceding 15 years, so the position has improved. Of course we are not entirely satisfied—that is why we are having further discussions with the Government of the Republic of Ireland.

Rev. William McCrea: How can the Minister assure my constituents that the Irish Republic is a friendly neighbour to Northern Ireland when at this moment it is harbouring known terrorists who have killed some of my constituents? Does the Minister accept that the present extradition arrangements are the laughing stock of the world?

Mr. Cope: I do not accept that. If the hon. Gentleman has information and evidence to give to the Royal Ulster Constabulary which will assist us in catching criminals, wherever they may be on either side of the border, we shall be grateful to receive it.

Mr. McNamara: Is the Minister aware that we welcome the establishment of a committee to consider the effects of extradition? We hope that it will reach a conclusion that will be acceptable to the vast majority of people within all of our islands. Have the right hon. Gentleman and the Secretary of State considered taking the initiative with other colleagues in the Government and looking again at the actual convention on the suppression of terrorism to try to limit the effects of political exemption and to make its scope much narrower and much more acceptable to the majority of fair-thinking people?

Mr. Cope: Yes, but the convention does not translate precisely into current legislation in many countries, not only the Irish Republic. It is a matter for agreement between the two countries involved. That is of the first importance. However, we shall pursue all those matters in the talks to which I have referred.

Mr. Hanley: Does my right hon. Friend agree that there is no place in the European Community for any country that protects those who commit political crimes? Would not it be a good idea, during the Irish presidency, to suggest a change in a constitution which helps to protect those who commit such crimes?

Mr. Cope: I think that we are already adopting the best manner to achieve improvements between this country and the Irish Republic.

Republic of Ireland

9. **Mr. Canavan:** To ask the Secretary of State for Northern Ireland what recent discussions he has had with representatives of the Government of the Republic of Ireland.

Mr. Brooke: I last met Ministers from the Republic of Ireland on 20 April, following the Intergovernmental Conference. The subjects discussed then included the political situation in Northern Ireland, cross-border security co-operation, arrangements for dealing with fugitive offenders, the question of confidence in the security forces and the system of justice and cross-border economic co-operation.

Mr. Canavan: Does the right hon. Gentleman accept the valid and constructive criticism of the Anglo-Irish Agreement that it has failed in its declared objective of bringing peace precisely because it contains no coherent strategy for the peaceful reunification of Ireland? Will he assure us that meaningful dialogue towards that end will continue between the British Government and the Government of the Irish Republic, whatever the outcome of his forthcoming discussions with Unionist leaders—including the hon. Member for Antrim, North (Rev. Ian Paisley), who is not exactly renowned for his contribution to the peace movement?

Mr. Brooke: I pay tribute to the security co-operation between this Government and the Government of the Irish Republic in matter pertaining to cross-border activities. The hon. Gentleman's view of the purpose of the Anglo-Irish Agreement—at least in the gloss that he placed upon it—is novel, and not one which I share with him.

Mr. Latham: Is my right hon. Friend aware that most people on this side of the St. George's channel—and, I suspect, many on the other side—welcome the recent visit to Belfast by Prime Minister Haughey to talk to business men there and regard that sort of contact as extremely sensible and fruitful?

Mr. Brooke: My hon. Friend is correct in his description of the visit of Mr. Haughey, though he came as President of the European Community to a conference which was devoted to European economic matters. The widespread view of those who took part in that conference was that his visit was worth while.

Mr. McNamara: What progress has been made on the joint Anglo-Irish application for the cross-border element of the European structural fund, and when can we expect a statement about that?

Mr. Brooke: We are still engaged in discussions, but progress on the outline basis has been made.

Mr. Mallon: Is not it time that the Secretary of State told the House exactly what discussions have taken place with the Government of the Republic of Ireland about cross-border co-operation in relation to the terms of EC directives? May we be assured that this time we shall not lose by default through failure to have proper discussions about those matters?

Mr. Brooke: I am not sure whether the hon. Gentleman is referring to structural funds or to Community regulations against which the Republic of Ireland was held to have offended and was taken to the European court. We have not yet had the conclusion of that matter. We shall wait to see the response of the Government of the Republic, but we have pressed on them that we expect them to adhere to the judgment when it emerges.

Unemployment

10. **Mr. Tim Smith:** To ask the Secretary of State for Northern Ireland how many people are unemployed in Northern Ireland.

15. **Mr. Boswell:** To ask the Secretary of State for Northern Ireland if he will make a statement on the level of unemployment in Northern Ireland in March 1987 and March 1990.

Mr. Needham: The seasonally adjusted unemployment figures for March 1990—the latest available—show that unemployment now stands at 98,400. The corresponding figure for March 1987 was 123,500. This represents a fall of more than 20 per cent. during this period.

Mr. Smith: Does my hon. Friend agree that many of the political problems in the Province are attributable to structural weaknesses in the economy and former very high levels of unemployment? Does he agree that he has just given the House extremely good news? What was the trend in the Province in the early part of this year?

Mr. Needham: The trend in the Province in the last three months shows a proportionate decline greater than that in the rest of the United Kingdom. The growth rate of the economy in Northern Ireland is standing up extremely well. As for the future, my hon. Friend is right to say that we must improve our training to meet the economic needs of the 1990s.

Mr. Boswell: Does my hon. Friend agree that in the long term the best hope of reducing the disparity between Northern Ireland and United Kingdom unemployment lies in improving the skills of the work force? What contribution is the Training and Employment Agency making to that?

Mr. Needham: The Training and Employment Agency will be crucial to our success. Its board has wide United Kingdom experience and, I am sure, will come forward with ideas about how we can best proceed. Our aim is that everyone seeking work should have a recognised vocational qualification within five years and that, by the year 2000, 60 per cent. of all those studying should have three national vocational qualifications or at least one A-level equivalent.

Mr. Harry Barnes: Each month the Department of Employment *Gazette* publishes unemployment figures by parliamentary constituency. If the employment situation is so good in Northern Ireland, why is unemployment in Northern Ireland constituencies so high that seven out of the highest nine unemployment figures occur in Northern Ireland constituencies?

Mr. Needham: The hon. Gentleman knows the difficulties that we face in Northern Ireland because of the problems that we have with terrorism. He should, therefore, congratulate the Government on our achievements to date in having an extremely successful inward investment programme, an economy which is growing very fast and the immense changes that are taking place in the towns, cities and villages of the Province.

Mr. Ron Brown: As unemployment will always be high because of the security situation, is it not about time that the Government thought positively about withdrawing British troops from Northern Ireland? That would be a vital contribution to the Irish situation which has to be looked at time and again. It is about time that the Government made a decision on that.

Mr. Needham: I can think of nothing that would do less for Northern Ireland's economy than if British troops were to withdraw from Northern Ireland and security there were to become less stable. The key thing to do is to bring the communities together, continue with our programme of inward investment, improve training and continue along the path that has enabled us to succeed so brilliantly up to now.

Security

12. **Mr. Riddick:** To ask the Secretary of State for Northern Ireland if he will make a statement on steps being taken to improve cross-border co-operation on security with the Eire Government.

Mr. Cope: Measures to improve security co-operation, particularly in the border area, are regularly discussed at Anglo-Irish Conference meetings, most recently on 19 April. In addition, regular meetings take place at all levels between members of the Royal Ulster Constabulary and the Garda Siochana. Progress has been made, but where further improvement is possible the Government are committed to securing it.

Mr. Riddick: Is it not the case that the Irish police in the border area are unable effectively to tackle IRA terrorists fleeing across the border from the north having just committed terrorist crimes because those Irish policemen are unarmed? Is not the obvious solution for the Irish Government to arm the Garda in the border areas or to place units of the Irish army on the border? Has my right hon. Friend raised those issues with the Irish Government and, if so, what response did he receive?

Mr. Cope: We frequently discuss all such aspects, but those are operational matters which must be for the authorities in the Republic to decide for themselves.

PRIME MINISTER

Engagements

Q1. **Mr. William Powell:** To ask the Prime Minister if she will list her offical engagements for Thursday 10 May.

The Prime Minister (Mrs. Margaret Thatcher): This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. Powell: Is my right hon. Friend aware of the growing public anger, resentment and anxiety about the waste of taxpayers' money by a number of local authorities, highlighted yet again in an article in the *Daily Mail* today about Ealing? Has not the time come for a full inquiry into the matter and would not the best thing to do be to establish a Special Select Committee of the House with full powers to call for persons and papers so that the true facts can be laid bare?

The Prime Minister: I have indeed seen the report to which my hon. Friend refers and, if correct, it is a shocking indictment of the extravagance and profligacy of that particular local authority. My hon. Friend will be aware of the excellent work done by the Audit Commission in identifying waste and making recommendations and it would be better if those recommendations were taken up more quickly. Nevertheless, I heard my hon. Friend's

suggestion, as I am sure did my right hon. and learned Friend the Leader of the House. Bearing in mind that a large part of local authority spending comes from the taxpayer, he has a good point.

Mr. Kinnock: In view of his obvious desire to be of help to her, has the Prime Minister thought of putting the poll tax review into the hands of the right hon. Member for Henley (Mr. Heseltine)? After all, one volunteer is worth 10 pressed men.

The Prime Minister: My right hon. Friend the Member for Henley (Mr. Heseltine) is well aware that the most unfair system of local taxation was rates.

Mr. Kinnock: I hope that the right hon. Lady will reflect on the fact that the right hon. Gentleman had at least one good idea—annual elections for councils, which has been Labour party policy for some time. Does the Prime Minister recall that when local authorities were tested last week the result was a net 300 seat gain for Labour, a net 11 council gain for Labour and a major increase in vote share for Labour? On second thoughts, does she think that that is perhaps what the right hon. Member for Henley had in mind?

The Prime Minister: My right hon. Friend the Member for Henley had many good ideas in his article, which of course will be considered, along with many others in the community charge review, to see what modifications and adjustments are necessary. With regard to structural changes in local authorities, I should have thought that the right hon. Gentleman would be well aware that those could not take place in the lifetime of the present Parliament. I remind the right hon. Gentleman that my right hon. Friend the Member for Henley rightly said this morning that the present Conservative Government

"would fight and win the next general election with the community charge in place."

Mr. Tebbit: Will my right hon. Friend consider carefully the suggestion of our hon. Friend the Member for Corby (Mr. Powell) that a special Select Committee should be set up to examine these matters? For instance, it could take evidence on the desirability of a roof tax and explore the possibilities as to how it could be implemented. Does my right hon. Friend agree, however, that it should be specifically precluded from questioning any members of the Labour party, however distinguished, about whether they voted Conservative in the Ealing borough council election?

The Prime Minister: My right hon. Friend makes the point more powerfully than I could. The people who turned out the Ealing Labour council did a good day's work.

Q2. **Ms. Abbott:** To ask the Prime Minister if she will list her official engagements for Thursday 10 May.

The Prime Minister: I refer the hon. Lady to the reply that I gave some moments ago.

Ms. Abbott: Has the Prime Minister read the small print in Tarzan's election address, which featured so prominently in *The Times* this morning? Did she see the reference to the "virtuous circle" of falling inflation and a reduction in interest rates? Does she agree that, with interest rates at 15 per cent. and a rise in inflation due to be announced tomorrow, she is so far removed from virtue in such matters that the best that she could hope for in a Heseltine Administration is a position as elected mayor of Dulwich?

The Prime Minister: The level of inflation that the Labour party criticises today is well below what Labour was able to achieve during the greater part of its time in office. I remind the hon. Lady that there are more jobs in this country than ever before—that is the basis of prosperity.

Q3. **Mr. Shersby:** To ask the Prime Minister if she will list her official engagements for Thursday 10 May.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Shersby: Will my right hon. Friend take time today to consider the excellent local election result in Hillingdon, where the Conservatives won control? Does she agree with me that the principal reason for that victory was their proposal for a community charge of £289, compared with the Labour proposal of £366—a reduction of £77?

The Prime Minister: Yes. I congratulate my hon. Friend, and I welcome the evidence that Conservative councils not only cost less but give better services. I note that, as my hon. Friend says, there will be a substantial reduction in community charge under a Conservative council; nevertheless, Hillingdon Conservative council intends to spend an extra £1 million on schools, to devote more resources to care for the elderly and the handicapped and to cut council committees from 100 to 30.

Mr. Hood: When the Prime Minister visits Scotland later this week to pledge her full support for the poll tax in Scotland, will she also pledge her full support for the Secretary of State for Scotland as her friends on the Back Benches are insisting that he be sacked before the next election?

The Prime Minister: My right hon. and learned Friend the Secretary of State for Scotland is one of the best Secretaries of State that Scotland has ever had.

Q4. **Mr. David Evans:** To ask the Prime Minister if she will list her official engagements for Thursday 10 May.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Evans: My right hon. Friend may know that I have an interest in a certain football club. One of our sayings is that we never change a winning team. Will my right hon. Friend assure me that as she was our centre forward and captain in 1979, 1983 and 1987, she is not planning to change our winning team? Does she agree that our supporters would be dismayed if we put a reserve centre forward and captain on the field, notwithstanding the fact the Labour party has second-rate ideas, second-rate policies and, as their own supporters know, a sub-zero leader?

The Prime Minister: My hon. Friend and I share the same goal. With myself as centre forward and my hon. Friend on the right wing, we should make a winning team.

Q5. **Mr. Mallon:** To ask the Prime Minister if she will list her official engagements for Thursday 10 May.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Mallon: As a major player on the world political stage for the past 11 years, the Prime Minister must surely welcome the breakdown of artificial barriers throughout Europe. As she surveys those changes, does not it strike her that the division of Ireland is an anachronism which cannot possibly work administratively, politically or economically? Would not it be the mark of real statesmanship if the Prime Minister were to dedicate her remaining time in office to solving that problem and in that way making a lasting contribution to a peaceful united Europe?

The Prime Minister: The hon. Gentleman is aware that the majority of the people of Northern Ireland have clearly expressed their wish to stay a part of the United Kingdom. So long as that is so, they will remain a part of the United Kingdom. I hope and believe that they will remain a part of the United Kingdom.

Mr. Robert G. Hughes: While many improvements in management and efficiency are needed in local authorities, has my right hon. Friend seen the report by PA Management Consultants which says that improvements so far have been a direct result of legislation passed by the Government? Will she confirm that it is not the policy of her Government to repeal that legislation? Does she agree that the policy of the Labour party to repeal local government legislation would be a disaster for everyone?

The Prime Minister: Yes, I agree with my hon. Friend. The provisions of the legislation meant that local authorities had to go out to competition for many services, as a result of which they got better services at lower cost. The Audit Commission has also been active in seeing what further economies can be made. I hope that its conclusions will be carried into effect.

Q6. **Mr. Nellist:** To ask the Prime Minister if she will list her official engagements for Thursday 10 May.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Nellist: Is the Prime Minister aware that the whole House will want to send its deepest sympathy to the family of William Cartman, the sixth British worker to be killed in the Channel tunnel, a project which seems to be costing almost a man a mile? Will she make it clear that it is entirely inadequate for the five companies of Transmanche Link to be fined only £10,000 each for the death of another worker last February? Will she assure the House and construction workers that the Government will bring forward emergency legislation to make mandatory a prison sentence on an employer who is found guilty of gross negligence following the death or serious injury of a construction worker? When will the carnage stop?

The Prime Minister: Of course we are concerned about that tragic accident. As the hon. Gentleman knows, my right hon. and learned Friend the Secretary of State for Employment will be meeting the chief executive of Transmanche Link later this afternoon to discuss the safety of the site. Health and safety inspectors are investigating the accident, and they have taken immediate action. Two prohibition notices have been issued which have stopped the operation of the two tunnel-boring machines in the marine tunnels. It is too early to say what caused the accident. We all deeply regret it, and we send our sympathy to the bereaved relatives of the person who was killed.

Q7. **Mr. David Shaw:** To ask the Prime Minister if she will list her official engagements for Thursday 10 May.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Shaw: I thank my right hon. Friend for her remarks about the employees and workers in Dover engaged on the construction of the Channel tunnel. On a different subject—[HON. MEMBERS: "Speak for Dover."] —has my right hon. Friend had time during her busy day to read newspaper reports about the remarks of the hon. Member for Kingston upon Hull, East (Mr. Prescott), who seems to believe——

Mr. Speaker: Order. The Prime Minister cannot take responsibility for that.

Mr. Allen: On a point of order, Mr. Speaker. It arises from Prime Minister's Question Time.

Mr. Speaker: I must take the Business of the House first.

Business of the House

3.30 pm

Dr. John Cunningham (Copeland): May I ask the Leader of the House to announce the business for next week?

The Lord President of the Council and Leader of the House of Commons (Sir Geoffrey Howe): The business of the House for next week will be as follows:

MONDAY 14 MAY—Private Members' motions.

Second Reading of the Pakistan Bill *[Lords]*.

Second Reading of the Town and Country Planning Bill *[Lords]*, the Planning (Listed Buildings and Conservation Areas) Bill *[Lords]*, the Planning (Consequential Provisions) Bill *[Lords]*, the Planning (Hazardous Substances) Bill *[Lords]*, all of which, the House will be glad to know, are consolidation measures.

The Chairman of Ways and Means has named opposed private business for consideration at Seven o'clock.

TUESDAY 15 MAY and WEDNESDAY 16 MAY—Consideration in Committee of the Finance Bill.

At the end on Tuesday: motion relating to the statement of changes in immigration rules (HC 251).

At the end on Wednesday: motion relating to the Personal Equity Plan (Amendment) Regulations.

THURSDAY 17 MAY—Remaining stages of the Employment Bill.

FRIDAY 18 MAY—Private Members' motions.

MONDAY 21 MAY—Opposition Day (12th allotted day). There will be a debate on an Opposition motion, subject for debate to be announced.

Dr. Cunningham: Is not it abundantly clear that the House was persistently misled over the British Aerospace-Rover deal? Will the Leader of the House arrange for a statement as soon as possible by the Secretary of State for Trade and Industry, so that the House may be given some frank answers about what exactly has been going on? Does the right hon. and learned Gentleman accept that to continue to cover up the facts of that case will do no credit to Parliament or to the Government?

Why has the Leader of the House introduced a new policy of denying debates on orders against which the Opposition have set down prayers, particularly when they relate to the poll tax? Will the right hon. and learned Gentleman reconsider his decision not to allow a debate on the Police (Amendment) Regulations 1990, which relate to the implications for policemen of the poll tax? Ought not the police to have a clear view of the Government's position on that question before their annual conference begins in a few days' time?

Would not such a debate have the additional benefit of allowing the right hon. Member for Henley (Mr. Heseltine) to explain to the House why he believes that the poll tax is so unfair and far too high? As the right hon. Gentleman has so much support on the Government Back Benches, would not a decision to hold such a debate, and to allow him to speak, be widely welcomed by Conservative Members too?

Does not the report of the Select Committee on Social Services provide a damning indictment of Government policy towards the poorest people in Britain? Does not the report expose as totally bogus the persistent claims by the Prime Minister and other Ministers that people on low incomes have been doing well and have been fairly treated by the Government? Does not their treatment contrast starkly with the hugely favourable treatment given to people on high incomes, who have had major reductions in their tax bills?

Will the Leader of the House provide early Government time for a debate on the report of the Social Services Committee and the widening gap in treatment between the poorest people in Britain and those who are very well off?

Sir Geoffrey Howe: Let me first of all reject absolutely the hon. Members's suggestion that there is any question of a cover up in relation to the British Aerospace-Rover affair. He knows perfectly well that that matter is subject to investigation by one of the Select Committees of the House at present—quite apart from the separate matter of possible leaks of the reports of that matter, but the issue is being investigated by the Select Committee on behalf of the House.

As regards the arrangements for debates on prayers the hon. Gentleman is also being unusually and unjustifiably severe. Last week, I said that the Police (Amendment) Regulations 1990 were likely to be raised in an Adjournment debate next week. As a matter of fact, I now understand that, because of his commitments overseas with the Home Affairs Select Committee, my hon. Friend the Member for Westminster, North (Sir J. Wheeler) will not be able to be present to initiate that debate. However, next week the House will debate two Opposition prayers, as I announced a moment ago. The Opposition will also have an Opposition day at their disposal at the end of next week, and if they wish to do so, they can make use of that day to give an opportunity to the House to debate the community charge and for my right hon. Friend the Member for Henley (Mr. Heseltine) to take part.

As for the report of the Select Committee on Social Services, of course the Government are concerned about the mistakes in statistics discovered in that context. The Government moved openly and swiftly to correct those figures in the public domain. The fact is that even those figures show that there has been an increase in the living standards of the poorest people, and that would not have happened were it not for the general prosperity of the economy under the Government.

Mr. Terence L. Higgins (Worthing): In the light of the representations made by the Liaison Committee regarding the importance of maintaining the link between Departments and the Select Committee system, could my right hon. Friend say whether he is yet in a position to take steps next week to facilitate the division of the Select Committee on Health and Social Services into two component parts, so that they continue to maintain individual Departments?

Sir Geoffrey Howe: I am not in a position to add anything to what I told my right hon. Friend last week on that matter.

Mr. D. N. Campbell-Savours (Workington): Who is responsible for determining the pay of people in the Refreshment Department of the House of Commons? Is it the Head of Establishments? Is it the House of Commons Commission? Is it the Services Committee? Or is it the Leader of the House? And is it true that this year the staff will only get a 4 per cent. pay increase?

Sir Geoffrey Howe: As I have told the hon. Member many times, there are proper and established mechanisms for staff and unions to put their grievances and concerns about pay and for those to be properly considered by the management, the staff inspectors and the House of Commons Commission. As I have also told the hon. Member on more than one occasion, the House of Commons Commission will consider aspects of that matter at its next meeting.

Mr. Ian Bruce (Dorset, South): Will my right hon. and learned Friend consider the possibility of an early debate on defence matters, particularly as they apply to the unification of Germany, and the enormous implications that that will have for NATO and the Warsaw pact in coming years?

Sir Geoffrey Howe: I am not sure that I can precisely meet my hon. Friend's request, but I hope that we can arrange a debate on the Army shortly, and that before too long there will be the opportunity for a debate on European affairs in one way or another.

Mr. Dennis Skinner (Bolsover): Has the Leader of the House received an invitation to Denis Thatcher's 75th birthday party tonight, and will he be taking the right hon. Member for Henley (Mr. Heseltine) with him?

Sir Geoffrey Howe: I do not feel obliged to comment on that question.

Mr. Christopher Gill (Ludlow): In view of the amount of interest in political union within the European Community, will my right hon. and learned Friend grant a debate on that subject in the near future?

Sir Geoffrey Howe: As I have already said, I shall be looking for a chance for the House to debate European affairs before too long.

Mr. Jeremy Corbyn (Islington, North): Is the Leader of the House prepared to make arrangements during the next few weeks for a special debate on the future of Antarctica, bearing in mind the fact that the Antarctic treaty nations will be meeting in Santiago in Chile to discuss the future of the continent? There have been a number of proposals for an environmental assessment to be made of the impact of mineral exploration on Antarctica and very loud demands from many countries for a wilderness park to be created in that very important continent. As the British Parliament is the only one which voted to support mineral exploration, which has been rejected by nearly every other signatory to the Antarctic treaty, does he agree that it is essential that the House debates the matter before the British Government representatives go to Santiago, so that they can represent the views of all of us in the House?

Sir Geoffrey Howe: I cannot offer the prospect of a debate on that, but I can assure the hon. Gentleman that the Government are concerned about the need to protect the Antarctic environment and believe that the policies they have been following are well directed to that end. They were set out by my hon. Friend the Under-Secretary of State for Foreign and Commonwealth Affairs in a written answer on 4 May.

Mr. Roger Gale (Thanet, North): My right hon. and learned Friend will be aware that, on 1 May, the King of Belgium issued a royal edict endeavouring to override the European Community directive on the use of non-hush-kitted aircraft in an endeavour to circumvent European law and to allow Ostend to continue to act illegally? Will he create an opportunity for the House to discuss the matter so that we can send a clear message to the European Commission that we are no longer prepared to allow mainland European countries to flout European law?

Sir Geoffrey Howe: While I am not aware of that precise point, I can assure my hon. Friend that the Government will certainly look into the matter, because we attach importance to compliance with European Community obligations and have the best possible record in that respect.

Mr. Harry Barnes (Derbyshire, North-East): May we have a discussion on the state of the franchise? The estimated population figures for over-18s compared with local government registration figures for England show that there could be 500,000 people missing from the electoral register. Is it not the case that the poll tax is not reformable because it disenfranchises people?

Sir Geoffrey Howe: There is no evidence whatsoever to support the point made by the hon. Gentleman.

Mr. Nicholas Winterton (Macclesfield): Will my right hon. and learned Friend give further consideration to the pertinent question raised by my right hon. Friend the Member for Worthing (Mr. Higgins) on the future of the Select Committee on Social Services? Is he aware that strong rumours—in fact, more than rumours—are going around the House that the Government intend to separate that Select Committee so that it can properly monitor the two separate Government Departments. Bearing in mind the important work of the Committee, it is important that the current Committee can complete its inquiries. Will my right hon. and learned Friend reach an early decision on to how the matter can be resolved, to ensure that the Select Committee structure can work according to the procedures laid down by the House?

Sir Geoffrey Howe: I am grateful to my hon. Friend for offering what I understand to be a different point of view on that important matter. As I said, I cannot add anything further to what I said last week.

Sir David Steel (Tweeddale, Ettrick and Lauderdale): Will the Leader of the House reconsider his earlier answer about the lack of a debate on the workings of the poll tax? Does he recognise that it is desirable that discussions should take place in the House as well as in the columns of *The Times*? Will he enable the right hon. Member for Henley (Mr. Heseltine) to have a chance to explain to the House how it was that he resolutely opposed inflicting the tax on his constituents in Henley, but voted twice the previous year to inflict it on us in Scotland?

Sir Geoffrey Howe: I do not have the impression that the House has lacked opportunity for airing its views on the community charge. As I have already said, the Opposition have an opportunity to bring the matter before the House on Monday week.

Mr. Jerry Hayes (Harlow): Will my right hon. and learned Friend remind the shadow Leader of the House that the Select Committee on Social Services did not accuse the Government of fraud or dishonesty on the low income statistics and that a genuine mistake was made? It

[Mr. Jerry Hayes]

is rather irresponsible for the Leader of the Opposition to accuse the Government, who have kept their promise to pensioners and who are spending more than any other Government on benefits, of fraud and dishonesty. The Select Committee did not, and we conducted the investigation.

Sir Geoffrey Howe: I am grateful to my hon. Friend for making that point. The Government acted as swiftly as possible to publish correct figures in respect of those found to be mistaken. More generally, under this Government, pensioners' average total net income increased in real terms between 1979 and 1987 by 31 per cent.

Mr. Jack Ashley (Stoke-on-Trent, South): Has the Leader of the House seen today's report by the National Association of Citizens Advice Bureaux, which shows that many disabled people are not applying for their benefits because they are humiliated before the boards? That is due to the structure and to some shocking behaviour by doctors. Is not it deplorable that the people who badly need those funds are denied them because they are treated in this shabby, shocking fashion? Can we have a debate on this next week, please?

Sir Geoffrey Howe: I have not seen the report to which the right hon. Gentleman referred, but I will bring his point to the attention of my right hon. Friend the Secretary of State for Social Security.

Sir Michael McNair-Wilson (Newbury): Does my right hon. and learned Friend agree that the amendment passed at the end of the Committee on the abortion provisions in the Human Fertilisation and Embryology Bill relating to the Infant Life (Preservation) Act 1929 means that there is now no time limit on certain abortions, such as those for mothers who might be considered likely to be physically handicapped or who might bear children who would be either mentally or physically handicapped? Does my right hon. and learned Friend think that that was the intention of the House? Will he find time for a debate on the Infant Life (Preservation) Act in view of that amendment, which is causing so much concern?

Sir Geoffrey Howe: I am certainly not going to answer a question about the implications of an amendment which I do not have before me and which I have not considered, save to say that it was one of many decided on by the House during those proceedings. Most of those who have commented on the way in which the proceedings were conducted declared themselves impressed by the accuracy and consistency with which the results were recorded. There will be an opportunity to consider the matter again when the House considers the Bill on Report.

Mr. Alfred Morris (Manchester, Wythenshawe): I know that the Leader of the House will recall the debate nearly four months ago, on 17 January, about the parliamentary contributory pension fund when I spoke as chairman of the managing trustees of the fund. Is the right hon. and learned Gentleman aware of the deep concern among hon. Members of all parties for a statement and, in particular, about the pensions paid to the widows of our former colleagues? Will there be a full response next week to the submissions made on behalf of the trustees and can we expect a further debate soon?

Sir Geoffrey Howe: As the right hon. Gentleman knows, I have been keeping him in touch with the progress of our various considerations on the matter, including the point to which he has referred and which concerns us all —the standard of benefits available for widows. I hope to be able to bring before the House proposals and the Bill itself before too long. I shall keep the right hon. Gentleman informed about the matter.

Mr. Derek Conway (Shrewsbury and Atcham): Is my right hon. and learned Friend aware that a small—I hope —minority of the charge payers of Shrewsbury and Atcham who are aggrieved at the level are keen to get their hands round my throat by the 1992 general election? Is my right hon. and learned Friend further aware that they are even keener to get their hands around the throats of the Labour-Liberal alliance which controls Shropshire county council and that they will not have the opportunity to do that until 1993? Will he therefore give the House an opportunity to consider amending section 7 of the Local Government Act 1972 to enable one third of the county councillors in England and Wales to retire annually, so that the community charge can be truly accountable for those presently suffering?

Sir Geoffrey Howe: I can understand my hon. Friend's anxiety to enable his constituents to make their feelings known to those who apparently represent their interests so inadequately, but I do not think that at this stage I can offer a Bill that would amend the structure of local government with the speed that he desires.

Mr. John Garrett (Norwich, South): Will the Leader of the House provide time for a debate on the far-reaching changes that the Government are making in the machinery of government? Having spent a decade slaughtering quangos, they are now setting up scores of partly independent Government organisations or "pingos"—the so called next steps agencies. The changes will have far-reaching effects on the conditions of service of civil servants and could have substantial implications for the accountability of those bodies to the House. Will the right hon. and learned Gentleman allow a debate on that apparently technical matter, which is in fact a fundamental question of public and parliamentary accountability?

Sir Geoffrey Howe: I am sure that the Government will be grateful to the hon. Gentleman for his close interest in the matter. The changes that have been proposed along those lines have been pretty widely welcomed inside and outside the House, but I shall bring the hon. Gentleman's interest to the attention of my right hon. Friend the Minister for the civil service so that the House may better inform itself about the matter.

Mr. Jonathan Aitken (Thanet, South): In view of the serious anxieties that have already been expressed this afternoon from both sides of the House, will my right hon. and learned Friend undertake to arrange an early debate on the safety crisis in the channel tunnel? Is he aware that many of us who have warned about this matter feel that it is nothing short of scandalous that it has taken six unnecessary deaths for the channel tunnel bosses to get a carpeting for their deplorable safety standards? Will he at least arrange a statement next week on this afternoon's meeting between the Secretary of State for Employment and the head of the construction consortium?

Sir Geoffrey Howe: I cannot say precisely how the matter may best be reflected in the House, but the fact that it has been raised and dealt with by my right hon. Friend the Prime Minister and by more than one hon. Member during business questions underlines the importance of my bringing it to the attention of my right hon. and learned Friend the Secretary of State, and I shall certainly do that.

Mr. Bob Cryer (Bradford, South): May we supplement the work of the Select Committee on Members' Interests by having a debate on Members' outside interests, especially in view of the parsimonious attitude towards members of the staff? We have a set of double standards, with Tory MPs busy getting as many outside interests as they can but supporting the Government in their decision to give only 4 per cent. to the staff.

In the current issue of "Labour Research", 14 Tory MPs are listed as having failed to register their business interests. I know that the Leader of the House is concerned about the matter because he expressed his view during our debate on the conduct of the hon. Member for Winchester (Mr. Browne). Those MPs could then explain why they consistently vote for the poorest in the land to be penalised if they fail to fill in an income support form properly while getting away with similar behaviour themselves.

Sir Geoffrey Howe: Let me make it absolutely clear that the terms and conditions of remuneration of the staff employed by the House are determined not by the Government but by the House of Commons Commission and other authorities representing the House as a whole. As I have already told the House, those matters are likely to be considered again by the Commission at its next meeting. They have nothing whatever to do with Government policy.

The registration of Members' interests is again a matter for the House. The House has made arrangements to deal with it, and the Select Committee is looking at the matter at present.

Mr. Barry Porter (Wirral, South): Will my right hon. and learned Friend continue to resist what will inevitably be an increasing clamour from the Opposition Benches for a debate on the British Aerospace-Rover matter? That should not happen until the Select Committee has reported. So far as I can see, on the evidence available, there is nothing—absolutely nothing—to suggest that what was in *The Guardian* has any substance. It was a good deal, well done.

Sir Geoffrey Howe: I am certainly content to accept the advice that my hon. Friend gave in the first part of his question.

Mr. Thomas Graham (Renfrew, West and Inverclyde): Now that the people of Scotland have had over a year of the poll tax, and as the Conservative party was absolutely decimated in Scotland at the recent elections, will the Leader of the House arrange for a debate to take place to give the people of Scotland a referendum on whether they want the hated poll tax?

Sir Geoffrey Howe: The fact that the swing against the Government in Scotland was smaller than in any other part of the country shows that the longer the people of Scotland live with the community charge, the better they come to like it.

Mr. Michael Latham (Rutland and Melton): Has my right hon. and learned Friend seen early-day motion 942 in my name and the names of other hon. Members about the problems of the Health Service in Leicestershire?

[That this House notes with great concern the proposals of Leicestershire Health Authority to make cuts in services, because of current financial pressures; regrets that the Secretary of State felt unable to offer any help when he met an all-party deputation of honourable Members from Leicestershire on 3rd May; and asks him to reconsider his decision urgently.]

Will he arrange for an early statement next week by the Secretary of State for Health to tell us what he intends to do about health authorities such as Leicestershire and others whose budgets have been badly affected by their inability to sell land due to the collapse of the property market?

Sir Geoffrey Howe: I cannot comment on the particular aspect of the matter raised in the last part of my hon. Friend's question. However, I remind him that the allocation of money to the Leicestershire district health authority is a matter for Trent regional health authority. I understand that, this year, the district received significantly more money than last year and provided for a real-term increase in its budget of almost 3 per cent. I shall bring the particular point that my hon. Friend raised to the attention of my right hon. and learned Friend the Secretary of State for Health.

Mr. Michael J. Martin (Glasgow, Springburn): As a former Chancellor of the Exchequer, the Leader of the House will know that he and his colleagues have been more than accommodating to the tobacco industry, mainly because it is a large employer of labour. Every Chancellor since the right hon. and learned Gentleman was in office has assisted the tobacco industry. Yet today we have had word from the tobacco industry that it intends to close factories in Glasgow, Bristol and Ipswich. The industry claims that the reason for shedding the labour is 1992. I do not believe that, and I am sure that the Leader of the House does not believe it. Surely we should have an emergency debate to discuss the activities of the tobacco industry.

Sir Geoffrey Howe: I certainly will not try to pass judgment on the causes of structural change in the tobacco industry. I am sure that neither the Chancellor of the Exchequer nor 1992 is the only cause. I shall bring the general point that he raised to the attention of my right hon. Friends.

Mr. Andrew Rowe (Mid-Kent): I recently had a categorical assurance from the consortium that is bidding with British Rail to build the high-speed rail link that it will make no contribution whatever to the costs that would be incurred were there to be a Maidstone parkway station. Can we have an early debate both to enable the distaste of the people of Kent to be expressed at a private organisation levying such a burden on the community charge and to debate the whole way in which private Bill procedure is used to override the norms of planning procedures?

Sir Geoffrey Howe: I cannot promise a debate about the specific, relatively narrow point that my hon. Friend has raised. Clearly there may be further opportunities to debate the wider questions that underlie his point. I am

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continuing my study of the private Bill procedure. Clearly there is a case for some changes. I hope to inform the House of our proposals before too long.

Mr. Alex Salmond (Banff and Buchan): When can we expect a debate on a statement by the Secretary of State for Scotland on planning permission for test boring for nucler dumping at Dounreay? Will such a statement take into account the fierce local opposition to such dumping, including the 3:1 majority against it in the Caithness referendum last year? Can we have an assurance that such a statement will be made to the whole House of Commons, so that Scottish Members can question the Secretary of State for Scotland on it and that the information will not be sneaked out in the form of a written answer to some toadying Tory Back Bencher?

Sir Geoffrey Howe: I cannot say when any statement on that matter will be made. I shall bring the point raised by the hon. Gentleman to the attention of my right hon. and learned Friend the Secretary of State, who will no doubt reach his own sensible conclusion on the matter.

Mr. Anthony Beaumont-Dark (Birmingham, Selly Oak): I hope that my right hon. and learned Friend will accept that, because of Rover's great success, there is growing anxiety in the west midlands, and particularly in the Birmingham and Oxford area, about the continual sniping campaign against Rover. Thousands of jobs are at stake. The Opposition seem to think that they can gain some mean-spirited public advantage by attempting to drag Rover through the mud and mire.

Is my right hon. and learned Friend aware that British Aerospace, which is investing £1,000 million in jobs and motor cars for this country, feels that it is fighting with one hand tied behind its back by the Labour party, even though that party says that it supports the workers? Let us have a debate on Rover. I believe that Rover, the public will and the workers will win. Let us have done with all the nonsense about £38 million. The £38 million is not as important as tens of thousands of workers' jobs in the motor industry.

Sir Geoffrey Howe: I am grateful to my hon. Friend for drawing attention to the wider implications of the matter and emphasising the extent to which the way that the House and Parliament consider such matters can have an important influence on the employment prospects of the people of this country.

Mr. Martin Flannery (Sheffield, Hillsbrough): I am sure —*[Interruption.]*

Mr. Speaker: Order. A question has been asked, and we cannot have a debate across the Floor of the Chamber from the Benches below the Gangway.

Mr. Flannery: I am sure that the Leader of the House is aware that an important report from the Select Committee on Education, Science and Arts was published yesterday. It was, in many ways, a highly controversial report, which should have been published nine months ago; it could have been, but it was held up by the Conservative party. The report is possibly the most important that the three Committees on which a Tory Member and I have served since about 1980 have published. The education system is moving into some deep trouble because of the shortage, and developing shortage, of teachers, as anybody who visits the staff room and talks to teachers will know. Could we have what will be an important debate on the subject of education, because that report encompasses all the various aspects of education? There is a great deal of argument about it today in the press, but everybody agrees that it is an important report.

Sir Geoffrey Howe: No one doubts the importance of the issues covered by that report, or the report itself, which was received by my right hon. Friend the Secretary of State for Education and Science in the past 48 hours. The hon. Gentleman will know that the Government's reply to a Select Committee has to be properly considered and given first to the House. That will happen as soon as possible. The delay in the report's completion is no doubt due to the mishaps that befell the Committee during the report's consideration, including a change of Chairman following the leak of some aspects of the Committee's work. That underlines the importance of a proper investigation of such leaks and taking steps to prevent further such leaks.

Mr. Patrick Thompson (Norwich, North): Bearing in mind the implications of the report of the Select Committee on Education, Science and Arts for the funding of education and the fact that the block grant system of funding education is not working satisfactorily, may I join those who are calling on my right hon. and learned Friend for an early debate on education funding so that some of us can express our view that teachers' salaries at least should be funded centrally from the Exchequer?

Sir Geoffrey Howe: That topic has been debated from almost every angle during the time in which I have been involved in politics—on the basis that whatever system is in place should be changed for something better because the grass is always greener on the other side of the procedure. Detailed comment on the report will have to await proper consideration by my right hon. Friend the Secretary of State.

Mr. David Clelland (Tyne Bridge): May I join the appeals to the Leader of the House for a statement next week on working conditions at the channel tunnel? Could that statement include the involvement of the Economic League in the recruitment of labour for the project, and whether that has led to the exclusion from employment of trade union members with a history of agitating for safe working conditions?

Sir Geoffrey Howe: I cannot comment on the hon. Gentleman's specific point. I have already said that I shall bring to the attention of my right hon. and learned Friend the Secretary of State for Employment the wide interest in safety conditions on that project so that the matter may be properly considered.

Mr. Bob Dunn (Dartford): The Leader of the House will be aware that most hon. Members wish to see a free and democratic Europe stretching from the Atlantic to, and including, white Russia. In the light of that, the House will be concerned as I am about the unfair and unfree elections taking place in Romania. If those elections are deemed unfree and unfair, how can the results be deemed otherwise? In the light of that, will the Leader of the House please arrange for a debate at the earliest appropriate time about the slide into anarchy that is taking place in Romania?

Sir Geoffrey Howe: I know that the whole House shares the concern for the future of the country and people of Romania and has high expectations for the electoral process that has been put in place there. For that reason, a number of steps have been taken to ensure the presence of a large number of independent observers at those elections, including, I think, some from the House. A wide interest is being taken in that matter, and the House will want to await with care the outcome of the report by the independent observers.

Mr. A. Cecil Walker (Belfast, North): Will the Leader of the House find time to let the House consider the trauma that is suffered by many innocent victims in my constituency as a result of the Stevens inquiry? Does he agree that John Stevens would be better employed concentrating on the problems within his own division, which are now being investigated by the Surrey police force?

Sir Geoffrey Howe: I cannot agree with that proposition. My right hon. Friend the Secretary of State for Northern Ireland is following closely the progress of that investigation.

Mr. James Kilfedder (North Down): Will my right hon. and learned Friend the deputy Prime Minister provide time for a debate on security in Northern Ireland? The matter is urgent in view of the increased IRA activity, which is now worse than it has been for some years. The authorities have warned people about the danger of more and greater atrocities, the likelihood of which is, of course, much greater since the IRA has apparently been able to get its hands on Libyan arms stashed in the Irish Republic. The IRA has also been given encouragement by the recent decision of the Supreme Court in Dublin, which confirmed the Irish Republic's claim to the territory of Northern Ireland.

Sir Geoffrey Howe: Those matters will no doubt have been explored to some extent during Northern Ireland Question Time today. I shall bring the matters that my hon. Friend has raised to the attention of our right hon. Friend the Secretary of State for Northern Ireland.

Mr. Dennis Canavan (Falkirk, West): When can we have emergency legislation to amend, or better still to abolish, the poll tax, especially now that the issue is being fast exploited by ambitious Tory MPs such as the right hon. Member for Henley (Mr. Heseltine) who is after the Prime Minister's job, and the Under-Secretary of State for Scotland, the hon. Member for Stirling (Mr. Forsyth), who is after the job of the Secretary of State for Scotland?

Sir Geoffrey Howe: The hon. Gentleman can always be relied upon to provide some exhilarating speculation, but I have nothing to say about that. The Government propose to complete their consideration of the scope and/or need for any adjustment in the community charge, and we shall do that at a measured pace with all deliberate speed.

Mr. Alistair Burt (Bury, North): Can we have an urgent debate on the specific subject of the effectiveness or lack of it of the European Community in dealing with human rights cases? I am thinking specifically of the failure of the European Community to act in concert in relation to hostages. Why are we all Europeans for some purposes, but the hostages are either French, Belgian, British or Irish? Why cannot the members of the Community act together to secure their release? Why cannot the Community provide a forum to deal with the problem caused by the false imprisonment of the lorry driver in Greece? Why cannot it find a way to work together to resolve such problems? Will my right hon. and learned Friend find time for a debate during which we can consider that?

Sir Geoffrey Howe: My hon. Friend raises two separate questions. He knows that the Government are representing as vigorously as we can our concern about the continued detention of Mr. Paul Ashwell, and we are continuing to press with sustained effort the case about which we all share anxiety, the case of hostages wherever they may be detained. The members of the European Community have been seeking through political co-operation to enhance the ability of the Community to work together on that, but I readily agree that it still falls short of the ideal.

Ms. Mildred Gordon (Bow and Poplar): Is the Leader of the House aware that a large number of parents, children and teachers from Tower Hamlets came to Parliament today to protest about the lack of hundreds of school places? Will he call an early debate to consider the position of education authorities which fail to carry out their duty to provide sufficient school places under section 8 of the Education Act 1944 and to consider Lord Justice Woolf's recent decision that that duty is not absolute, and the implications of that for children throughout the country?

Sir Geoffrey Howe: The duty has been defined in that way since 1944. Of course, it is subject to the rulings of the court from time to time. I shall bring the hon. Lady's point to the attention of my right hon. Friend the Secretary of State for Education and Science.

Mr. Phillip Oppenheim (Amber Valley): Will my right hon. and learned Friend give serious consideration to the possibility of a debate on Rover's takeover by British Aerospace? That would give the Opposition the opportunity to tell the House why they have had such a sudden change of mind on that issue. Is not it true that, in 1986, the Opposition bitterly criticised the Government when they tried to sell Rover to the highest bidder—Ford or General Motors? Are not they now complaining because we have not sold Rover to the highest bidder? Perhaps we have underestimated the extent to which the Opposition have converted to free market forces.

Sir Geoffrey Howe: I do not think that we should be too optimistic about the Opposition's conversion to any set of consistent policies. They appear to be dominated by opportunism from beginning to end.

Mr. Tom Pendry (Stalybridge and Hyde): Will the Leader of the House, as the custodian of our interests, help the whole House by investigating the problem of answers —or non-answers—from Ministers? Talking to other hon. Members has shown me that it is a common problem. We are receiving non-answers to our questions, and the standard of reply is declining. Will the Leader of the House consider that problem, for the sake of us all?

Sir Geoffrey Howe: I do not detect any general feeling that there has been any significant variation in the

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standard of answers for many years. This Government certainly endeavour to provide the best possible information, consistent with the remainder of their duties.

Mr. Harry Greenway (Ealing, North): Can we have a debate next week that would allow us to consider the Labour party's record when it was in control of the London borough of Ealing? We could then examine the revelations in today's *Daily Mail* and other newspapers, and I could express the concerns of my constituents. Some 14 of the 17 new councillors elected were Conservative gains across the borough of Ealing. We want to know why the Leader of the Opposition has consistently said that the Labour-controlled Ealing council gave value for money and was a good council, when it appears to have been guilty of serious maladministration. The people of Ealing wholeheartedly rejected the council's Labour members.

Sir Geoffrey Howe: I congratulate my hon. Friend on yet again having drawn attention to the misdeeds of the Labour party in the borough of Ealing. I am glad to congratulate the Leader of the Opposition on being a beneficiary of the efficient electoral decision by the people of Ealing.

Mr. Greville Janner (Leicester, West): May I reinforce the plea of the hon. Member for Rutland and Melton (Mr. Latham) for a debate on Health Service provision in Leicestershire and the deterioration in the services that Leicestershire people receive? It is an all-party matter. Hon. Members on both sides of the House are enraged about their treatment, and not least about the cavalier way in which we were received by the Secretary of State for Health, who refused to reconsider the matter and who clearly had a closed mind. As the editorial in the *Leicester Mercury* said last week, the Government should take action. All parties are demanding that they do so.

Sir Geoffrey Howe: I am not very well impressed by the style and manner in which the hon. and learned Gentleman has sought to support the point raised by my hon. Friend the Member for Rutland and Melton (Mr. Latham). I have already told the House that there has been a significant increase in the total resources available to that health authority. I shall bring the point, in its more precise form, to the attention of my right hon. and learned Friend the Secretary of State for Health.

Mr. Geoffrey Dickens (Littleborough and Saddleworth): Will my right hon. and learned Friend consider arranging a debate on the spread of satanism and devil worship in the United Kingdom and the involvement of children? *[Interruption.]* I well remember the reaction in the House 10 years ago, when I warned of the spread of child abuse. I was greeted with disbelief, but we now know differently. Two years ago, I warned of the spread of devil worship, satanism and black witchcraft—*[Interruption.]*

Mr. Speaker: Order.

Mr. Dickens: We now know that that is true because of the NSPCC report. Such a debate would help me to identify others in this House who are willing to stand up to those people. In all honesty, I think that the House of Commons is weak on this subject.

Mr. Skinner: There is the first suspect—Mr. Speaker, who wears a wig and is all in black.

Mr. Speaker: Order.

Sir Geoffrey Howe: In view of my hon. Friend's self-proclamation of his powers of prophecy in respect of these matters, it would not be wise of me to dismiss altogether the warnings that he utters about devilish-sounding things in the form of satanism, devil worship and black witchcraft, but I cannot promise an immediate debate on the matter.

Mr. Ron Brown (Edinburgh, Leith): I assure the Leader of the House that these days the only people who crucify one are those on the Labour party's NEC, and I speak from personal experience.

More important at this stage, may I voice my support for the demand that we have a special debate to discuss the middle east hostages question? Such a debate would be important for the House, for the families of those concerned and as a matter of principle. Or is the right hon. and learned Gentleman and the British Government still committed to a pro-Israeli policy, remembering that that country is responsible for a lot of the trouble in the area and for much of the terrorism?

Sir Geoffrey Howe: I am not sure that I should accept with alacrity advice from the hon. Gentleman about the hostages question. I assure him—the House must surely be in no doubt about this—that we are all continuously, seriously and desperately concerned about our hostages. Certainly the Government are.

To answer the other matter that the hon. Gentleman raised, I get the impression that he is complaining about the continued application in his party of red witchcraft. That must be a matter for him and his party to sort out.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): Did the Leader of the House hear the endorsement that the Prime Minister gave to the Secretary of State for Scotland? Did it remind him of what she said about other Cabinet Ministers just before she sacked them? In view of that, will the deputy Prime Minister give an assurance that the right hon. and learned Member for Edinburgh, Pentlands (Mr. Rifkind) will be dealing with Scottish business in the House as Secretary of State next week and for the remainder of this Parliament?

The Minister for Industry (Mr. Douglas Hogg): Yes, next week and next year and the year after that.

Mr. Foulkes: The alternative being suggested—who is not the gabbler on the Government Front Bench below the Gangway—by certain Scottish Tory Members is causing alarm throughout Scotland.

Sir Geoffrey Howe: I can reply even more confidently. I am confident that my right hon. and learned Friend will be continuing to serve the people of Scotland and of the United Kingdom in a ministerial capacity for many years to come, well beyond 1992.

Mr. Bill Michie (Sheffield, Heeley): I, too, was disappointed at the reply that the Leader of the House gave to the question asked by my hon. and learned Friend the Member for Leicester, West (Mr. Janner) about National Health Service funding. Is the right hon. and learned Gentleman aware that many health authorities are suffering from underfunding? Many early-day motions are

pointing that out, including one applying to Sheffield, which refers to underfunding for mental health. It would benefit Members in all parts of the House to be given time to express our fears and worries about the whole business of underfunding in the NHS.

Sir Geoffrey Howe: The total resources available to the NHS throughout the country as a whole during Conservative control have grown by more than 40 per cent. in real terms. If Opposition Members wish to debate the matter more specifically, they can raise it on one of their own days.

Imperial Tobacco Factory, Bristol

4.18 pm

Ms. Dawn Primarolo (Bristol, South): I beg to ask leave to move the Adjournment of the House, under Standing Order No. 20, for the purpose of discussing a specific and important matter that should have urgent consideration, namely,

"The shock announcement at noon today of the closure of the Imperial Tobacco factory in Brisol, South with the loss of 696 jobs."

The announcement, which is the direct trading of jobs for land speculation in Bristol, stunned the work force and Bristol. The matter is important because Bristol, South is an area of long-term high unemployment. The work force are isolated because of poor, inefficient public transport. When the factory was built in 1970, the then W.D. and H.O. Wills promised us that, with the revolutionary design of its factory, it could convert production from tobacco to confectionery in a week.

Hanson plc, which owns Imperial Tobacco, is a vast and wealthy corporation and could have afforded alternative production. W.D. and H.O. Wills, Imperial and Hanson have historic links with Bristol and have made their fortunes on the back of the Bristol work force.

The closure has been announced as a result of the closures in the run-up to 1992. The Bristol work force will be unemployed, not because it lacks skills but because the company is too greedy to diversify.

I ask for an emergency debate because this important matter has implications for Bristol and for our manufacturing base. The Hanson corporation which advertises its international success, has brought unemployment to Bristol. For Bristol, 1992 means unemployment, and that is a matter which we should discuss.

Mr. Speaker: The hon. Member for Bristol, South (Ms. Primarolo) seeks leave to move the Adjournment of the House for the purpose of discussing an important and specific matter that she believes should have urgent consideration, namely,

"The announcement at noon today of the closure of the Imperial Tobacco factory at Bristol with the loss of 696 jobs."

I have listened with concern to what the hon. Lady has to say about the matter, but, as she knows, the decision that I have to take is whether to give her application precedence over the business set down for today or Monday. I regret that in this case the matter that she has raised does not meet the requirements of the Standing Order. I therefore cannot submit her application to the House.

EUROPEAN COMMUNITY DOCUMENTS

Mr. Speaker: With permission, I shall put together the three questions on the motions relating to European Community documents.

Ordered,

That European Community Documents Nos. 4699/90 and 4779/90, relating to health conditions for the production and marketing of live bivalve molluscs and of fishery products, and 4783/90, relating to animal health conditions for the marketing of aquaculture animals and products be referred to a Standing Committee on European Community Documents.

That European Community Document No. 4796/90, relating to animal health requirements for marketing certain animals and products of animal origin be referred to a Standing Committee on European Community Documents.

[Mr. Speaker]

That European Community Documents Nos. 4799/90 and 5598/90, relating to health rules for the production and marketing of milk and milk products be referred to a Standing Committee on European Community Documents.—*[Mr. Patnick.]*

Orders of the Day

Broadcasting Bill

Order for Third Reading read.

4.17 pm

The Minister of State, Home Office (Mr. David Mellor): I beg to move, That the Bill be now read the Third time.

We now reach a major milestone in the Bill's progress. After its consideration on Report during the past two days, with more than 17 hours of debate on the Floor of the House without any guillotine, we arrive at Third Reading.

I begin by expressing my appreciation to those who served on the Standing Committee which had 38 sittings and considered every line of the Bill which now runs to well in excess of 170 clauses and 12 schedules. I hope that I speak for all those who participated in Committee and on Report when I say that I hope that no one will feel that that was time misspent.

I have had the privilege of taking part in the Committee and Report stages of a number of major Bills, not least, in the previous Session, the Children Bill. I have always believed that Parliament has a role to play in the consideration of every Bill, which is not an optional extra in the process of government or some kind of tedious and necessary excursion to fill in time between the Government conceiving an idea and carrying it through, but a vital part of the process of ensuring that legislation has a fair chance of being coherent and convincing in its detail and hopefully fairly broadly acceptable in its principle.

I said at the outset of Parliament's consideration of the Bill that I did not believe that a measure had ever been brought before the House that could not be improved in Committee. I would genuinely like to thank all those who took part in Committee; and the fact that we ended up yesterday and the day before with more than 700 amendments and new clauses—more than 500 of them Government amendments—reflecting our discussions in Committee, is a sign not of the weakness of the process but of its strength.

I am grateful to my hon. Friends who participated in the Committee for the loyal support that they extended to me, and the tremendous effort that they put in. They each made their contributions: this was certainly not a Bill in which one was backed up by a group of silent hon. Members—far from it. I would not have wished it to be so. My colleagues rightly spoke out. I was grateful to them for giving me the benefit of their advice and assistance, and for their help in our meetings associated with, but held outside, the Committee on some of the vexed issues.

As a member of the Home Affairs Select Committee, my hon. Friend the Member for Ryedale (Mr. Greenway) constantly reminded us of the amount of work that Parliament—through that distinguished Select Committee—had already put into the Bill. He spoke in an exceptionally well-informed way, which reflected his commitment to the measure.

My hon. Friend the Member for Thanet, North (Mr. Gale) comes to the House after a career in broadcasting. He too showed a remarkable grasp of the issues, and a willingness to put forward his view—never in an overweening way, and never seeking to use his experience

to crush those of us who had not had the opportunity of working within the industry. He was always a tower of strength.

My hon. Friend the Member for Harrow, West (Mr. Hughes) is another hon. Member who comes to the House having worked on the technical side of the broadcasting industry. I thank him for the benefit of his experience, and for his work in highlighting, along with other hon. Members—notably the right hon. Member for Stoke-on-Trent, South (Mr. Ashley)—the problems of the deaf. If every Minister were as well served by such loyal and devoted colleagues as I was in Committee, we would all have reason to be pleased.

I want to make it clear, however, that it would have been impossible for the Committee to do its work without a full-hearted willingness to participate on the part of Opposition Members. I hope that I assisted that process by making it clear that I was not in the business of rejecting people's opinions just because they sat on a different side of the Committee. To the best of my abilities, I said, I would endeavour to weigh the arguments, and, if I was persuaded of the need for change, I would either make that change immediately—if I had discretion to do so—or advocate change to my colleagues.

I have served on a number of Committees with the hon. Member for Birmingham, Erdington (Mr. Corbett). He knows that I have the greatest admiration and respect for him as a parliamentarian who never allows narrow partisanship to come in the way of sensible debate and good progress. It is a sign not of weakness but of strength that Opposition Members are prepared to debate the measure seriously, rather than try to make partisan capital out of it. I have always felt that the weakness of the parliamentary system is never more exposed than when Committee stages are simply used as a mechanism for delay, unaligned with any serious attempt to join issue on the merits of the case.

All three Opposition Front-Bench spokesmen won the admiration of all Conservative Members for the manner in which they put their points.

Mr. Dennis Skinner (Bolsover): What about my hon. Friend the Member for Bradford, South (Mr. Cryer)?

Mr. Mellor: I am coming to the hon. Member for Bradford, South (Mr. Cryer). There was not one Committee member who did not play a full part in the debate. On Report I said—and I am happy to repeat it—that the hon. Member for Bradford, South has strong opinions, and obviously would not expect me to agree with all or even most of them. I said on Second Reading, however, that I respected his skill as a parliamentarian, especially on technical matters. I respected too the experience he had gleaned from his chairmanship of the Select Committee on Statutory Instruments. On Second Reading I gave him a commitment that I would study the Bill closely to see whether the arrangements for parliamentary scrutiny were adequate. I concluded in a number of instances that they were not and I have made changes. That was thanks to the hon. Gentleman's contribution.

I understand that the Opposition and minority parties would not have introduced the Bill that we introduced. I do not seek to make party capital out of thanking them for the efforts they have made. That having been said and having been understood between us, a full-hearted attempt was made to join issue and to recognise that, whether people like it or not, the legislation is likely to be around for a considerable time. If it can be improved, it should be. If it can have a broader consensus behind it, that is good, because broadcasting is fundamental to a free society and should never become a narrow partisan matter.

Mr. Norman Buchan (Paisley, South): It has been made one.

Mr. Mellor: I do not believe that it has; certainly I do not see it as being partisan in the position in which we are today.

I was able to accept a substantial number of the points raised by the hon. Member for Caithness and Sutherland (Mr. Maclennan). I was only too willing to profit from his experience as a Minister and a lawyer. I hope he feels that he has made a substantial contribution to the Bill.

It was a happy chance for all of us that the passage of the Bill coincided with the televising of Parliament and with what I believe has been an altogether beneficial renewed interest by the media, and then by the public, in the workings of Parliament. It was all to the good that the parliamentary Committee that was most the subject of media attention during recent months was the Committee on this Bill. No one who participated in Committee need feel ashamed of Parliament being displayed through the Committee to those interested in watching. One could face one's constituents and say that what we had done was a necessary part of the proceedings and was not a waste of time. Our debates in Committee were not like those which we have from time to time which can bring Parliament into disrepute because we seem to be more like members of a school debating society than of a forum discussing serious legislation. I am glad to have had a part to play in it all. I want to express my warm admiration for all who helped in the process.

It may be worth pointing out the practical effects of the parliamentary scrutiny of the Bill. I shall enumerate briefly some of the points which arose in Committee and which the House endorsed on Report.

There has been a thickening of the quality threshold for Channels 3 and 5 by the addition of the requirements for children's and religious programming and for high quality regional news, and of the power for the ITC to publish an illustrative specification of the elements of programming which it would expect to see in a diverse programme service. The quality threshold was always a serious and substantial concept. It has become even more substantial as a result of the changes which we have made.

As a key part of that, I point to the enhancement of the regional content of Channel 3 services, including the introduction statutorily of the concept of dual regions, with the distinct regional programming which the statute now requires, the power for the ITC to require applicants to specify what regional resources and facilities they plan to use, and the requirement that Scotland should not be a single franchise area. These, and more, show that all of us, whatever reservations we may have from time to time about the way the system performs, strongly endorse, and believe that our constituents warmly support, the idea of a regionally-based Channel 3. That regional base has never been more firmly enshrined in statute than it is now, as a result of our work.

Perhaps more important for many people, the amendments to the exceptional circumstances provision

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now make clear beyond peradventure—to use that tedious legal phrase—that exceptionally high quality can displace the highest money bid. I hope that the overt striking of a fair balance between quality and price has been one of the major achievements of the Committee.

We have recognised also the importance of training, through an amendment that allows the ITC to require applicants for Channel 3 and Channel 5 licences to state what training provision they intend to make to sustain their programming plans.

I turn to describe briefly some of the changes made in respect of radio. I had the opportunity of telling the hon. Member for Caithness and Sutherland yesterday that, although I believe that most public attention has been focused on television, it is a significant Bill for radio—and radio is a most significant part of this country's media scene.

I am particularly glad that we have made changes to the remits of the three new national commercial radio stations, to ensure a genuine enhancement of listener choice. Obviously, we cannot guarantee that merely what we do here will guarantee three effective commercial national radio stations—that will depend on the ingenuity of the franchise applicants, and on their willingness and ability to create a loyal listenership. However, we are well on the way to achieving that objective, and we have built the right framework.

Constituents coming to my advice centre ask me, as I imagine they ask other right hon. and hon. Members, "What is the point in our saying anything about broadcasting, because they"—meaning some far-distant power structure—"will determine the issue." I make no bones about it—I did not appreciate at the outset how much popular support there is for the public teletext service. That is because I myself am not a regular user of it. I admit to being deeply impressed by the range of topics carried on teletext, and, interestingly—and I do not say this to knock the BBC, of which I am a firm supporter —by how much wider is the choice on Oracle than on Ceefax. That is an interesting reflection of how good the commecial sector can be when it really gets going. The flood of letters and representations from all sectors of the community is a sign of the importance attached to an Oracle-type service. It is an indication of the strength of our parliamentary system, not of its weakness, that such expressions of public will are not then rejected but bring a changed decision. That is what living in a sophisticated democracy is all about.

It is the duty of Members of Parliament, as well as a pleasure and a privilege, to make clear to Ministers through forums such as the Committee the strength of public feeling. A number of right hon. and hon. Members did so in that forum, as well as in their private correspondence. It is the pleasure, if not the duty, of Ministers then to reconsider—and if they come to see things in a different light, not to be afraid to make changes. That was certainly true in relation to various other issues. I was glad to hack out some of the police powers that had been put in the Bill. That was done not with any malicious intent but as part of the inevitable scissors-and-paste work that goes into a consolidation measure, when one has to take out of an old statute pre-existing powers and fit them into a new Bill. Quite obviously, the original police powers struck many people as excessive. Fair enough. That point was effectively made—and was, I hope, effectively answered by action.

I have already referred to the role of my hon. Friend the Member for Harrow, West. I should mention also my hon. Friend the Member for Torridge and Devon, West (Miss Nicholson), in relation to television subtitling services for the deaf. They were the subject of a highly effective campaign by the Deaf Broadcasting Association which had the support of right hon. and hon. Members in all parts of the House, and which gave the House an opportunity to consider the merits of the case and to set a far more challenging framework for progress by broadcasting authorities in that regard than otherwise would have been possible. I could go on but I shall not.

Parliament has had a useful and worthwhile opportunity for scrutiny which has led to significant changes in the Bill. Other work still remains to be done and is carried over into the other place. We still need to put the finishing touches to the new arrangements for religious broadcasting, and I feel particularly grateful for the sensible way that colleagues have approached the subject. In particular, my right hon. Friend the Member for Selby (Mr. Alison) has been helpful.

At a time when there is an unprecedented expansion in broadcasting opportunities, nobody wants to preclude decent, sensible, mainstream religious organisations from playing a part, but we do not want to open a door through which cults will come which are ever eager and have plenty of resources——

Mr. Bob Cryer (Bradford, South): Satanism and devil worship.

Mr. Mellor: I shall resist adding to the debate on Satan worshippers, much as it would intrigue me to do so.

There are also problems with unscrupulous television evangelists in the United States who we do not want to see here. Certainly people such as Billy Graham are responsible, but others have besmirched the principles of religion. One must consider the exploitive power of the media when coupled to unscrupulous messages. We are striking a balance which will permit the former, responsible people while keeping out the latter.

There are many other sorts of activity—for example, cable and subscription piracy—where there is a lot more work to be done in the other place.

I do not want to outstay my welcome, but I shall add a few more words. First, the Bill reflects a tremendous amount of public consultation which took place long before it came into being—for example, the Green Paper on radio and the White Paper on the Government's proposals.

Mr. Buchan: And thanks to the Peacock report?

Mr. Mellor: And the Peacock report, as the hon. Gentleman points out. Even if the principal recommendations of a report are not accepted, it is significant because of the extent to which it focuses attention on the issue. When there are a set of robust conclusions the report forces either an agreement or a requirement to establish a separate set of opinions, if one wishes to take issue with it.

I pay tribute to the work of my right hon. Friend the Member for Witney (Mr. Hurd), the Foreign Secretary, under whom I served as the Minister responsible for

broadcasting prior to the last election, and to my right hon. Friend the Patronage Secretary who did so much to prepare the Bill.

Whether one likes every part of the Bill, there has never been a Bill which has been so carefully considered and prepared after such extensive public consultation.

In no sense is the Bill a gratuitous addition to the body of statute. It would have been remiss of the Government not to recognise that new opportunities are provided by the remorseless onward march of technology for the enhancement of viewers' and listeners' choice. The Government would have been criminally negligent if they had failed to take advantage of that. If viewers and listeners' choice is to be enhanced, it has to be done within a statutory framework, which has had the endorsement of the House. The consequences for our community will be considerable and beneficial.

In due course the Bill will rank as one of the major reforms of broadcasting in the past 50 years. Every decade or so history shows us that there are times at which a significant step forward is possible. In the 1950s we were able to create the ITV system. In the early 1970s it was the regional commercial network, and in the 1980s, Channel 4. Because people plainly respect much of what is broadcast and because there is an inevitable fear of change—the easiest response to change is to resent and regret it and to think that it is bound to make things worse—each major change was accompanied by voices saying that broadcasting would be seriously damaged. While it is always important to weigh arguments on their merits and not to hesitate to deal with them if they appear to have substance, I have taken comfort in the fact that most of the Cassandra voices were wrong about the previous changes.

In 10 years many people will look back on the Bill and say that it was a good thing that Parliament seized the opportunity at this time. The benefits that flow from the Bill will be considerable and I shall briefly enumerate them: a tremendous expansion in radio, with hundreds of new local and community stations made possible, as well as three new national stations; in mainstream television, a far more open and publicly-understandable process for the granting of Channel 3 franchises with the quality of British broadcasting preserved by the selection process; a new Channel 5 which I expect to become a significant and welcome addition to the range of television programmes.

The satellite revolution is upon us. There are two bold ventures involving a number of British channels on the Astra satellite as well as British Satellite Broadcasting operating on a high-powered satellite. I do not know whether those brave ventures will win an audience and it is not a matter for the Government to determine that issue in one way or another or to have a view about it. It is always good to be offered an enlargement of choice. It is a tribute to the entrepreneurial vigour of the British economy that people are willing to invest substantial sums of money to produce a range of programme services that are not about pap or the lowest common denominator of programming but are about, for example, Britain's first 24-hour news channel on Sky, or a whole range of new and welcome programming decisions on BSB, which will greatly enhance viewing for people such as myself who are interested in the arts. One of the good and most notable things about BSB is its commitment to arts programmes and to new production and the amount of money that it has put into them.

Obviously, satellite poses us a dilemma as well as an opportunity. Satellite television can be exploited by cynical people to peddle filth, and none of us wants that in an era when filth is not merely the odd bold blue film such as people may have misty-eyed recollections of seeing at rugger club parties long ago. The level of filth today can be damagingly exploitive, and the link with crime, in particular crime against women, cannot be denied. That is why we must welcome the Council of Europe's convention —I recommend the Patronage Secretary for his role in that —which allows us to deal with the peddling of unacceptable programmes across national frontiers and, in a quicker time-scale than any of us dreamt possible, gives us the ability to deal with such matters.

We have set a framework for satellite broadcasting within which it will be possible for it to develop. So the face a British broadcasting will be altered by the Bill, but to the benefit of the public. It is patronising and wrong to suggest that the public have all the choice that they need at the moment. They have not. Experience shows that when the public are offered enhanced choice they seize it. For example, the new audience figures for some of the new radio stations in London—Jazz FM, for example—are a sign of how much people want extra choice.

The Broadcasting Bill offers tremendous opportunities for the broadcasters. It offers an unprecedented expansion in British broadcasting so that people are not obliged merely to shuttle between the BBC and independent television, but have access to a host of independent production companies and satellite companies whose interests are advanced by the Bill. Instead of a complacent duopoly, we will have a free-wheeling, innovative and broad-based broadcasting industry that will serve the interests not merely of the United Kingdom but of a wider world community.

Members on both sides of the House will agree that if we believe in the quality of British broadcasting, it should not be a well kept secret confined to these shores. We should recognise the opportunities for good British programme making around the world. My vision of British broadcasting is not merely that it satisfies a domestic audience with an ever greater range of good quality programmes, but that we are an effective base for Europe and for worldwide programmes. If the new ventures are successful, there will be an inexorable rising tide of demand for new programmes and I believe that we in Britain are exceptionally well placed to meet that demand. That is why I am proud of the Bill and proud that it will receive its Third Reading today.

4.50 pm

Mr. Robin Corbett (Birmingham, Erdington): I thank the Minister for his kind remarks about the role of the Opposition and other parties in Committee and throughout the proceedings on the Bill. I also thank his officials for their assistance with the more complicated and technical parts of a Bill which started life quite large and has put on considerable weight since. I should also like to thank my colleagues on the Labour Front Bench and the other members of the Committee.

There is only one question to ask about the Bill: will the television and radio services that it delivers be better, worse or simply different? The Bill is all about viewers and listeners, and their interests should be of primary concern. Certainly radio and televison will be different because of

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the great expansion that new technology makes possible. We welcome that new technology and the extra choice and variety that it could have been used to provide.

We believe that the Bill fails, however, largely because it abandons much of the sensible basis upon which our television and radio system in the BBC and commercial sectors has been built and developed. The cornerstone of that system has been the commitment to public service broadcasting, the "must carry" rule which has guided broadcasters about the essential core of what must be on offer to viewers and listeners.

The Minister said that the new Channel 3 will be "a notch below public service broadcasting". That nice Mr. George Russell, the IBA chairman and midwife to the Channel 3 system, has said that it will be about 80 per cent. of what is now seen and heard. So it is admitted that it will be different, and worse, in the sense that real choices will be made not by those who watch and listen, but by those who can afford the cash to buy the right to broadcast.

Yes, there will be more choice, with more channels and stations from which to choose, but experience in West Germany, France and Italy teaches us that the likely result will be more choice from a less varied menu. The Minister's "notch below public service broadcasting" will almost certainly mean fewer current affairs programmes and documentaries, fewer costume and other dramas and less educational and social action broadcasting—in other words, a general fall in fact-based programmes and an increase in entertainment-based ones.

The Government claim that the Bill is about widening choice. The White Paper bravely stated:

> "The Government places the viewers and listeners at the centre of broadcasting policy."

But the Bill abandons viewers and listeners to the outcome of what it terms the broadcasting market.

IBA research tells us that about 50 out of every 100 viewers want fewer variety shows, 44 out of every 100 want fewer chat shows, and an impressive 55 out of every 100 viewers want more educational programmes, plays and drama. The demand for more health and education programmes comes from about 48 out of every 100 viewers, and 36 out of every 100 want to know more about science and technology. Lest that be thought an elitist plea, there is little or no difference between what those with more money watch compared with those with less money. The removal of the public service broadcasting provisions which have guaranteed such factual programming will leave those demands unmet because such programmes are among the most expensive to make, so the Bill fails on the test of a wider choice of a more diverse range of quality programming.

The Bill is not all bad news. There has been a double victory for those forced to listen with their eyes due to deafness and hearing impairment. We welcome plans to ensure that, within five years of the start of the new Channel 3, half its programming will have to be subtitled. We also welcome the Government's change of mind about the need to preserve space for a commercial teletext service. Almost one person in every 100 has a hearing impairment and about 300,000 people are deaf. We are due only small thanks for the extra subtitling because those of us who can hear should have listened and responded earlier.

It is interesting that the Government did not leave that to market forces alone. They made the same admission about the need to require children's and religious programming. In other words, unless it is provided for in the Bill, it is unlikely to be done.

Mr. Cryer: Does not the same apply to training? The Bill provided an opportunity to require an obligation for training, but it has been sidestepped by the Government and the Bill is much the poorer in that respect.

Mr. Corbett: My hon. Friend is right about the omission of training from the face of the Bill, although to be fair to the Minister he took the point and has made some undertakings about what will be done in another place. We welcome the setting up of a training agency by independent producers and the television companies in Wales, setting a good example of what needs to be done in an immensely important sphere.

There is much in the Bill that the Government were unwilling to change. Why on earth was there that silly insistence on removing the right of every viewer to watch one or other of the major national sporting events, as 87 out of every 100 people watch those great family occasions? Now, satellite channels watched by fewer than three in every 100 people can outbid the new Channel 3 or the BBC for the right to show the cup final, the Derby or test cricket. It is no use saying that it will not happen. The House will remember that when West Germany won the men's and women's finals at Wimbledon, fewer than four in every 100 viewers in West Germany were able to watch that live because the rights had been bought by a cable station.

Why in heaven's name have the Government put the future of ITN at risk by insisting that its users—that is, those who fund it—should have only minority control? Non-profit-making ITN will become ITN plc with a need to make profit. That will either increase the cost of news collection or bring cuts in its activities. After the elaborate process whereby the Independent Television Commission will decide who can buy a station, why can the whole thing be put at immediate risk days after success because the Government will not agree to a moratorium on takeovers until the new licence holders have been able to turn their promises into screen performance?

We argued long and hard about the need to restrict the holdings of newspaper owners in television. They are all treated the same in the Bill—bar one. Mr. Murdoch is able to own 35 per cent. of our daily and Sunday press and 100 per cent. of Sky Television. It is not only the Labour party which sees danger in that dominance of our media by one wealthy voice. The rules should not depend on where and with whom Mr. Murdoch eats his Christmas dinner. That is why an incoming Labour Government will ensure that Mr. Murdoch is given equality of treatment and a sensible period in which to divest himself of one or other of his interests.

Poor Channel 5—born with just 15 lines of clothing, it stands parentless in an uncertain world. The Minister excited the House the other night with his vision of a national channel with 50 towns and cities opting out for periods of the day, although we still do not know what it will do for the rest of the time. The Government claim that the new Channel 5 will cover 70 per cent. of homes. The Minister's 50 cities plan will cut that to 60 per cent. of homes, thus making it of less interest to investors and

advertisers, especially as it will exclude large swatches of the better-off London and south-east area, which is of particular interest to advertisers.

At the heart of our objections to the Bill is the way in which the Government plan to sell off the right to broadcast. Even the changes made to enable the Independent Television Commission to award licences to a bidder short on cash, but with substantially higher quality programming, do not meet those objections. Cash paid on top of what it is planned to spend on programming will mean less money on the screen and over the airwaves. The change will help, but in the end the highest bidder, or something near to that, will win.

The Bill will not ensure a range of diverse programmes of quality. It will not guarantee innovation, excitement, experiment and expanded opportunities for views and voices not now heard. It puts the accountants in the driving seat. Instead of the system serving viewers and listeners, it is being used to serve them up to advertisers, and the viewers and listeners will be the poorer for that. That is why we shall oppose Third Reading.

5.1 pm

Mr. Roger Gale (Thanet, North): It saddens me that the hon. Member for Birmingham, Erdington (Mr. Corbett) found it necessary to be so churlish. His speech was as phoney as the "doughnut" around him in the House. The House is now in the "infotainment" business. The viewers need to know that as a result of Mr. Peter Mandelson's directions, six hon. Members are sitting around the Opposition Front Bench spokesman, but that there are very few others on the Opposition Benches. The synthetic comments of the hon. Member for Erdington, I suspect, were probably drawn up by the same author, which is a great shame. In Committee, the hon. Member for Erdington was extremely generous and helpful. As my hon. and learned Friend the Minister said, it was probably one of the most constructive and creative Committees on which any of us are likely to serve in this place.

I thank my hon. and learned Friend for the generosity of his remarks and for his thanks to colleagues of all parties. I doubt whether any hon. Member would suggest that it has not been a pleasure to work with him in Committee. I doubt whether any hon. Member, in spite of the comments of the hon. Member for Erdington, seriously believes that we have not made real progress on the Bill.

Etched on the heart of the BBC in Portland place are the words:

"Nation shall speak peace unto nation".

When those Reithian sentiments were expressed, the BBC really meant that the English nation shall speak unto other nations in the Queen's English.

That world of broadcasting is changing. We face the imminent prospect of pan-European broadcasting. Seventeen television channels are already available to viewers in many parts of this country. A further 16 Astra channels will be available later this year. The Hughes corporation of America plans to launch a 100-channel satellite of digital transmission. The prospects are enormous and the opportunity for the programme makers is considerable. Only the British could regard the prospect of a tenfold increase in the size of audience available to them as a threat rather than a challenge.

Mr. Bruce Grocott (The Wrekin): I am interested in the hon. Gentleman's mathematics. Top viewing figures these days can reach about 20 million people. How will there be a tenfold increase with a population of about 56 million?

Mr. Gale: If the hon. Gentleman had been listening and had been aware that I was talking about pan-European broadcasting, he would have grasped quickly that a potential Europewide audience of more than 400 million people will be available to programme makers in this country. As a programme maker, I regard that as a considerable challenge and opportunity.

I regret deeply the churlish and vindictive attack that the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) made yesterday on the proprietor of *The Times* and other newspapers, Mr. Rupert Murdoch.

Mr. Buchan: Does the hon. Gentleman work for Mr. Murdoch?

Mr. Gale: The hon. Gentleman asks whether I work for Mr. Murdoch. The hon. Gentleman has sat through hours and hours of debate in Committee and we have sat for hours and hours listening to him. I suspect that, in due course, we shall have the fourth repeat of his speech. He should know by now that I do not have a declared or any other interest in any of Mr. Murdoch's operations. However, I have a considerable regard for the money he has invested in the future not only of print journalism in this country, but of satellites and the development of the satellite industry. I am talking about precisely that now.

As was said yesterday, there are 22 national newspapers in this country which are owned by 11 companies. There are well over 1,000 daily and weekly, regional and local newspapers, none of which is in Mr. Murdoch's hands. The prospect facing the British viewer——

Mr. Buchan *rose*——

Mr. Gale: I will not give way at this point.

The prospect facing the British viewer is of 47 or 48 channels of television by terrestrial broadcast and from satellite in the coming year. The prospect of four of those being in the hands of somebody who also owns a few newspapers is not a threat to democracy in any shape of form.

My hon. and learned Friend knows that I should like to see the rules relaxed so that newspapers could acquire a greater share in the future of communications, whether television, radio or further newspapers. It is a great pity that the Bill does not yet permit local newspapers to have a controlling interest in community radio stations. As I said yesterday, I hope that my hon. and learned Friend, as a listening Minister, will have another go at that when the Bill reaches another place.

In Committee and on Report, my hon. and learned Friend has created a piece of legislation that will pave the way for broadcasting in the year 2000 and beyond. I do not see it as a long-term Bill. The hon. Member for Stoke-on-Trent, Central (Mr. Fisher), repeating his Committee comments, has been proved right: it is a Bill for the early 1990s. It will cover the critical transition period between now and the year 2000, during which so many technical changes will take place. The digital communications systems that will carry voice telephony, data and entertainment will become inextricably linked. Satellite broadcasting and cable delivery systems will become more and more complementary. The Bill is a recognition of the

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fact that there will be a transitional period in the United Kingdom home between the reception of four terrestrial television channels and the use of a whole range of interactive services, just a few of which will embrace television entertainment.

My hon. and learned Friend the Minister made a number of major achievements in Committee, and struck a delicate balance between the need to preserve quality and the need to encourage investment in many new channels. He has provided in the Bill for groups of people who have not hitherto been provided for in legislation. We need to remember that. He has provided for the deaf and hard of hearing and has introduced measures affecting religious broadcasting and children's television. Children's television and religious broadcasting have always been there, but arrangements for them have never before been enshrined in law.

As my hon. and learned Friend the Minister has said, there is much more work to do—both here and in the other place. My hon. and learned Friend has said that he intends to do that work, and I believe that he is right to say that the Bill is a Bill of which, in the end, he will be justly proud.

5.11 pm

Mr. Norman Buchan (Paisley, South): I am grateful for the opportunity to reply to some of the nonsense that has been talked not only in the past three months but in the past five minutes. I especially liked one of the comments made by the hon. Member for Thanet, North (Mr. Gale), who said that he did not work for Murdoch. I am pleased to hear it, because we now know that his support for the Bill arises not out of a desire for cash but from sheer ignorance of what its consequences will be. That means that we may eventually be able to convince him that he is wrong.

I was astonished to hear the hon. Member for Thanet, North say that the large number of different newspapers in Britain represented a wide spread of opinion and were a means of expression for many separate and individual voices. Five people—a fifth of the number of Labour Members in the Chamber at the moment and a twentieth of the number of people in the Strangers Gallery—own and control 93·9 per cent. of the national daily and Sunday newspapers. Five people tell the vast majority of British households what they should read and how they should think. The hon. Member for Thanet, North then asks why one man, Ruper Murdoch, should not own four television channels. That one man owns 35 per cent. of our national daily and Sunday newspapers and so speaks directly to a third of our people, yet the hon. Gentleman asks why he should not also own four television channels.

At the heart of all thought is language. The word is precious, because he who controls the word controls our future. Communication is infinitely more important than any other matter that may be dealt with in legislation. Without a means of hearing truths and contrary truths, we cannot make progress and if one wants to cripple progress, one must inhibit people's freedom of expression. If five people are allowed to control 94 per cent. of newspapers —the major vehicles for the printed word—the truth will be obscured. That is what we face at present with newspapers, and that is why we are so anxious about the Bill.

What the Bill does—Professor Peacock said in his report that he thought this should happen—is to allow individuals monopoly powers without any regulation and without the basic controls necessary to ensure freedom of expression. The Bill will pass, not just to several people of the same kind but in some cases to the same person, the ability to bring what passes for the truth into British households.

We have already seen what happens when control is passed to certain individuals. We see it every day in *The Sun*. Do British parents really want their children to grow up to read *The Sun*? Will that develop their personalities? Will it produce people who will create a civilisation of which we can be proud? Having seen *The Sun*, we have no excuse for defending what lies behind it.

We are talking not about vague possibilities but about something that we can already see. We have seen the future that those who already own and control our newspapers want to give us, and we do not like it. The Government now propose to give the same person who has polluted the written word the ability to go on to pollute the spoken word. That is what the Bill will do, and no amount of amendment, and no amount of niceness and proclamation of love of the arts on the Minister's part, will change the fact that this is a rotten, disgraceful and cash-orientated Bill.

I have debated with the Minister in the past, and I know that deep down he has a sense of civilisation. I am surprised that he, of all Ministers, should have lent his smooth words to the process of getting the Bill passed. The Minister claims that he has made concessions, and he has. I predicted one of the concessions for which a measure in the Bill already provided.

There were originally two major faults in the Bill itself —quite apart from the pattern of ownership that might flow from it. The first was that it did not protect quality and truth, and the second was that it introduced repressive measures, including censorship. We have made some progress on quality. We are no longer simply giving away contracts to the highest bidder. The Minister has accepted that at least some regard should be paid to the question of quality before the contract goes to a high bidder. That is an improvement, and we thank him for it. We believe that he welcomed it himself.

The principal effect of the Bill will be to flog off broadcasting to the entrepreneur. The Minister claims that the Bill gives freedom and the hon. Member for Thanet, North says that we are afraid of the freedom that it will confer. But the second main aspect of the Bill is its repressive and censorship measures.

Hitherto, broadcasters have been subject to two restraints. The first has been the board of governors of the BBC or, in the case of commercial broadcasting, the IBA. The second has been a code to follow. Public and commercial television and radio have each had one authority and one code. The Government are now introducing another authority and another code. The Minister has doubled the extent of the restraints on and repression of freedom of the broadcaster to speak the truth. In addition, the Minister now proposes to involve the criminal law. I know that many hon. Members will say that the invoking of the Obscene Publications Act 1959 and the Civic Government (Scotland) Act 1982 is a good thing. I would ask them to be careful about that. Saying to broadcasters, "If you get it wrong, you will face a criminal

charge," is a much more serious matter than asking them to obey a code and saying, "We will rap you if you do not do it."

We now have two authorities, two codes and the criminal law. That means that we have six times as much restraint as we had in the past, because the criminal law applies differently north and south of the border. Someone broadcasting freely in Scotland may find himself charged in England, and vice versa. We have thus multiplied by a factor of six the restraints on broadcasters. Ultimately, the Minister has the power and the Minister's appetite for intervention has been whetted by the attacks on Kate Adie led by the right hon. Member for Chingford (Mr. Tebbit), the invasion of the Scottish BBC and the seizure of the Zircon tapes, and similar further attempts to inhibit broadcasters' freedom.

In place of the freedom that the Government boast they will create, we shall create an apparatus of repression and censorship of the genuine broadcaster. We shall sell Channels off to the purveyors of cheap near-pornography. That is what will emerge, and I am sorry that the Minister has lent his hand to it.

It is no use Conservative Members saying that we are pursuing a vendetta against Mr. Murdoch. The vendetta that we must maintain is against the Government. They are a Government dedicated to profit makers and profiteers, and they are careless of the future of the civilisation of this country. That is why we shall vote against the Bill and why, when we return to power, the Labour party will introduce a broadcasting Bill that will represent the true civilisation of Britain, based on the needs of the people of Britain. It will give them proper choice of programmes. There is no choice if six channels purvey the same material.

The Bill matters deeply because, at the end of the day, the only safeguard that we have against tyranny, brutality and the power of those who already possess power is the freedom of the word, so that we can expose injuries when we see them, speak freely and involve people in freeing the word. At the beginning of the day, tyranny starts by locking up the freedom of the word. The future freedom of Britain depends on us freeing the word as never before. Television and radio are too precious to leave in the hands of the few and the powerful. That is why we shall change it when we return to power.

5.21 pm

Rev. Ian Paisley (Antrim, North): My speech will be brief—I am sure that the House will be glad of that.

When the Bill was published, the Christian people of this country were outraged at its proposals. They wondered why the Government had not only left them out completely but put up barricades against them. I am glad that today, on Third Reading, the Minister who guided the Bill through the House took on board the representations made to him. He was gracious in receiving deputations and listening to them. He was gracious in listening to the arguments put to him. Today I say, on behalf of the Christian public, that Christians are pleased with what has happened. They realise that the Minister has accepted what they had in their minds and hearts.

The Minister realised the strength behind the arguments put to him and the need for a guarantee in legislation that there will be room for the propagation of the Christian faith and for children's programmes. Everyone in the country is indebted to all who took part in all the stages of the Bill. The Minister himself admitted that strong representations had been made to him from hon. Members on both sides of the House and by various bodies. He was glad that he could take them on board. We look forward with confidence to what he will do in another place. We trust that, at the end of the day, the people of this country will have in practice what they seek and that the new Broadcasting Act will guarantee them the things they want by right of choice.

As I said in Committee, after all, we have the power to switch off. We must see that the choice is there. When the choice exists, people can make their choice according to the standards by which they govern their life. I sincerely thank the Minister for what he has done on Christian representation.

5.23 pm

Mr. Robert Maclennan (Caithness and Sutherland): The Minister began this debate as if it were a prize-giving ceremony. He could be forgiven for feeling a little discontented that some of the prizewinners have not responded with the spirit of generosity that he showed. The last occasion on which I was present as a recipient at a prize-giving ceremony was at my school. The presiding donor was none other than the late Lord Reith, a fellow Glaswegian, who sought to inspire in all of us a commitment, not to the benefits of public service broadcasting, but to the entrepreneurial flair that had led to the establishment of broadcasting as a medium for selling on a mass scale the new technology that was invented in the early 1920s.

Speeches in Glasgow remind me of another, perhaps more famous speech than that of Lord Reith. It was delivered by that considerable Conservative, F. E. Smith, as lord rector of Glasgow university. He shocked the genteel by speaking of the availability of glittering prizes for sharp swords. There has been about the debates on the Bill some sense that there are glittering prizes in the future of broadcasting. While our task has inevitably and properly been focused on the consumers of broadcasting, we should be living in an unreal world if we did not think of the considerable commercial excitement about the possibilities that are opening up with the advent of new technology.

The speech of the hon. Member for Thanet, North (Mr. Gale) was enjoyable, as his speeches always are. He managed almost to enthuse us with a sense that the great growth of the technology in which he clearly revels will bring in its train the prospect of a greatly enhanced consumer experience, and that great enjoyment will flow from the adoption of new techniques of broadcasting.

Most of our debates in Committee and on Report inevitably focused on ensuring that the proliferation of services does not simply mean the replication of the same, and, indeed, a declining, quality of broadcasting. At this stage, it is right to ask ourselves whether we have succeeded in ensuring that the quality as well as the diversity of broadcasting will be enhanced.

I and my right hon. and hon. Friends are immensely excited by the technical possibilities of which the hon. Member for Thanet, North spoke. We believe that the creation of new stations and Channel 5, the multiplication of local radio stations and the evidence of foreign investment in cable in the past 18 months are wholly

[Mr. Robert Maclennan]

welcome. All those developments bring genuine potential for innovation. However, we cannot just leave it at that. Alas, the Bill does not usher in the age of change in the 1990s with the due regard to the quality requirement that should be at the centre of the debate about broadcasting.

The smack of earlier debates was that they were dominated more by the Treasury and Department of Trade and Industry than the Home Office Ministers who have ushered the Bill through Parliament. I do not hold any individual Minister responsible for that. I agreed with the short speech made on Report yesterday by the hon. Member for Buckingham (Mr. Walden). He said that the Bill should have been about an auction of quality. If that had been so, we should have seized the opportunity and the methods that we have used in the past of distributing lucrative franchises. None of us has ever forgotten the view of Lord Thomson that they were a licence to print money.

The methods of allocating those franchises in the past have been too opaque. There has not been much innovation or excitement, but a tendency for those who have enjoyed their franchises for a long time to take a conservative approach. I shall not be unduly upset if there is some turnover of ownership as a result of what is happening. However, we have missed an opportunity by not introducing a tendering process that focuses on quality, not cash.

Looking at the Bill as it stands after all our deliberations, I think that the Minister has served Parliament and the country extraordinarily well. He was right to linger as he did on the remarkable way in which the Committee worked. It was a remarkable experience to watch minds being changed by the process of debate. I think particularly of the change of approach that came over the Committee during the consideration of the national radio channels. By the end, it was clear that there was a consensus that internal diversity was less important than pre-franchise-allocation differentiation of the channels. That sort of development was immensely welcome.

When the Bill was first brought to the House, I was among those who called for a pre-legislative Committee to take evidence and try to reach a consensus in that manner. I still think that it would have been a good idea, but in the light of the way in which the Committee has worked, it was clearly much less necessary. Would that other Bills were handled in a comparable way, and the Minister deserves our congratulations for that.

As a former junior Minister, I have, in my day, handled extremely complex legal Bills, and I greatly admire the way that he handled the Bill on his own. It was quite remarkable that he was unassisted by other Ministers and has come up with a large number of amendments that are the fruit of our deliberations. His style has greatly assisted the legislative process and I hope that I shall have the opportunity of serving with him again in Committee.

The Bill as it stands leaves the other place with much to deal with. I fear that the provisions that allow takeovers to occur within a short time of licences being issued may make the tendering process something of a mockery. It will have the potential to disrupt the ITV system just when a period of stability is required, and it may take more money out of programming.

The Government were unwilling to accept the hostility of ITV to multiple bidding and the opposition of a number of hon. Members, including me, to dual ownership. It is clear that dual ownership will put at risk local ownership, investment, local knowledge and local programming. I hope that that matter will be returned to in another place and that one bid, one licence will prove the final outcome.

It is also to be regretted that we do not have a statutory underpinning for the requirement of networking, for it is recognised that that is necessary for the stability of the system and the viability of smaller companies. Quite rightly, much attention has been paid to the strengthening of the quality requirements, particularly the amendments to clause 17(3) which were tabled at a late stage. The auctioning of the franchises marked a victory for the Treasury over broadcasting. As I said, I would prefer a tendering system that allowed a company to be chosen on what it offers in terms of diversity, quality and investment in the region.

Independent Television News is inadequately provided for, and is the result of an unhappy compromise between the market and monopoly. What has been done looks like the punishment of the ITV companies for the success of their investment in ITN. The Bill creates a private commercial monopoly, effectively protected from competition and free, as a result of the great national base, to invade other people's markets, and for whom television news could prove to be a means, not an end. An improvement is required on that. On Report, I spelled out the options that remained.

There has already been some heated exchange in the House this afternoon about cross-media ownership. A period of reflection is needed to ensure that the debate is about monopoly, not simply one owner. The principle that cross-ownership is wrong is supported by almost all hon. Members. There is a huge potential for News International to become the keeper of the gateway for all companies using the Astra satellite by providing an encryption service. It is reasonable to anticipate that the rewards will be as great as the current losses.

The principle that cross-ownership is wrong must be protected, but a solution must be reached to enable News International to make a proper return on its risk before it is required to disinvest. I broadly agreed with the view expressed by the Minister last night that the amendment moved on that subject, which would have required a test of 3 million viewers, was not wholly adequate for the purpose. However, the principle that the amendment was seeking to advance seems to be the right one to pursue.

I think that he was hinting, or even stating, that, if the position changed, the Bill allows, by subordinate legislation, a disinvestment requirement to be brought forward. It is no part of my argument that that disinvestment should be punitive or expropriatory, but clearly it would be totally unacceptable for News International to dominate in a way that is peculiar to itself and contrary to all the arguments accepted by the House on the evils of cross-ownership.

The Government have got the legislation on listed sports events wrong. Such events should be available on terrestrial channels, and the Bill will be resented by many people if the result is to take family occasions off the screen and create the same position as can be seen in the Federal Republic of Germany, where German viewers have been

deprived of the opportunity to watch their champions winning Wimbledon because the event had been bought up by a cable company.

In our debates, the hon. Member for Paisley, South (Mr. Buchan) has properly focused a good deal of attention—perhaps more than any other member of his party—on censorship. I have considerable sympathy with what he has said. The Bill has erred in establishing yet another external Government-appointed organisation to act, effectively, as a censor of broadcasting. Effective regulation by the Independent Television Commission internally, and by the BBC, is the way that we should have proceeded. I am afraid that the Government have created an unnecessary quango with potentially evil consequences.

The Minister is right to say that the changes in relation to radio brought about by the Bill are immensely important, although they have—he will not deny it—played second fiddle to television during much of the discussion on the Bill. The Minister has done much to ensure the future of commercial radio by agreeing to tighten the quality and pre-designation requirements of the national stations. However, I fear that community radio will suffer adverse consequences because of a lack of public investment and proper provision. That may mean that choice will be extended hardly at all to many parts of the country, and there will be still less choice of listening. As a result, we could see a considerable contraction of programme content.

I regret that the Bill does not provide for cross-subsidy of the transmission costs of local radio. That will deprive large areas of the benefit of local radio and there will be many white areas on the map. The Government have made a remarkable gesture by recognising the case for extending support for the Gaelic language in Scotland. I welcome the principle of that and many of the proposals that have been made for using the £8 million. There is much to be worked out if Gaelic broadcasting is to be effective in practice. I listened with interest to the suggestion yesterday by the hon. Member for Cunninghame, North (Mr. Wilson) that a Scottish equivalent of S4C might be the way to proceed rather than to expect the existing stations to carry Gaelic broadcasting at peak viewing times.

Mr. Buchan: In view of my strictures about the rest of the Bill, I should like to comment on Gaelic broadcasting and on the money that has come forward. I join the hon. Gentleman in welcoming that. It is a glimmer on the horizon and provides a little freedom for us all.

Mr. Maclennan: I share the hon. Gentleman's view about that, just as I agree with some of the other things he said about the Bill.

I congratulate the Minister of State on an extraordinarily good job in improving one of the worst Bills with which the House has been confronted. I think that we can now live with the arrangements that have been made. I am not one of the Cassandras to whom the Minister of State referred, who believe that all will be doom and disaster as a result of the Bill. However, it remains to be seen whether our hopes for quality will be realised. The Bill will be strengthened if the other place takes account of what I have said.

5.43 pm

Mr. John Greenway (Ryedale): The hon. Member for Caithness and Sutherland (Mr. Maclennan) spoke about the stamina of my hon. and learned Friend the Minister of State. I agree with him about that. We became used to seeing that stamina in Committee, but the 17 hours that my hon. and learned Friend spent at the Dispatch Box in the past two days were something else. He was there until the early hours of this morning and the quality of his answers and the way in which he dealt with the issues never wavered. Such quality has been at the heart of our debates on the Bill. The Minister of State and I share a love of football and classical music. I am not sure whether his stamina has been gained by watching too much of Chelsea or whether he drew strength from listening to Wagner and other classical composers.

I pay tribute to everyone who worked on the Committee. We had an interesting four months and I certainly enjoyed our sittings. I wish that more of our proceedings could be conducted in such a good-natured and constructive manner. In Committee and on Third Reading we have seen occasional skirmishes between my hon. Friend the Member for Thanet, North (Mr. Gale) and the hon. Member for Paisley, South (Mr. Buchan), but they were the exception rather than the rule. I should also like to pay a small tribute to two silent members of the Committee. I refer to my hon. Friend the Member for Wyre Forest (Mr. Coombs), who is the Minister's PPS, and to my hon. Friend the Member for Solihull (Mr. Taylor) who is a most good-natured and helpful Whip. I said to him at the start of our proceedings that we would end up better friends than when we started.

Mr. Mark Fisher (Stoke-on-Trent, Central): Sycophantic schmaltz.

Mr. Greenway: The hon. Gentleman seems disturbed about that. As my hon. and learned Friend the Minister has said, it is important for people outside to see that Parliament works in a constructive and good-natured manner. Sometimes the brief interludes that people are fed from Parliament's proceedings give entirely the wrong impression.

My main interest in the Bill relates to the future of Channel 3. My hon. and learned Friend the Minister of State spoke of the work of the Select Committee on Home Affairs. Perhaps I may be allowed one further reference, which goes to the heart of the issues. The report of that Select Committee emphasised that

"at the heart of the matter is the quality and range of services provided, and their financing, not the means of their delivery".

The report also said that

"whatever criticisms are made legitimately at home, abroad British Television is seen to be amongst the best, if not to be the best in the world."

All members of the Committee had that ideal very much at the back of their minds. We wanted to maintain those standards in a future in which there would be much more competition, especially for Channel 3. Channel 4 has its remit strengthened even more by the Bill and its financial arrangements are more secure. That is also the case for the BBC, which for the foreseeable future will have the licence fee—another issue that Parliament will have to consider. Channel 3 has none of those things.

It is important to strike a proper balance in terms of underpinning the elements of the public service

[Mr. Greenway]

broadcasting commitment that Channel 3 has had in the past. That should be maintained, while recognising that it would be wrong to require too much from Channel 3 which has to compete for its revenue in the market place. We cannot provide the guarantee of funding that a more deep-seated or detailed remit for public service broadcasting would require.

Much of our discussion in Committee centred on the practical measures that we needed to put in place to ensure that the bidding process was sensible and an improvement on previous arrangements. In the past two days there has been a justified welcome for the key amendment to clause 17(3)—the exceptional circumstances clause—which the House debated yesterday. It is important that the other place does not overlook the clarification of the bidding process when it considers the Bill. Even in this debate, it is worth reminding ourselves again that unless a bidder's programme proposals, his financial arrangements and the level of his bid dovetail together, the ITC will be perfectly justified in rejecting that bid.

Throughout the debates on the Bill, the Opposition have said that the proposals place too much emphasis on money and not enough on quality. The exceptional circumstances clause is now in place, although, as my hon. and learned Friend the Minister knows, I want him to consider whether the wording is absolutely right. However, that clause in itself is a clear incentive to the ITV Channel 3 bidders to bid up quality. There is a quality hurdle in the mechanism, but there is no money hurdle or threshold because the Bill does not say that a bid must be for a minimum amount. It specifies a range of obligations which underpin quality. Above all, they underpin the regionality of the Channel 3 structure.

My hon. and learned Friend knows that I see as very important the need to ensure that the Channel 3 regions remain a vital and important part of the broadcasting scene in Britain. That is important for those of us with constituencies a long way from London. Many of them, such as Yorkshire Television, Tyne Tees Television, Granada and the Scottish regional stations, have achieved great results, not only within the United Kingdom but throughout the world and have justifiably won many prizes for their programmes. They have brought an important breadth to the cultural life of the regions through their support for the arts and for drama. That is why we must protect the regionality of Channel 3, and the Bill does that.

Not only did my hon. and learned Friend the Minister accept my key amendment on regionality in Committee, but having thought about the matter further he introduced another amendment on Report, which was accepted, to make it clear that when considering the facilities, studios and staff that a Channel 3 bidder will need in the regions, the ITC can request details of those arrangements and take them into account in assessing whether the bid is satisfactory.

Some concerns about the Bill remain, and they were enumerated during our discussions on Report. I am sure that the other place will take account of them. However, the issue of networking still remains. My hon. and learned Friend is right to allow the industry a little longer to reach some agreement. Nevertheless, he recognises that the commitments given by bidders cannot be a shot in the dark —there must be a clear understanding of the financial implications of the network when they formulate their bids and put together their financial proposals.

I am still concerned about takeovers and I am firm in my belief in the need for a moratorium. My hon. and learned Friend has agreed to reconsider that. I hope that he will not take too much account of the fact that, regrettably, when the matter was put to a Division in the House, it was heavily defeated. I hope that he will fully appreciate the importance of that issue.

All those who served on the Committee will recognise the quality of the briefings from both the IBA and the ITVA. When the Bill is enacted, when all its measures are in place, when we see the expansion of opportunity in television and radio which will result from the Bill, it will undoubtedly be thought of as "Mellor's Bill". However, we will also remember that nice, sensible Mr. George Russell, whom we discussed on many occasions. He will have the blueprint that he wanted for the future of Channel 3 in the allocation process. It will then be for ITV to make the best of it. I have no doubt that, as it has done in the past, it will do so in the future.

5.53 pm

Mr. Bruce Grocott (The Wrekin): In taking part in a Third Reading debate not having served on the Committee, I feel as though I might be intruding in a private meeting. After hearing the remarks of the hon. Member for Ryedale (Mr. Greenway), I wonder whether I have intruded into a love-in. It is obvious that a deep affection has developed between many of those who served on the Committee. However, although I may suffer from the disadvantage of not having served on the Committee, that may enable me to have a slightly clearer view of the process which has led to the Bill and the current position as it passes through its final stages in this place.

The Bill began with a Prime Minister with a congenital tendency to meddle, especially in areas that she does not understand. She has a rather unpleasant dislike of members of my union, the ACTT, and of journalists in general, although with the odd exception. She decided that television and radio broadcasting was another area of our national life in which she should meddle. She decided that a Bill was the right way to do that, despite the fact that, as many hon. Members have said, British broadcasting is outstanding, as are British television programmes. Some hon. Members may have seen a programme which was shown after our debate on Tuesday night. It was an hour-long documentary on ITV about the second world war from the D-day landings to VE day and told the story of the relationship between Eisenhower and Montgomery. It was outstandingly well produced with tremendous library footage. There was nothing clever—no trickery was involved—just a good story, well told. I wonder how many such productions will be possible on the fancy channels of the future.

After the Prime Minister had decided to meddle, the next stage was for the former Home Secretary, who has now moved on, to undertake the job of giving a philosophical veneer to what was happening. He coined the immortal phrase that the new broadcasting system would be like browsing in a good bookshop. That was how he described the multitude of cable and satellite channels that are to come. It was then all-change at the Home Office, and the Bill was delivered to the Minister of State.

The hon. and learned Gentleman seems to be the Government's odd job man, to be shunted from one Department to another—I believe that it is called a sweeper in the trade. He has been quite amiable and has made one or two concessions——

Mr. John Greenway: Only one or two?

Mr. Grocott: I do not question the fact that the hon. and learned Gentleman has made concessions, but I have a feeling that he has been aware all along that he has been dealt a duff hand and he has had to make the best of it.

The Bill rests on two false premises. The first is the fallacy of technology. It is believed that, somehow, technology must drive the change in broadcasting. I do not want to patronise the Minister. Those who hit television tangentially—and the Minister hits plenty of television studios—tend to become mesmerised by the technology. I regret to say that some people have made a living from it, including the hon. Member for Thanet, North (Mr. Gale), who seems perpetually mesmerised even though he knows and understands what it is all about. Technology in television is the servant, not the master. It is rather like someone interested in newspapers being obsessed by the production process rather than the quality of the news coverage. What matters in television is the quality of the programmes, not whether the screen can be spun around or the programmes delivered by satellite or cable, bounced off the sun, the moon or whatever. A simple story well told, such as the documentary to which I referred, needs no fancy technology or delivery system—it needs good quality programming. As has been said repeatedly and effectively, the new channels by no means guarantee better delivery and better quality programmes.

The second fallacy, which is the Bill's fundamental and abiding weakness, is that the free market will somehow deliver. The Minister has had to concede time and again that the free market does not deliver. He had to do that through the increased regulations relating to religious and educational programmes on Channel 3. They will not be delivered by the free market any more than regional televison could have been delivered by the free market. They can be delivered only by regulation.

The Minister has not made satisfactory concessions but at least he has admitted that problems may lie ahead in relation to the whole business of takeovers, which proves that the free market philosophy is fatally flawed. The Government's idea of a free market in this respect seems to be that anyone with the cash can take over a company.

The free market fatally fails to deliver in all areas. It will fail to deliver in networking. We can achieve a proper networking system only by regulation and control. In other words, the whole notion of the Bill is based on a fallacy, as are the Government's policies in other areas. It is no different in principle from the view that if cash is allowed to reign supreme in the National Health Service, everybody will get a good service. In fact, it simply means that the rich get the best doctors and hospitals. The same is true in education—if it is left to the free market, the rich will get smaller class sizes. Only by a form of regulation that is democratically accountable can we have a good service that is available to us all.

There is no more perfect a characterisation of the failure of the free market than the argument about the restricted availability of sporting programmes—the famous list to which reference is constantly made. Conservative Members who believe in the operation of a free market in broadcasting are saying that if, for the 2 per cent. of viewers with access to satellite television, the sponsors of Sky wish to buy Wimbledon, the cup final or any of the listed events and have the money to demand exclusive access to those events, they can enjoy those programmes, and for the 98 per cent. of the rest of us who do not have that access it is just tough luck. That is the logic of the free market. If Conservative Members do not believe that, they do not believe in the operation of the free market. Opposition Members believe that sporting and other events of that kind are part of our culture and heritage. The beauty of the British broadcasting system is that no wealthy group can decide to have such events for their exclusive use and enjoyment. We rest our case on the belief that broadcasting is at its best when it is available to everyone, when it has the money to make quality programmes and when it is able to build on the best of what has existed before.

The Bill is based on a fallacy and was conceived in spite. It has been developed on the basis of a phoney philosophy which does not stand up to examination. We want a properly regulated means of controlling this wonderful technology, with the incredible access that it gives to millions of our fellow citizens, so that it may expand choice and enrich the community. For that reason, we shall vote against Third Reading.

6.3 pm

Mr. Robert G. Hughes (Harrow, West): The speech of the hon. Member for The Wrekin (Mr. Grocott) shows that Opposition Members do not understand what the Bill is about, mainly because they have not taken a step backwards to appreciate what is happening in broadcasting. The Bill will not change broadcasting and television. They are changing anyway.

The hon. Gentleman proves that he has no confidence in the ability of anyone to do anything that is not laid down and tightly drawn in legislation, preferably drafted by the Labour party. History shows that he is wrong. Opposition philosophy in this area was wrong in the past, and it will prove to be wrong on this occasion.

When the BBC began, it was technically difficult to put any television programmes on the air. The engineers had a tight grip on the BBC. When ITV started, the big fear expressed by Labour Members in debates similar to this was that it would not be possible for independent people to come in and produce quality programmes, and that even the necessary engineering resources would not be available to them to screen such programmes.

The technology has changed so dramatically that none of the equipment that is now used—cameras, editing and graphics equipment and so on—is more technical than the average hi-fi system. So, without enormous technical back-up and having to cope with the huge problems that existed in the past, it is possible to screen good-quality television programmes, using people whose talents are not in technical areas but in wider artistic, current affairs and news backgrounds. Modern technology allows such people to bring their talents to television and radio. Because those new opportunities exist, and because a massive number of new radio and some new television stations will be established, the Bill will enable all those talents to be brought to the fore.

[Mr. Robert G. Hughes]

It is not for us to say what those talents must be. We should not lay down in legislation what we mean by quality programmes or say how the inventiveness that exists today should be brought to the fore. That is the way in which the Labour party views this issue, and its philosophy does not work. We must simply lay down a framework that will enable new developments to work, and the Bill will achieve that process.

Many more people will seek to establish television and radio stations. Some will fail. Some will introduce ideas that have not occurred to any of those who have taken part in these debates. I welcome the fact that people from totally different backgrounds will have a part to play.

At the same time, the Bill will help to protect our remarkably good television system. BBC 1 and 2 will still be the cornerstone of British television broadcasting. It is remarkable how the BBC, when faced with a challenge, as it is today, responds by providing an improved service.

Those who now work for the BBC and who worked there during the 14 years when I worked for the BBC agree that it improved greatly with the advent of ITV, and improved further when Channel 4 came into being. I have absolute confidence that the BBC will improve yet again as it faces the latest challenge.

Mr. Buchan: The hon. Gentleman is almost entirely wrong in recalling what happened with the advent of independent broadcasting. I was involved in it in the 1950s. We were anxious to prevent it becoming cash-dominated. All sides of the argument eventually reached agreement about that, as the various reports produced at the time, including Pilkington, show.

That happened because it was subject to the type of regulation that enabled good programmes to be made and diversity of opinion to be expressed. It was through regulation that commercial independent television was able to help the television process. It increased the number of public service channels and opened up freedom of expression. But the Bill will prevent new ideas from developing unless it can be proved to the satisfaction of the licensees that money can be made from them.

Mr. Hughes: In Committee, the hon. Gentleman made an interesting and detailed speech. However, he made the same speech at almost every sitting and it became slightly less interesting as time went on.

Mr. Austin Mitchell (Great Grimsby): Cheap.

Mr. Hughes: It may be cheap, but it is true. The hon. Gentleman would seize every opportunity to say that he was the only member of the Committee who understood what was going on. I am not sure that everyone agreed.

We will still have BBC and Channel 4—the Government's creation. There was no expansion of broadcasting under a Labour Government. If we had wanted to cheapen broadcasting and to change what would be available for minority groups, the Bill gave us the chance to do so. But it was never our intention to change the format of Channel 4, and it has not been changed. We will also have Channel 5. That will not be available to everyone, but it will be the first national television channel based outside London. Surely everyone would welcome that new focus for a national channel. That is a remarkable feature, for which the Bill and the Minister will be remembered.

We will also have new radio stations, bringing diversity and catering for many different tastes. However, I have one worry about the new radio stations. Too much power may have been given to those people whose powers in allocating the Channel 3 franchises have been diminished —the chattering classes and their representatives who did so badly in the past when it came to allocating Channel 3 franchises; the people who gave us the original London Weekend Television, putting together a pack of nonsense, and the people who gave us Harlech television.

Their piece de resistance was TV-am. Everyone who worked in television and television news knew that they could not put a television news organisation on the air with the promises that were being made, and that proved to be true. The only people who believed it were those at the IBA. But those people are still around and they will probably have too much power when it comes to allocating radio franchises.

The IBA has been responsible for a sad feature of the incremental licences that have been given. For example, Sunrise Radio, which operates in west London and in part of my constituency, is an Asian radio station, but at peak time, in the mornings, it does not have Asian programmes. It has a white disc jockey playing music from the top 40 on the basis that Asian children like that sort of music as much as anyone else.

But they can listen to Capital Radio or Radio 1. Sunrise Radio was supposed to offer something different and if it does not do that at peak times, it is not offering something different. It was the IBA which persuaded it to adopt that policy, on the basis that it would be more profitable. That is a shame and, before the Bill becomes an Act, we must ensure that that does not happen to the hundreds of new radio stations.

Every time that broadcasting has expanded in Britain, it has been trailed as a disaster. We need only read the speeches from Labour Members on every occasion to know that. However, that has not proved to be the case in the past and I do not believe that it will be this time. On the details of the legislation, my hon. and learned Friend the Minister listened to those who felt strongly about something and, where the lobbying was logical and sensible, he changed the Bill accordingly. But there has been no change to the central thrust of the Bill and its important framework for ensuring that we take advantage of the expected expansion. It is because of that twin-track approach that we shall have a successful expansion of broadcasting; and most of the credit for that must go to my hon. and learned Friend.

6.14 pm

Mr. Clifford Forsythe (Antrim, South): Like the hon. Member for The Wrekin (Mr. Grocott), I was not a member of the Committee, so I take this opportunity to congratulate those who were on their good work in improving the Bill. I include in those congratulations the Minister, who showed flexibility in considering the various points put to him and ingenuity in bringing about the changes in the amended Bill. I mention not being a member of the Committee not as a criticism, as may have

been thought when I spoke on Report, but in case I mention matters which I am sure were thoroughly discussed in Committee.

I hope that the Minister will not think me churlish if I criticise certain aspects of the Bill. For example, I am disappointed that, even with the changes, the highest bidder will be awarded the contract. That is not a good thing. It would be much better if quality alone were to prevail.

The aspect of the Bill which has given most concern to my constituents is that relating to religious broadcasting. I have received an enormous number of letters and petitions from sincere Christians who felt insulted by the implication in the Bill that, somehow or other, all Christians are so untrustworthy that they could not own a television station or run a programme. Thank goodness matters were improved on Report. I hope that they will be further improved in another place, but some honest and sincere people still have great reservations. I look forward to seeing even more improvements.

It is sad that all citizens in a democracy cannot be treated equally, regardless of class, creed or race. I welcome the strengthening of the regional requirements, which should ensure that we have a credible regional application, and the support shown on Report for networking—a system which is recognised as essential to enable regional companies such as Ulster Television to give viewers a full range and variety of local, national and international programmes.

I was encouraged by the Minister's appreciation of the difficulties faced by Ulster Television and his recognition of the care which will be needed in awarding the franchise to Northern Ireland. Ulster Television is one of the smallest independent television companies. Its advertising income is only 1·5 per cent. of ITV's total. Broadcasting in a divided society such as Northern Ireland requires impartiality, accuracy and sensitivity—an exceptional responsibility.

A former Home Secretary said:

"In Northern Ireland there is much violence and sadness. But there is, too, a rich and varied life and a caring community in which neighbour helps neighbour. It is this that Ulster Television showed, and, by showing, encouraged its growth. This showed that not only does Ulster Television serve Northern Ireland, but is also a vital part of it."

That must be guarded when it comes to the Northern Ireland franchise. I hope that that will be remembered when the licence is awarded.

6.19 pm

Mr. Simon Coombs (Swindon): There are so many stages in a Bill's process through the House that—if one is to take part in all of them—then towards the end of that process it seems that there is little left to say. That has never prevented the hon. Member for Paisley, South (Mr. Buchan) from speaking, however, and it will not stop me tonight.

Let me say to the hon. Member for The Wrekin (Mr. Grocott)—who will have to read it in *Hansard*—that in a free market there must be sellers as well as buyers. He spoke about listed events as if there were only buyers among television companies, but there are also the sellers of the rights to those listed events. If they decide that it is in their interests to have large audiences for the televising of those events, they will not sell to those who claim exclusivity in the form of satellite coverage.

I join my hon. Friends in congratulating my hon. and learned Friend the Minister on the way that he has guided the Bill's progress. He has often been helpful to me and my colleagues, not only in Committee but on many other occasions when it was necessary for us to call him out to discuss matters. Before we began work on the Bill, he had the reputation of being a hard man to move—other than, on occasion, to anger. I can think of one occasion in Committee when his patience was tested by the impish hon. Member for Stoke-on-Trent, Central (Mr. Fisher), but he resisted firmly. As other hon. Members have said, the Committee stage of the Bill was remarkably good-humoured and good-natured.

I approach the Bill with a specific interest in the British cable industry. It is not a commercial interest; my constituency contains the oldest of the existing cable companies—Swindon Cable. Considerable progress has been made in resolving the problems of the cable industry in this country, and I am delighted that we have made the right moves to ensure that the present surge of interest and investment is sustained. After a long period when cable could have been said to be in the doldrums in this country, I believe that it is now on the verge of an explosion of activity. Clearly it was right for us to try to ensure that nothing was done to put that at risk.

With the vast increase in the number of programmes available on cable, we will see a rapid increase in the number of operating cable stations and a steady increase in the number of people who subscribe to cable. We must therefore avoid any temptation to make it easier to cable small pockets of densely populated areas, and thus exclude other less densely populated areas from the benefits of cable. I say "benefits" because we want to help to avoid a rash of satellite dishes across the country. They are already to be seen in many parts of London and elsewhere in the south of England, and they will spread north unless we ensure that the television of the future can be obtained through underground cable rather than satellite dishes. For that reason if no other, members of the Committee were anxious to see that the cable industry had a fair wind for the future.

On the subject of religious broadcasting, I pay tribute to a number of people whom I will not detain the House by naming individually. Between them, they have run an effective campaign to ensure a victory for common sense. In a Christian country, we should allow Christians to receive programmes that reinforce their faith; I am thinking in particular of Vision Broadcasting from Swindon, which brings much pleasure to my constituents and to many others around the country who can now receive its programmes through cable. I am grateful to the Minister for making it possible for the company to continue to make high-quality programmes for Christians in this country.

Another classic exercise in democracy was the campaign to ensure the continuation of teletext on Channel 3 and Channel 4. To begin with, we were told by the Government that we could be satisfied with a teletext service on BBC 1 and BBC 2, and that Ceefax would be sufficient. I have nothing against Ceefax—it is a good service and I use it extensively—but Oracle is better. I hope that Ceefax will respond to such remarks and endeavour to be as good: I am sure that in the future it will be.

What was clearly undesirable was that the element of choice should be taken away. Therefore, it was necessary to mount a campaign—both in Committee and elsewhere

[Mr. Simon Coombs]

—to ensure that Oracle, or something like it, was preserved on Channel 3 and Channel 4. There was a great deal of lobbying, both of Committee members and of other hon. Members. A public-relations exercise among the viewers—not surprisingly—ensured that an enormous majority of Oracle users voted in favour of their right to continue to use Oracle. There was a wise reaction to that by my hon. and learned Friend. Oracle is too good a service to be lost. If it is to be lost, now that the Bill has been amended, it will be because in the event of a competitive tender it must give way to an even better-quality bid for the same essential service. We must accept the possibility that that will occur.

The issue of quality was at the heart of many of our Committee debates, and many of our debates in the Chamber over the past 72 hours. The Bill has been improved in that respect. Its wording is better than it was when we started, but there is still the essential problem of who is to judge what quality is. Many words have been spoken and written by hon. Members and others about that thorny issue, but I am not sure that anyone knows the true answer to the question, "What is quality?". Politicians must avoid the assumption that their tastes are right for the public at large. Apart from anything else, as there are 650 hon. Members there is the potential for 650 different answers. Nevertheless, we must show humility in what we impose on the public, and I defend the right of my fellow citizens to watch soap operas and game shows if they wish. I hope and believe that a 20, 30 or 40-channel capacity will also make possible the continual cricket by day and classical music by night to which I look forward in the new world of television in the 1990s.

The key to success in this venture in commercial television is, inevitably, money. Will it come from advertising, or from subscription, in sufficient quantities to support the technology explosion that we inevitably face? I believe that money from advertising will follow quality programmes for the ABC 1 audiences with buying power, but it will also follow popular programmes for mass audiences. Television in the 1990s will be broadly similar to the television that we have had for the past 10 years. There will not be the great differences that Opposition Members fear and for which—perhaps—some Conservative Members hope. The great change is that there will be vastly more choice: that I welcome. For that reason, the Bill should now make progress and be subjected to further detailed scrutiny in another place.

6.29 pm

Mr. Tony Banks (Newham, North-West): May I apologise to you and to the House, Madam Deputy Speaker, for missing the opening of the debate? I was out busily trying to save badgers. I look forward to reading the Minister's speech in the next edition of "News from Stamford Bridge".

The hon. Member for Swindon (Mr. Coombs) made a good point about satellite dishes. I know that he understands more than most the technology and the desirability of cable. I tend to support him. We tried in Committee to ensure greater control of satellite dishes, but because they are subject to planning control under the town and country planning legislation, we could not deal with the matter in the way that it should have been dealt with. The House will have to address it, because satellite dishes are an intrusion.

Surely technology could produce something less obtrusive. Sky Television and others are considering the matter. Many places, such as council estates and conservation areas, are ruined by satellite dishes. I do not know whether Sutton borough council has got a judgment yet on the case that it is taking about the siting of satellite dishes, but we shall read the judgment with great interest. Something needs to be done. Unfortunately, we could not do anything through the Bill. If we are to have a proliferation of channels, it must be done through cable and not through satellite dishes.

Since I was elected in 1983, I have been a member of Committees on many Bills—I think, well over 20. It is normal for major Bills to be heavily amended in Committee. One reason is that they were half-baked to start with because so often it has been a case of legislation on the hoof and the Government themselves were forced to amend their own badly drafted legislation. I do not think that I have taken part in the Committee stage of a Bill which has been so heavily amended as the Broadcasting Bill on the basis of argument and representation in Committee.

There are two reasons for that. First, the original Bill was unpalatable and unacceptable to hon. Members on both sides of the House and to those in the industry and around it. That lesson was well learned by Ministers and certainly by hon. Members in Committee. We received from various organisations excellent briefings that we were able to put to effective use. I recall that many a speech was ridden home on the IBA briefings and the support that we got from the BBC and various advisers, including unions like BETA——

Mr. Bob Cryer (Bradford, South): And ACTT.

Mr. Banks: I am grateful to my hon. Friend for his unnecessary prompting.

There was a second reason for the amendments: we had leading the Bill a Minister who was far more open-minded than is normally healthy for Tory politicians in these days of sudden death by handbagging. We are grateful to him for what he was able to do. He had, as they say in the parlance, a good Bill. All the paeans of praise that have been descending upon him must worry him slightly, because the only way for him to go now is down. I would not wish that on him. Someone else has received the black spot from Blind Pugh in being asked to administer the poll tax; the Minister has escaped that fate, which is clearly worse than death.

The Minister has emerged as the acceptable face of Tory extremism. Because of that, the Bill is less bad than it was, but, as my hon. Friend the Member for Birmingham, Erdington (Mr. Corbett) said, it is still unacceptable. The provision that there shall be no moratorium after a franchise has been granted must be changed in another place. If the will of the House means anything, there should be a moratorium. The only disagreement was on how long it should be and on when it should be triggered. I hope that a moratorium will be delivered in another place.

The decision on listed events was appalling. The universality element has disappeared from what we all recognise as important events. I accept that most of them

are sporting events. My partner would not be upset if the world cup finals were only on a channel which had an audience of 200 to 300—in fact, she would be delighted—but it would be a national calamity for the great majority in the House and elsewhere. Some television satellite companies which are losing a great deal of money—£2 million a week in the case of Sky—will not hesitate to put in megabids in order to try to sell more subscriptions. That is perhaps the only way that they can succeed. That is a great mistake, and another error that should be rectified in another place.

Despite all the improvements, the Bill is still unacceptable. It is still driven far more by the cash nexus than by the philosophy of the highest quality for the greatest number. All through the proceedings, the Labour party has defended proven quality and the high standards of public service broadcasting in Britain. In that sense we make no excuse for being seen as conservative, with a small "c". We know that what we have got is good, and we are not sure that what is on offer is better; indeed, it may risk what is good. That being so, we have taken a position of defence of standards that are well proven. Everything is capable of being improved. To risk everything might appeal to the political gambler, but we believe that it is no way to treat broadcasting.

Broadcasting is vital to the maintenance of democracy. I do not think that one overstates the case by putting it in those terms. Television influences all our lives. That is why politicians are so interested in television and why we spend so much time trying to get on television. That was why the great majority of us welcomed the television cameras into the House. We know that, through television, we can let people know what we are doing in their name, for good or ill.

That is why television is so important. It shapes our lives, it entertains and it educates. For all those reasons, it is far too important to be left to unregulated market forces. We must not allow mega-millionaire megalomaniacs to strut round acquiring television channels in the same way as they buy up newspapers. I do not single out Rupert Murdoch, because there are others like him in the industry. He is no better and no worse than many others. The concentration of power in the media should worry us all. If we allow the media to be concentrated in the hands of the malevolent, we will be like putty in their hands, and they will try to shape us and the industry.

Yesterday, the Labour party was accused of operating a vendetta against Sky Television. That is not true. Certainly we have a lot to complain about with regard to other parts of Mr. Murdoch's evil press empire. If Tory Members were subjected to the vile calumnies to which we are subjected through neo-Nazi comics like *The Sun*, they might feel as annoyed as we are at times, and with considerable justification. That is not a vendetta against satellite television or Sky Television in particular. If there is a vendetta in the House, it is being waged by the Government against the British Broadcasting Corporation, and is supported by some of the nastier right-wing elements on the Tory Benches.

The Government realise the power of broadcasting. They realise that impartiality and objectivity will never serve the interests of the Tory party. Whatever St. Mellor may believe—I give him the benefit of the doubt on this—I think that it is the objective of many of his hon. Friends to provide people with 57 varieties of the same sort of rubbish—chewing gum for the eyes—because that is the way to divide and rule; he who controls the channels of communication exercises real political power. There is a grave risk that that will be the case.

The Bill still leaves too many facets the subject of hopes and prayers. The Minister's intentions are not necessarily shared by the kind of people who will try to move in for the kill when stations are up for grabs. The Government are wrong to adopt a high-risk strategy towards the future of broadcasting. Public sector broadcasting is one of the few things of quality remaining in this country, and one of the few for which we are admired around the world. Public sector broadcasting is one of the few things that we still do well—yet here we are, throwing it all up in the air and seeing how the pieces land. That is not something that I or anyone else who is involved in, or who cares for, broadcasting wants to see.

I can only console myself with the knowledge that it will be a Labour Government who will be around to see how the Act works out in practice and to repair the damage that it may do.

6.40 pm

Sir Giles Shaw (Pudsey): I shall try to bring the debate a little nearer to the ground, following the outbursts of the hon. Member for Newham, North-West (Mr. Banks). I apologise to my hon. and learned Friend the Minister for not being present for the whole of the debate. I was in the Chamber when it began, and I am delighted and somewhat proud to be involved in its closing minutes.

The scheme that the Committee and the House has considered over many hours aims at providing a framework for broadasting that will last through the present decade and into the year 2000 and beyond. It is not often given to this House to do that. No wonder the Bill is large and comprehensive, and no wonder it has been amended in a massively constructive way, and has occupied so much time. The Bill is pretty unusual in its content, scope and timing. It originates from a number of initiatives, some generated internally within the Home Office, and others externally by public debate and investigated by committees set up for that purpose. The most recent of them was the Peacock committee, but it was by no means the only source of potential change.

It behoves us to remember that one of the questions posed to the Peacock committee, but whose answer to it has not been adopted, concerned the future financing of the British Broadcasting Corporation, to which the hon. Member for Newham, North-West rightly paid substantial tribute. That significant question remains to be answered by the corporation, bound as it is by the licence fee, itself determined by retail price increments and by the fact that, as the operator of two major television channels, it will have to compete for audiences against an increasing range of programming from ITV, Channel 4, Channel 5, and so on.

I am aware that, if Labour were in government, it would take the corporation within the Exchequer and provide for it from the national grant. That may say a great deal for the ease with which such a thing can be done, but not much for maintaining the impartiality of the BBC. I shall leave that on one side. I raise the issue merely because it is one that still has to be addressed in the longer term.

The Bill creates a large number of opportunities in respect of audience choice, with which we all agree: the

[Sir Giles Shaw]

development of sufficient talent to fill the time available on radio, terrestrial and satellite television; and attracting sufficient funds to make it all work.

As to choice, although I can understand the hon. Member for Paisley, South (Mr. Buchan) curling up in agony in his place as he contemplates viewing choice going beyond the bounds of what he considers to be artistically or culturally acceptable, the fact remains that the generality of choice has lifted the coinage of human understanding in a way that is beyond debate. It has broadened educational and cultural opportunity, and has increased the knowledge that British society has of itself and of other societies. No right hon. or hon. Member could deny that. ITV has extended the frontiers of knowledge as the BBC alone did for generations, and for that we are profoundly thankful.

It is true that, in terms of increasing one's knowledge of what is going on in the world, satellite television, although in its infancy, has the capacity to transmit information from all around the world in a much more diverse way than has ever before been possible.

As to talent, I share much of the anxiety that has been expressed. One knows that talent can be purchased by the lowest common multiple of those who want to expose the largest possible audience to that talent, because talent does not come cheap. Good talent is in demand by various buyers of television programming—as it is by buyers of radio or printed material. Talent is not produced in great quantities. It comes almost by definition by a process of refinement that allows the most talented people to enjoy world stage demand at world stage fees. The question of whether sufficient talent can be developed is a major one in the development of Channel 3 and Channel 5.

Investment really gives the clue, because it will be the determining factor. There is plenty of opportunity for investment, but in the case of cable television, for example, the impetus has all come from Canada and the United States. It is equally notable that investment to date in British satellite television has come largely from Australia. The United Kingdom has not yet shown itself to be bursting with enthusiasm at the prospect of investing in the new television station. I hope that it will change its mind, and I trust that the result will be healthy, competitive, creatively viable and profitable television—and the same goes for cable and satellite broadcasting.

6.46 pm

Mr. Alistair Darling (Edinburgh, Central): In view of the time constraints, the hon. Member for Pudsey (Sir G. Shaw) will forgive me if I do not follow his arguments.

Throughout the Committee stage, the Minister was most helpful, and we appreciate that. There is no doubt that the Bill is infinitely better now than when it started out. Some would say that it would be difficult for it to be otherwise. I pay tribute to the Minister for listening to the arguments and for making improvements to the Bill—sometimes at his own suggestion, sometimes at the suggestion of others. I shall say nothing further by way of a eulogy to the hon. and learned Gentleman, because enough has been said—and other points that divide us deserve consideration.

Major flaws remain in the Bill. We accept that broadcasting is set to expand over the next few years. As the hon. Member for Harrow, West (Mr. Hughes) said, everything is changing. But changing technology itself does not guarantee choice. It increases the potential for choice, which can only be to the good—but additional channels do not necessarily mean that there will be more choice. As my hon. Friend the Member for The Wrekin (Mr. Grocott) pointed out, that will depend on the quality of the programming.

The Bill should provide a framework that allows for innovation and expansion, while at the same time insisting on quality, to ensure real choice for viewers and listeners. Instead, the Bill has essentially been driven by a desire to deregulate. That has been tempered, but it was the driving force behind the legislation. The cash bid for the right to broadcast is still at the centre of the Bill, and that is its major failing.

We are told that we should not worry about a fall in the quality of Channel 3, because there will remain the cornerstones of the BBC and Channel 4. Those cornerstones will cease to exist if they no longer have to compete in quality terms against Channel 3. ITV taught the BBC and Channel 4 a thing or two about drama output. If quality is cut because of pressures to win a franchise, the incentive for the BBC and for Channel 4, and for Channel 5 if we ever see it, to achieve excellence will diminish. It is wrong to argue that Channel 3's quality can decrease because the BBC and others will remain.

I have yet to understand why it is right to run an open competition involving a cash bid to win the franchise initially, but then apply a different regime thereafter—so that, once a successful applicant is in the saddle, he is there for life. As I said in Committee, it is the most glamorous form of closed shop that has ever been dreamed up.

Serious matters remain unresolved and they deserve further attention in another place. Bidding has been tempered, but the quality threshold in clause 16, although it has been increased, is still subservient to the requirement that the highest bidder will win the day.

I know that the Minister has tabled amendments which state that, if the quality of the lower bidder is exceptional or of substantially higher quality, the Independent Television Commission can choose that bidder. But we must note the superlatives. The quality of the lower bidder does not have to be slightly better, probably better or almost certainly better—it has to be exceptional, or substantially higher in quality.

Almost certainly that means that the highest cash bid will win the day. If it does not, we can look forward to battles in the courts to decide who gets the right to broadcast. That fatal flaw at the heart of the Bill is one reason that we cannot support it tonight. Price and quality should be considered side by side. The Minister said that in Committee, and that is what many people inside and outside the Committee believe. Notwithstanding the amendment and the Minister's sentiments, the Bill means that the highest bidder will win unless the lower bidder is exceptionally better. That is difficult to assess or to establish.

There are other problems. There have been safeguards and additions to the requirements for strong regional television, but they will be set aside if there is a host of takeover bids after the auctions. I hope that, when the Bill is considered in another place, note will be taken, as my hon. Friend the Member for Newham, North-West (Mr. Banks) said, of the strong feeling in the House—at least among those hon. Members who have expressed an

opinion—that there should be a moratorium on takeovers. We think that it should be for three years, but two years would be better than nothing.

Otherwise, once the franchises are initially allocated, there will be a flurry of takeovers by those who seek to broadcast without having to cross the quality threshold, such as it is. That cannot be good for regional broadcasting or for the quality of broadcasting in general.

The lack of a networking agreement gives us serious anxiety, and not just because those bidding need to know what they will get, as the hon. Member for Ryedale (Mr. Greenway) said, but because it is important if the smaller television companies are to be safeguarded. If there is no networking agreement, there is no reason why the larger companies cannot exploit their dominant position as they did in the earlier years of the ITV network.

By the time the Bill returns to the House, if it includes no networking agreement, I hope that the Government will further amend the Bill, if necessary giving the ITC powers to insist that such an agreement exists.

Another flaw is the lack of cross-media ownership. If the Government can accept controls on cross-media ownership in every aspect of the Bill except for Sky Television, surely the case is made. I cannot understand why Sky should be the only organisation exempted in practice from cross-media ownership. To listen to Conservative Members, one would think that we were totally against cross-media ownership. If the Government accept the need for it in most cases, they should accept it completely.

I do not want to see a battery of controls in broadcasting. The framework should allow people to get on with it, but unless there are guidelines within the framework to influence the development of broadcasting during the next 10 to 20 years, we run the risk of not getting greater choice. We will have more channels, but we will simply have more of the same.

That is clearly illustrated by the likely pattern of local radio development. The same standards are not set for radio as for television. It is all very well to have hundreds of radio channels,but if they all broadcast the same pop music, there is no choice. I should have liked greater insistence on the creation of a variety of channels, which would appeal to a broad range of people. I welcome the Minister's move on national radio channels, because at least one would be different.

A similar problem arises with satellite television. I cannot see the gain to society if more new technology means that fewer people can watch sporting events. What is the point of new technology and new satellites if it means that fewer people can enjoy the football or Wimbledon finals? I do not agree that sporting organisations will not sell out to the highest bidder. Everything we have heard suggests that they will.

I hope that cable television will develop. Two nights ago, we discussed developments which will help cable television companies. I want to help them and the people who are supposed to watch cable television. I was about to say that the sooner those companies get off the ground the better, but perhaps that is inappropriate. The sooner that cable television starts to produce the goods, the sooner they will build up the credibility that they do not have at present. I conclude where I started. Technology is changing. Programme makers have a lot to be proud of, as British broadcasting is respected throughout the world, but if we are to ensure that it remains in that happy position, we must have a guarantee of quality. If the only choice is to switch off the television or radio there is no choice.

As long as cash overrides quality, I fear that there is a risk that the quality of Channel 3 television and radio will be diminished, not increased, as a result of the Bill. We have an opportunity; all is not yet lost. The Government have made some changes and we welcome them, but the central flaw in the Bill is that cash is the driving force and that the market knows best. The market does not always know best. The Government have a duty to provide a framework and at present that is lacking in the Bill.

If Britain is to remain at the forefront of broadcasting, the Bill needs additional improvements. Until it gets them we must decline to give it a Third Reading.

6.55 pm

Mr. Mellor: With the permission of the House, I shall say a few final words as the Bill passes on its way to another place.

After 38 sittings of the Committee and 17½ hours on Report, I fear that my final words cannot be very original. I apologise to hon. Members who may have heard it all before. Perhaps the best way for me to show my appreciation of British broadcasting is by emulating it and making speeches that are good on repeat.

I thank all those hon. Members who participated in the debate for the kind words that they have spoken about my stewardship of the Bill. I genuinely appreciate that.

I understand that differences between ourselves and the Opposition over the Bill remain, but I believe that people will look back on the Bill as a major development for British broadcasting, with beneficial consequences.

There will be a proliferation of community radio stations, which will enhance listeners' choice. I do not agree with the description by the hon. Member for Edinburgh, Central (Mr. Darling), for the simple reason that the criterion in the Bill is that, to get a licence, a station must enlarge listeners' choice. The fact that there were dozens of applications for some 20 incremental licences which were recently awarded clearly shows that there is no shortage of demand from broadcasters, and there is plenty of evidence—the success of the Jazz FM station in London proves this—that the listener wants greater choice.

Throughout the passage of the Bill, Opposition Members have seemed to want commercialism as an optional extra to commercial television, but commercial television has to be commercially viable to succeed. We have striven to strike a fair balance between regulations which preserve that which is best in British broadcasting and creating a competitive framework so that proper commercial decisions can be taken. That is particularly fitting for Channel 3, which has had a declining market share in recent years, and would protect it from the rigours of the 1990s when it will not have a monopoly but would have to compete against another terrestrial channel, Channel 5, for which we have made provision, and against satellite channels for advertising finance.

We have given Channel 3 the elbow room that it will need to be competitive, while ensuring that no one can get a Channel 3 franchise who is not properly qualified or has not surmounted a rigorous quality test. If, having surmounted that test, one of the applicants soars over it so much better than the rest, even if he is an under-bidder

[Mr. Mellor]

financially, he can win the franchise. That is one of the key elements to have emerged during the parliamentary stages of the Bill.

I believe that it is a good Bill. It has been well and thoroughly scrutinised, and deserves to go to the other place with the approbation of the House.

Question put, That the Bill be now read the Third time:—

The House divided: Ayes 259, Noes 180.

Division No. 200] **[7 pm**

AYES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkinson, David
Baker, Nicholas *(Dorset N)*
Banks, Robert *(Harrogate)*
Barnes, Mrs Rosie *(Greenwich)*
Bellingham, Henry
Bendall, Vivian
Benyon, W.
Biffen, Rt Hon John
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Churchill, Mr
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cormack, Patrick
Couchman, James
Cran, James
Critchley, Julian
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Dover, Den
Dunn, Bob
Durant, Tony
Eggar, Tim
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Farr, Sir John
Favell, Tony
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Sir Marcus
Freeman, Roger
French, Douglas
Gale, Roger
Garel-Jones, Tristan
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Sir Alan
Goodhart, Sir Philip
Gorman, Mrs Teresa
Gorst, John
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Harris, David
Haselhurst, Alan
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Hicks, Mrs Maureen *(Wolv' NE)*
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Howard, Rt Hon Michael
Howarth, Alan *(Strat'd-on-A)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunter, Andrew
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Janman, Tim
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Key, Robert
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Lamont, Rt Hon Norman
Latham, Michael
Lawrence, Ivan
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lilley, Peter
Lloyd, Peter *(Fareham)*
Macfarlane, Sir Neil
MacKay, Andrew *(E Berkshire)*
Maclean, David
McNair-Wilson, Sir Michael
McNair-Wilson, Sir Patrick
Madel, David
Malins, Humfrey
Mans, Keith
Maples, John
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mates, Michael
Maude, Hon Francis
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Mellor, David
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Moate, Roger
Montgomery, Sir Fergus
Moore, Rt Hon John
Morrison, Sir Charles
Moss, Malcolm
Moynihan, Hon Colin
Neale, Gerrard
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Owen, Rt Hon Dr David
Paice, James
Paisley, Rev Ian
Patnick, Irvine
Patten, Rt Hon Chris *(Bath)*
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raison, Rt Hon Timothy
Redwood, John
Renton, Rt Hon Tim
Riddick, Graham
Roberts, Wyn *(Conwy)*
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Sackville, Hon Tom
Sayeed, Jonathan
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waddington, Rt Hon David
Walden, George
Waller, Gary
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Woodcock, Dr. Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. Goodlad and
Mr. David Lightbown.

NOES

Abbott, Ms Diane
Adams, Allen *(Paisley N)*
Allen, Graham
Alton, David
Archer, Rt Hon Peter
Armstrong, Hilary
Ashley, Rt Hon Jack
Ashton, Joe
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Battle, John
Beckett, Margaret
Beggs, Roy
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Blair, Tony
Blunkett, David
Boateng, Paul

Boyes, Roland
Brown, Gordon *(D'mline E)*
Brown. Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Bruce, Malcolm *(Gordon)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Canavan, Dennis
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Crowther, Stan
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Cunningham, Dr John
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Dunnachie, Jimmy
Field, Frank *(Birkenhead)*
Fisher, Mark
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Forsythe, Clifford *(Antrim S)*
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galloway, George
Garrett, Ted *(Wallsend)*
Gilbert, Rt Hon Dr John
Golding, Mrs Llin
Gordon, Mildred
Gould, Bryan
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Healey, Rt Hon Denis
Henderson, Doug
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howells, Geraint
Howells, Dr. Kim (Pontypridd)
Hoyle, Doug
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Jones, Barry *(Alyn & Deeside)*
Kennedy, Charles
Kilfedder, James
Kinnock, Rt Hon Neil
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
McAvoy, Thomas
Macdonald, Calum A.
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
Maclennan, Robert
McNamara, Kevin
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Mitchell, Austin *(G't Grimsby)*
Molyneaux, Rt Hon James
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mullin, Chris
Murphy, Paul
Nellist, Dave
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Robertson, George
Robinson, Geoffrey
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Smith, J. P. *(Vale of Glam)*
Smyth, Rev Martin *(Belfast S)*
Snape, Peter
Soley, Clive
Steel, Rt Hon Sir David
Steinberg, Gerry
Strang, Gavin
Straw, Jack
Taylor, Matthew *(Truro)*
Turner, Dennis
Vaz, Keith
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Watson, Mike *(Glasgow, C)*
Welsh, Michael *(Doncaster N)*
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Frank Haynes and
Mr. Ken Eastham.

Question accordingly agreed to.
Bill read the Third time, and passed.

London Regional Transport (Penalty Fares) Bill *(By Order)*

Order for Second Reading read.

Ms. Dawn Primarolo (Bristol, South): On a point of order, Mr. Deputy Speaker. It relates to the judge's announcement today that the poll tax capping of Bristol, Basildon and Doncaster cannot continue until the result of the judicial review of the appealing authorities. Has the Minister given notice that he will come to the House to make a statement on the serious chaos and disarray of the poll tax legislation and on the destruction of local authority services as a result of that legislation?

Mr. Deputy Speaker (Mr. Harold Walker): I have not received requests for a statement on this or any other matter.

Dr. John Marek (Wrexham): On a point of order, Mr. Deputy Speaker. You will remember that a Bill similar, if not identical, to this Bill was tabled last Session and in previous Sessions. The title was certainly the same. You will also know, Mr. Deputy Speaker, that the sponsor of a Bill, if certain hon. Members have objections, usually tries to see those hon. Members to see whether an accommodation can be reached. On previous occasions when the Bill was before the House, as far as the Opposition are aware, no such approaches were made by the sponsor. The Bill is here in almost exactly the same form for yet another Session. When there is such a long list of private Bills, why has this Bill been given precedence, when it should have been at the end of the queue?

Mr. Deputy Speaker: In accordance with past practice and precedents, many factors have to be taken into account in determining which Bills shall be brought before the House for debated proceedings. The Bill has been treated no differently from any other. The hon. Gentleman's first point is a matter for debate rather than a point of order for the Chair.

Mr. Matthew Taylor (Truro): On a point of order, Mr. Deputy Speaker. It may have come to your attention that Ministers announced this afternoon at the Ministry of Agriculture, Fisheries and Food that infections related to bovine spongiform encephalopathy have been found in a domestic cat. That information was available to Ministers earlier, so they could have come to the House to make a statement. It is clear that all the assurances that we have had on mad cow disease no longer hold. Have Ministers made an approach to you, Mr. Deputy Speaker, for permission to make a statement in the House? This is a matter of serious public concern.

Mr. Deputy Speaker: I have not received a request on this or any other matter. I am sure that what has been said will have been heard on the Treasury Bench.

7.16 pm

Mr. Neil Thorne (Ilford, South): I beg to move, That the Bill be now read a Second time.

London Regional Transport has a general duty to provide or secure the provision of public passenger transport services for Greater London. It must pay due regard to the current transport needs of Greater London and to the efficiency, economy and safety of the operation. Millions of pounds are being lost each year because the system lacks security. It is important that those who use the system and who pay for its service should not suffer the cost while leaving many to get away without paying. According to the annual survey, it is calculated that no less than £26 million a year is currently lost on the underground and £15 million a year on the buses. That loss is far too big to be acceptable.

Mr. Bob Cryer (Bradford, South): Inevitably, it is difficult to calculate losses because as the money has already been lost, it is hard to say how much it was. What is the basis of the calculations and figures, bearing in mind that they must be an estimate based on a notional loss each day or each week?

Mr. Thorne: The hon. Gentleman is right. The figures are estimated and calculated by people who specialise in such work. They calculate how many people travel on different modes of transport and they establish visually those who pay and those who do not. They are thus able to take a record. They are professionals and we rely on their expertise.

Mr. Peter Snape (West Bromwich, East): I apologise for interrupting the hon. Gentleman so early in his speech. Following the question by my hon. Friend the Member for Bradford, South (Mr. Cryer), will the hon. Gentleman tell us for how many years the losses have been taking place and why over those years London Regional Transport, which the hon. Gentleman represents tonight, has not taken on adequate staff to prevent those losses?

Mr. Thorne: The hon. Member for West Bromwich, East (Mr. Snape) should know far more about the subject than most of us because of his previous experience. He will know, therefore, of the difficulty in assessing tickets as they pass through the barrer and of the difficulty in seeing whether they are in order. We are beholden to take advantage of the modern technology currently available to us. I do not think that there is any suggestion that fewer staff should be employed; it is merely suggested that they should be deployed differently. That is only sensible. It would be silly of us to try to rely upon the systems that were in operation when the hon. Gentleman was collecting tickets on the railway many years ago.

A proper system for reducing that discrepancy is needed, and that is why the Bill has been introduced. It is similar to a measure passed last Session to give penalty fare powers to British Rail. There are many conditions of which the Secretary of State has to be satisfied before the measure can be introduced. He has to be satisfied that there is adequate staffing, that sufficient machines are available, that the arrangements for monitoring defective machines are adequate and that ticket inspectors are properly trained. There must be adequate publicity about the introduction of the system and there must be a disputes and appeals procedure. The Secretary of State must examine those important matters carefully and diligently. It would be wrong to assume that the Secretary of State was uncritical about standards——

Mr. Andrew F. Bennett (Denton and Reddish): Will the hon. Gentleman confirm that it is already a criminal offence not to pay one's fare? Can he explain why we need to introduce the Bill, which would impose a smaller penalty than would at the moment be imposed on a person convicted of dodging his fare? Will he confirm that

London underground is looking for a much lower standard of proof, as opposed to increasing the penalties and tackling the problem properly?

Mr. Thorne: I cannot accept that. I am afraid that the present system for prosecuting people who evade their fares is extremely complicated. Such prosecutions require a great deal of legal preparation; they have to go through the courts, which is an extremely time-consuming procedure. These days, it is much more usual to have standard penalties and they have come to be accepted for many small road traffic offences. If people are travelling on the underground system, it is right and proper that they should obtain a ticket before they start on their journey, and it is quite wrong that the majority of passengers who pay their fares should be expected to carry this additional burden. I cannot, therefore, accept that the old method is right or proper.

Most of us have suffered the inconvenience of using machines that are not up to standard. In the past, many justifiable criticisms have been made of ticket machines, especially those that are required to give change. Technology, however, has moved quickly, and it is now possible to produce extremely reliable and effective machines at underground stations. Ticket machines are now available 99·9 per cent. of the time and can give change. In addition to the booking office, there are never fewer than two machines at any station, and at busy stations there are many more. With that in mind, we must grasp the opportunity to take advantage of modern technology, thereby reducing the volume of evasion and fraud in the system.

Mr. Cryer: Does the hon. Gentleman accept that, late at night, unstaffed underground stations represent a considerable peril to old people and women? If ticket and change machines are available instead of staff, fewer people will want to travel late at night and people in difficulties will not be able to find anyone to give them assistance. If one is in danger of being mugged, a ticket machine is not much help.

Mr. Thorne: I cannot agree with the hon. Gentleman. The stations to which I am referring usually have at least one person in the ticket office and one on the barrier. If those people are not on duty, the gates have to be left open. That affords much better protection than can be given in stations that operate an open system which does not require ticket delivery and collection on the spot but relies instead upon tickets being checked during the journey.

Questions will be asked about the security of the system. On the London underground the volume of traffic is such that it is not possible for tickets to be checked on trains as they are checked on British Rail. The present maximum fare on LRT is £2·90 and a penalty of £10 is appropriate. On the docklands light railway, and on the buses, the penalty is £5. That represents a major difference between the present proposal and any system proposed for British Rail. The present proposal takes account of the lower charges on the docklands light railway and the buses. The penalty has to be geared accordingly.

Validation of tickets has been a major problem on the docklands light railway, and the system has therefore been replaced so that tickets are now validated on issue. The checking of tickets at peak periods has become impossible because the railway is so busy. Staff can do much, and they should be much more involved in the success of the operation. Staff will be fully consulted before implementation.

Although fraud has always been a factor, it has substantially increased in recent years. That is unacceptable, especially for genuine, honest fare-paying members of the public, who represent the majority of those who use public transport. It would be wrong to allow those who wish to indulge in fraud to get away with it for any longer than can be avoided.

It is important that we realise that there will be major provisions to ensure that travellers who are not trying to evade their fare will be able to call in aid an excuse. Passengers will not be liable to pay a penalty fare if no facilities for ticket sales were available at the station at which the journey started. If the passenger transfers to the London underground or to the docklands light railway from British Rail and the British Rail station at which he started his journey had no facilities for the sale of tickets, or if a notice was displayed at the station at which he started his journey—whether a British Rail, underground, or docklands light railway station—stating that it was permissible for passengers to travel without a ticket, or if an authorised person in uniform informed the passenger to that effect, he will not be liable to pay the penalty.

If a person is asked for his ticket or authority by a London underground or docklands light railway authorised official, and says that he could not obtain it for one or more of those reasons, it is for London underground or the docklands light railway authorities to prove that his reason is not correct. The onus is on them. If a passenger wishes to invoke one of the reasons later, he has 21 days to do so from the day after the completion of the journey. Only then comes the transfer of the burden of proof. If the passenger does not provide an explanation in such terms on the spot or within 21 days, he has to prove that one of the defences applies. That seems to be an effective and sensible way in which to conduct the arrangements.

It is important that we should introduce the measure as early as possible so that we may take advantage of the available modern technology and substantially reduce the number of people who are defrauding their fellow passengers—a number that is likely to increase if we do not take firm steps against such practice.

When a measure similar to the present Bill was debated last Session, hon. Members referred to the automatic ticket gates. Technically, the gates form no part of the arrangements provided in the Bill, as it is possible to have penalty fares without the gates and vice versa. But the two matters are inter-related to the extent that the automatic gates will act as a check on up to 80 per cent. of journeys, as that is the number of journeys that end or begin in the central area.

The gates have been in operation for two years now and London underground has considerable experience of them. In spite of the campaign of vilification against them, the gates are safe and they work. They were reviewed by the railway inspectorate and an independent firm of consultants and—with the exception of some matters of detail—given a clean bill of health. They work, by which I mean that they check tickets very well, and they are safe. So far from being the safety hazard that people predicted they would be, the gates increase the area available for evacuation in an emergency because there are far more gates than there were narrow exits in the days when tickets

[Mr. Thorne]

were collected manually. The gates are normally attended, and when they are not, they are left open, so there is no risk to the public. Because the gates are staffed, they pose no problem for the handicapped or for people with children or shopping because they can be let through a wider gate, although it is the general rule that passengers should go through the normal gates whenever possible.

The real test of the gates is passenger acceptance. That has been achieved to a large extent. Criticism has reduced to only a low level and there is no evidence that passengers are having any difficulties with the gates. Even now London Underground is considering other improvements. An experiment is being carried out at three stations—Victoria, Green Park and St. James's Park—to test a touch-and-pass system. Under that system the ticket is simply touched on a pad on the gate. It does not have to be fed through the machine. The experiment has been running for only a short time but seems to be doing well.

We must acknowledge that the sums of £26 million per year for London Underground and £15 million per year for buses are large. They must be made up by the honest fare-paying passenger. It is entirely wrong that fare-paying passengers pay more than they need to, particularly at a time when we are anxious that the general public should use public transport as much as possible to relieve congestion on the roads. The House should be encouraged to vote the Bill into law at the earliest opportunity.

7.30 pm

Mr. Harry Cohen (Leyton): With two of my hon. Friends, I have tabled a blocking motion to the Bill. It says:

"On Second Reading of the London Regional Transport (Penalty Fares) Bill to move, That the Bill be read a second time upon this day six months."

In fact, I do not want the Bill to be read a Second time today, in six months or at any time in the future. The wording of the motion is such that we have to say that we wish it to be read in six months' time. Parliamentary language often confuses people. The purpose of the motion is to block the Bill. I wholly oppose the Bill.

Mr. Denis Skinner (Bolsover): Will my hon. Friend give way?

Mr. Cohen: Certainly—my hon. Friend is an expert on parliamentary language.

Mr. Skinner *rose*——

Mr. Irvine Patnick (Sheffield, Hallam): We do not want the back of the hon. Gentleman's head.

Mr. Skinner: What is wrong with it?

Mr. Snape: The hon. Member for Sheffield, Hallam (Mr. Patnick) is a Whip.

Mr. Skinner: Yes, he is getting ready for Friday. He comes in on Fridays and shouts "Object" to all the Bills, including Bills to give more money to pensioners and abolish standing charges. He is there to stop things like that—he has a cruel job. I do not know what the people in Sheffield think, but I keep drawing their attention to it.

To come back to my hon. Friend the Member for Leyton (Mr. Cohen), will he explain to the public—especially the people in the Strangers' Gallery, although we are not supposed to refer to them—what a blocking motion is? There are not many times in parliamentary procedural life when one can do a job for the general public. The textbooks explain what a blocking motion is. People write books and tell us what it is all about, but when we get them it is different. My hon. Friend should explain slowly what a blocking motion is. He might get on telly—indeed, I will bet diamonds that he will be on the Parliament programme tomorrow.

Mr. Cohen: I do not know whether I will get on the television, mainly because my explanation is not likely to be particularly good or erudite. I am not so great an expert on these matters as my hon. Friend the Member for Bolsover (Mr. Skinner). If an item is chosen for the television, I hope that it will be the joke that I am about to tell about London Regional Transport. Run by the present lot in charge, with the backing of the Tory Government, it is a bit like a cocktail—a long slow queue. Increasingly, there are long slow queues at the bus stops. That is my joke for the telly.

I am not an expert on blocking motions. The promoter, London Regional Transport, is trying to jump the queue and bounce the Bill through the House without proper discussion. That is why points of order were raised at the beginning of the debate. The Bill is the equivalent of a Bill introduced in the last Session of this Parliament. It was blocked on that occasion and went no further. It was not allowed to be carried over into this Session. London Regional Transport still wants it to jump ahead of all the other Bills, but it will not get away with that. My hon. Friends and I are alert to that game. We have put down our names as objectors to force this debate and we hope to force the Bill out. The blocking motion means that the whole thing will be put off for six months.

Mr. Andrew F. Bennett: I did not think that my hon. Friend's joke was very good. If he wants to get himself on television, he would do better by explaining the blocking motion. Will he confirm that the whole idea of blocking the Bill for six months is so that the promoter can talk to the people who object to the Bill and attempt to find a compromise to meet their objections? I have been approached by London Regional Transport about the Bill. My hon. Friend's name is the first on the blocking motion. Has he been approached by or had any discussions with London Regional Transport?

Mr. Cohen: That is an excellent point. As my hon. Friend says, the purpose of the blocking motion is to allow the promoter of the Bill to meet the hon. Member whose name is on it to see whether the objectors' fears can be allayed. I objected to the Bill in the last Session of Parliament and in the Session before that. In all that time, the promoter has not come to discuss my objections to the Bill.

I recently received a letter from some public relations person or manager at British Rail. Unfortunately, I do not have the letter with me. It was remiss of me not to bring it. If some hon. Member wants to keep talking while I run across to my office for it I could read it out to the House. As that is not feasible, we shall have to forgo that. I received the letter just two days before this debate, asking whether I wanted to meet the person who wrote it. We have been busy recently in the House. Members of Parliament are busy people. I have had a series of meetings on vitally important issues this week. I have an

Adjournment debate on the Health Service tomorrow. I was looking forward to debating the subject with the former Under-Secretary of State for Health, the hon. Member for Kettering (Mr. Freeman), but he has been moved sideways—or promoted, I do not know which—by the Prime Minister. I now have to face a new Minister who has no idea about the Health Service. I also had to brief myself for this debate. How could I find time to meet a representative of British Rail at one day's notice?

Mr. Skinner: My hon. Friend had to read an article as well.

Mr. Cohen: That is right. I had to read the article by the right hon. Member for Henley (Mr. Heseltine) about his attitude to current political issues.

Mr. Skinner: What did my hon. Friend reckon to it?

Mr. Cohen: I shall not respond to that as I know that you, Mr. Deputy Speaker, will not allow it.

If local authorities should be accountable, so should LRT. It should stand for election every year, especially when it wants to introduce a Bill that will cost the public more money.

My hon. Friend asked about the Henley formula for local authority elections. He wants that formula to operate according to a level set by the Government of what a council's spending should be. If a council spent in excess of that level it would have to hold an election. That is politically manipulative. Only Labour authorities would have to have elections every year. I will not mind the system because when a Labour Government returns to power we shall set the level for Conservative councils so low that they will have to hold an election every year. The Labour councils will not have to hold an election every year. If the Government play political games with the level of spending and the poll tax, we should do the same. Unelected quangos should also face an election.

Mr. Tony Banks (Newham, North West): I am grateful to my hon. Friend for raising that point. If London Regional Transport were still under the democratic accountability to which it was subject when the Greater London Council was responsible for transport, issues such as that presented by the Bill would have been thrashed out in an open forum. There would have been consultation with all involved, including people with interests such as that of my hon. Friend.

Would my hon. Friend join me in utterly condemning the decision that has just been made in the House of Lords to uphold the Secretary of State's decision to allow county hall, from where we used to exercise democratic control over London Regional Transport, to be turned into a hotel? Does he not agree that that is an insult and Labour party spokesmen must pledge tonight the Labour party will take county hall back by compulsory purchase when it forms the next Government?

Mr. Deputy Speaker (Sir Paul Dean): Order. I realise that the hon. Member for Leyton (Mr. Cohen) is still on his preamble and getting warmed up, but I am sure that he will resist the temptation put to him by his hon. Friend the Member for Newham, North-West (Mr. Banks) which would be quite out of order in this debate.

Mr. Cohen: I shall resist that temptation and say only that I agree that it is an absolute disgrace and scandal that London is the only capital in the western world without its own democratic regional government. The result is the chaos that we see all around London, in all services, including transport. That is why Bills such as this come before the House—Bills which are ill thought out, badly backed up by statistics and about which no one has been consulted. Such Bills are bad for London. We need to get a democratic forum back into London.

In an earlier intervention my hon. Friend the Member for Denton and Reddish (Mr. Bennett) talked about what consultation we had had, and, as I said, I received a letter in the past two days, which was derisory. In today's post I received a statement on behalf of the promoters in support of the Bill's Second Reading. I have glanced through it to see what points I could raise in the debate and found two straight away. First, the corporation claims that fare evasion is

"currently estimated at £26 million per year on the underground and £15 million per year on the buses."

The hon. Member for Ilford, South (Mr. Thorne) talked about those figures, but where is the proof? Such figures were mentioned in our previous debate on the subject, and the one before that. Automatic ticket barriers were put in, allegedly to try to reduce those figures. Some £150 million was spent on trying to reduce the figures, and yet the same figures are brought out yet again in support of the Bill without a scrap of evidence to back them up. I do not believe them.

Mr. Snape: Does my hon. Friend recall that when the powers-that-be decided to inflict on this city and others throughout the United Kingdom the system of operating buses with only one person, many of us warned that such a system would lead to widespread fare evasion for obvious reasons? We were ignored then and the Bill is a belated attempt to patch up that gap which, particularly in this city, should be taken care of by the provision of buses operated by two people. That would help not only to reduce fare evasion, but would considerably reduce traffic congestion, not only in London, but elsewhere in the United Kingdom.

Mr. Cohen: I agree that there is a level of fare evasion that runs into millions of pounds during the course of a year. As my hon. Friend said, that is made worse by one-person operation and every time the fares rise higher than the inflation level. That has been the case year after year as the Government have taken away the subsidies. However, I do not believe that those are the figures quoted in the statement. They might be, but where is the evidence and proof? There is none whatever.

Secondly, the statement says:

"the level of penalty fares payable would be—

(a) in respect of any bus journey or any journey solely on the Docklands Railway £5; and

(b) in respect of any other train journey, £10."

In my view, £10 is much too much—it is a punitive fine. Why is the docklands light railway getting favourable discrimination? Yet again, the Government are pumping money into the docklands at the cost of the rest of London, and giving those people in the docklands privileged treatment.

I put down a parliamentary question about how much the Government had spent solely on publicity and advertising for the docklands corporation. My hon. Friend the Member for Bolsover will be interested in this point because he is always interested when money is misused. I found out that the Government gave the docklands corporation—just for publicity and advertising,

[Mr. Cohen]

nothing else—£17 million in the past eight and a half years. That is due to go up another £10 million in the next three years—£27 million in 11½ years. That money could have been much better spent on public transport throughout London. I know that my hon. Friend the Member for Bolsover has good ideas about how that sort of money could be spent. There is discrimination in favour of docklands travellers, and we are given no reason why that is included in the statement. We can only conclude that it is part of the discrimination against the rest of London and the rest of the country.

Mr. Skinner: Is that where Dr. Death lives?

Mr. Cohen: Yes; he is one of the Limehouse founders.

Mr. Skinner: He is doing all right.

Mr. Cohen: I should not say this, and my hon. Friend the Member for Preston (Mrs. Wise) advises me not to do so, but I will just say that I am sure that Dr. Death pays his fares when travelling on public transport. In fact, I doubt whether he travels on it at all. When he was in government he got into the habit of going around in chauffeured cars, and I bet that that is what he still does. Ironically, that is also what the board members of London Regional Transport do—they rarely use the public transport that they inflict on the rest of London, but go around in chauffeured cars.

I was on the Committee which set up the London Regional Transport quango when the GLC was abolished and democratic control and democratic public input were taken away. There was a clause in the Bill allowing money to be spent on the board going around in chauffeured cars. I raised that in Committee.

Mr. Skinner: Were they Daimlers?

Mr. Cohen: We were not told, but I suspect that if they had the chance they would have Rolls-Royces because they are happy to waste public money, as we have seen with the automatic ticket barriers. The statement raises more problems than it solves, and we have received it on the very day that the Bill is debated in the House. Such a consultation process is desultory.

Mrs. Audrey Wise (Preston): I do not want to divert my hon. Friend, but has he considered the possibility that, as a quid pro quo for penalty fares, a penalty in the reverse direction should be imposed on London Regional Transport, perhaps by way of a fare refund to passengers who repeatedly have to endure the lack of escalators when they are out of order for months and months? We are not getting the service that we are paying for. As people who pay our fares and use London Regional Transport a great deal—although we are provincial Members of Parliament, we have to use London transport—we do not get the service for which we are paying. The escalators simply do not work.

Mr. Cohen: That point was well made by my hon. Friend. I support the idea of reverse penalties, which should apply when lifts are not working. I know that in Walthamstow Central the lifts were not working for six to eight months. The last time I was there they were working, but last year they were out of action for six to eight months. If LRT had to pay all the passengers because of that, it would soon get the lifts back in order.

Mrs. Wise: Many elerly women passengers—there are more elderly women than elderly men—are prevented from travelling at all if escalators are out of order. Women with infants and babies find that transport in London is beyond their reach if an escalator is not working.

Mr. Cohen: I agree with my hon. Friend. Such deficiencies mean that people cannot use the public transport on which they rely. Because of the way the brain functions, when one steps on an escalator that is not working the brain thinks that it is. I am sure that we have all experienced that. It is a normal brain pattern to make allowances for moving escalators. One could easily fall down the stairs and suffer severe injuries.

Mrs. Wise: It is even more dangerous for a woman carrying a toddler.

Mr. Cohen: That is right. Earlier I spoke about the docklands light railway. I used that railway to go to a concert with my foster lad. It was a very good concert given by "Simply Red". Being a socialist, I was pleased to see "Simply Red' giving an excellent concert.

Mr. Skinner: What kind of music does "Simply Red" play?

Mr. Cohen: It plays sort of jazz and pop. My foster lad and I and everyone in the audience enjoyed the concert immensely. It was easy to get to on the docklands light railway because one almost falls out of the station—I forget which one it was—and into the concert hall. Just before the concert started, it was announced that the docklands light railway was not running back because the electricity had been cut off. The hall was packed with people and they were virtually stranded in the middle of nowhere on the Isle of Dogs. My foster lad and I had to walk back in pouring rain. Such breakdowns happen regularly because the Government, with the help of LRT, carried out a shoddy and rotten job on the railway. A shovel being pushed into the ground is enough to stop the tube. The Queen got trapped in a train.

Mr. Skinner: On the tube?

Mr. Cohen: The Queen does not travel on the tube. The docklands light railway is overland and passengers can get a view of the Thames and see all the building work that is going on. Apparently the Queen was travelling on that railway and some fellow put a shovel in the ground, which interfered with the electricity and the Queen was trapped in the train. The system is quite appalling, and because it was made on the cheap we are getting all these problems.

Mr. Skinner: Is that why Prince Philip keeps saying, "Pull your finger out"?

Mr. Cohen: His comment might have had some bearing on that, but I do not blame him becase he would not want his wife—I would not want to see anybody's wife—trapped on a train for a long time.

All those people, myself included, were stranded on an appallingly wet evening and the situation was potentially quite dangerous. LRT should have paid fines to the people whom it had lumbered in that way. It put on a couple of buses, but they were small, cheap buses.

Mr. Skinner: Did the Queen take a bus?

Mr. Cohen: I do not know whether LRT laid on a bus for the Queen. I think that it was a Rolls-Royce. One of the directors had to stay in his office that day and could not go out for his expensive lunch at Claridges because his car was being used to carry the Queen. I think that that was the case, but I am not sure. He probably had two lunches the next day at the taxpayer's expense.

Mr. Skinner: Was the whole Royal family there?

Mr. Cohen: I think that it was just the Queen putting on a public relations show, and in many respects she does that very well.

Mr. Deputy Speaker: Order. I am trying to listen to the hon. Member for Leyton (Mr. Cohen), but it is exceedingly difficult to do so when there is a running commentary going on.

Mr. Cohen: My hon. Friend the Member for Bolsover spoke about the monarch not paying any poll tax. She gets away with not having to put up any money to finance London Regional Transport even though she used it on that occasion. If I was stuck in a train, I would not want to put up any money for London Regional Transport. Many Londoners are packed in like sardines—it is worse every morning and they pay dearly for it in fares and taxes. Now they have to fork out poll tax as well. I shall have more to say about that later.

Mr. Andrew F. Bennett: I travelled on the tube this morning to come here. I had to stand with my hands down in my fraction of space and almost all the other passengers in my section could not move. How will the people checking fares move through such a compartment?

Mr. Cohen: It will create chaos. I have been on the tube four times today already. It was crowded at midday, well after the rush hour. Three inspectors got on one of the trains on which I travelled, but in the cramped conditions that my hon. Friend describes it will be impossible for even one inspector to do his job.

Mr. Skinner: It is a relief to come to this place—there is plenty of space here.

Mr. Cohen: Yes, it is a blessing. There are not many hon. Members here for the debate. There are not many Conservatives here because they do not care about London Regional Transport. They do not travel on it. We rarely have a debate on LRT. Yet on one of these rare occasions, Conservative Members do not have the decency to turn up. I get a couple of letters every week from constituents complaining about bus and train services. Conservative Members must receive such letters, too. This is a rare chance to debate the matter, but they cannot be bothered to turn up.

There is a silver lining, however. Having travelled on the tube today and been caught in the congestion, it is a pleasure to come here to a relatively quiet House and to have a bit of walking space to make a speech or to shuffle up and down the Benches. That is quite an advantage. There is little opportunity to debate London Regional Transport. My hon. Friend the Member for Newham, North-West (Mr. Banks) served on the Committee that considered the Bill that set up LRT. He did sterling work in raising issue after issue of concern to Londoners. The then Ministers derided my hon. Friend's concern about congestion, lack of investment and all the other problems. Of course, he has now been proved right.

When LRT took over from the Greater London council —the democratically elected transport authority for London—the Government pledged that, because there would be no democratic debate in LRT's board—its members were appointed, not elected—Members of Parliament would fulfil the role of elected councillors. My hon. Friend the Member for Newham, North-West argued that, because of problems with time and because Members of Parliament must consider national issues, they could not do such a good job as the elected local councillors had done.

Nevertheless, the Government pledged that there would be an annual debate on LRT, under the umbrella of the levy order. Because of the introduction of poll tax, the levy order has been dropped. Londoners still pay towards LRT. The Government have reduced the grant to London local authorities, so poll tax bills are higher than they should be. We can no longer have the annual debate because the levy order has been dropped, so democratically accountable Members of Parliament cannot raise issues on behalf of their constituents.

I wrote to the Leader of the House and complained bitterly about that, but he said that it did not matter. He said that there would be many other opportunities for hon. Members to raise points about LRT, such as during questions.

Mr. Tony Banks: We cannot get in during questions.

Mr. Cohen: That is right. Question Time is no substitute for a proper debate. If an hon. Member does not have a question in the top 10, he is unlikely to catch Mr. Speaker's eye. Many other national transport issues are involved.

Having received that reply from the Leader of the House, I assumed that he meant that we could raise points in debates such as this. Perhaps that is why this Bill from LRT has jumped the queue. It is a conspiracy. The Leader of the House is trying to help me by allowing LRT to jump the queue. That is no way to deal with these matters. We are discussing a specific item about penalty fares, so London hon. Members probably do not know that they can raise other issues to do with LRT. Perhaps that is why they are not here. I had it on the good authority of the Leader of the House that we can raise other matters, and I shall do just that.

Mrs. Wise: My hon. Friend mentioned democratic accountability. Is he aware of the good work of the GLC in making the then London Transport more accountable? Even more should have been done, and the GLC should have had a tighter grip on London Transport. My hon. Friend may not be aware of the many important changes for the benefit of women and, indeed, for the continuing good business of London Transport.

For example, the then chair of the GLC women's committee, as an elected councillor speaking on behalf of the women of London, approached London Transport with the full facts and figures about the obnoxious advertising that was a positive danger and that caused great distress to women. She prevailed on the then board of London Transport to alter its policy and to show more respect for women. She pointed out that women were afraid to travel because of the feelings aroused by those

[Mrs. Wise]

advertisements. She was able to do that because there was democratic accountability. All that valuable work has now been cut off.

Mr. Tony Banks: Who was the chair of that committee?

Mr. Deputy Speaker: Order. I am sure that hon. Members will recollect that we are dealing with penalty fares.

Mr. Cohen: I certainly recollect that, Mr. Deputy Speaker. Of course, we are talking about fines. If deeply offensive advertisements appear on tubes and buses, LRT should be made to pay compensation to those who find them distressing.

Mrs. Wise: London Regional Transport has not dared to revert to London Transport's policy. That democratic accountability still has a ripple effect. However, the longer that London is without a democracy the greater the danger that the gains will be lost.

Mr. Cohen: My hon. Friend makes an excellent point. She referred to the chair of the GLC women's committee. I can reveal that it was none other than Councillor Valerie Wise, my hon. Friend's daughter. She was well trained in democratic accountability and good policies for women and for London's passengers in general. Of course, Dave Wexall also did excellent work. He has a fantastic record. If we compare how transport was run under the GLC and how it is run by the new lot, Dave Wexall comes out with flying colours. My hon. Friend the Member for Newham, North-West contributed a great deal to the improved policies and democratic accountability. The former leader of the GLC, my hon. Friend the Member for Brent, East (Mr. Livingstone), played an important part.

I sense that you are about to stop me, Mr. Deputy Speaker. However, we could do with a higher political profile in London. Someone like my hon. Friend——

Mr. Deputy Speaker: Order. I must stop the hon. Gentleman. I realise that he is being tempted by some very tempting interventions, but I am sure he will direct his remarks to the Bill.

Mr. Cohen: The point about accountability is important. London Regional Transport has its hands on the money. Under this Bill, it will also have its hands on the penalty fares. It is already abusing the system with all the cuts in services. There are declining conditions—filthy stations and congestion.

Mr. Skinner: The £26 million to which reference has been made is a flea bite compared with the £6 billion-worth of fraud that took place in the Common Market and which the Tories voted to permit. Let us not forget that, after a debate in which my hon. Friends and I said that we did not like the idea of £6 billion-worth of fraud occurring in the EC, the Tories, led by the Prime Minister, voted, in effect saying, "That's okay, because it's the Common Market."

It is clear that we are talking about fraud, in this case said to be worth £26 million. In view of my hon. Friend's knowledge of this subject, he should explain clearly what is likely to happen to that £26 million. I have come into the Chamber to listen to my hon. Friend, whose knowledge of this subject I respect. Will he say what the new model Labour plan is for London Regional Transport? Will he throw out a few ideas about what the future holds for LRT, without our needing to potter about with private Bills?

I am sure that my hon. Friend the Member for West Bromwich, East (Mr. Snape) will contribute to the debate later. Meanwhile, I urge my hon. Friend the Member for Leyton (Mr. Cohen) to encourage him by being forthright. Let us have a little adventure and imagination.

Mr. Deputy Speaker: Order. I am all for adventure, so long as it is within the context of the Bill.

Mr. Cohen: I agree with money being spent on the tubes and buses for the benefit of Londoners and passengers generally. I fear that, if we pass the Bill and LRT gets its hands on the money, it will go straight to the Treasury, which will then further reduce the subsidy to LRT, which has been cut already. We know what the Prime Minister and the Chancellor will do with the money——

Mr. Skinner: Build bigger gates at the entrance to Downing street.

Mr. Cohen: Exactly—provide bigger gates to No. 10. In that context, I can reveal that there is a secret underground railway system from the Ministry of Defence, No. 10 and other Government Departments to certain destinations. I would like to bet that penalty fares will not be imposed on that tube line. I want the sponsor of the Bill to say whether its provisions will apply to the Prime Minister when she jumps on the secret tube that operates from No. 10 Downing street and takes her out into the country when there is a revolution. Will a penalty fare be imposed on her if she does not pay her fare? Do inspectors exist with authority to go on that secret line?

We must have answers to those questions because, while my hon. Friend the Member for Bolsover may be right to say that the additional money will go on bigger gates at the entrance to Downing street, some of it may go on improving that secret underground system, so enabling the Prime Minister, bureaucrats and top civil servants to enjoy it. Whatever happens, the public will not get the benefit of the money.

Mr. Andrew F. Bennett: I hope that my hon. Friend is not dodging the question of what will happen to the £26 million. I understood that the case for the Bill last year was that £26 million was being lost. That was claimed before the automatic gates were introduced. Was not the idea of the automatic gates—apart from chopping people up—to stop that fraud? How much fraud is going on now, and how much is likely to be saved as a result of the Bill?

Mr. Cohen: My hon. Friend is right to say that the excuse for introducing these mechanical rottweilers, as the automatic ticket barriers can be described—let us not forget that people have been badly injured when the gates have closed on them—was to reduce the £26 million of evasion. There was no proof last year that that was the loss. But now, the mechanical rottweilers having been introduced at many stations, we are told that £26 million is still being lost. As a result, LRT is apparently introducing what is described as a touch-and-pass system.

Mr. Skinner: What is that?

Mr. Cohen: It is for the sponsor to answer my hon. Friend's question. I believe that it will operate on tickets the way in which goods are passed over a magic eye at

Sainsburys. A photographic eye will open the barrier, I gather, although we have yet to be told whether barriers will be associated with the new machinery. The fact that LRT is moving to a new system so quickly, having spent £150 million installing ticket barriers, is an admission that there has been an appalling waste of money by the unaccountable, Government-appointed board of LRT.

Let us compare that expenditure of £150 million with the £26 million that it is claimed is being lost through evasion. It is said, "The Conservatives cost you less." What a waste we have witnessed already. My hon. Friend the Member for Bolsover was right to speak of the waste that has occurred in the Common Market. We could also refer to the fraud at Harrods——

Mr. Andrew F. Bennett: About £600 million.

Mr. Cohen: Worth millions, as my hon. Friend points out. There has not been a glimmer of action from the Government on that. We do not see any private Bills on that subject. What about the Johnson Matthey fraud?

Mr. Skinner: About £100 million.

Mr. Cohen: That involved millions, as my hon. Friend says.

Mr. Deputy Speaker: Order. Sedentary interruptions are putting the hon. Member for Leyton (Mr. Cohen) off his stride. They are most unfair.

Mr. Cohen: Thank you for your protection, Mr. Deputy Speaker.

Only last week, a mugger snatched a suitcase from somebody in the street and made off with Treasury bonds, which are apparently exchangeable for cash, worth £292 million. Frankly, something stinks over that. I do not believe that an individual could have got away with a crime such as that. Organised people must have been behind it.

Mr. Skinner: How did the mugger get away?

Mr. Cohen: He probably made off on the tube, having paid his fare. Apparently no inspector was in evidence to ask him to open his suitcase, as will happen to others on the tube.

As I explained, the money that is raised will go to the Treasury and be wasted, as it has wasted £83 billion of North sea oil revenues. This will be a drop in the ocean by comparison. It will be used as a bribe at the next general election and, when that is over, it will finance huge tax cuts for the rich. In other words, somebody who has not paid his fare will be caught and the money raised by that means will go to the rich, rather than to LRT to run a better service for its passengers.

The railway inspectorate's report on one-man operated trains has been censored. We do not know how dangerous such trains will be—for example, they may have to stop deep in tunnels—but when they are introduced, fare evasion will increase, just as it did on the buses.

High fares also mean greater fare evasion. When fares go up way above the rate of inflation, as they have done, more people cannot afford them and so are encouraged to try to avoid paying. There should be better ticket facilities at every station—not just machines but ticket offices with staff. At the moment, with one person at each ticket office there are big queues, and that encourages people in a hurry to dodge a queue and not pay their fares. They are desperate to get into work, yet they see train after train going. They are afraid that the boss will fine them—not London Regional Transport—by docking their wages if they do not get to work on time. Staffing is a key element.

In line with Government policy, LRT can spend as much money as it wants on white elephants such as ticket barriers—just like the channel tunnel and other such projects—but the purpose is to cut staff; to put people out of work who would otherwise be doing a good job and playing a role in safety. The Government do not care how much money they spend on throwing people out of work. They see that as weakening trade unions.

Mrs. Wise: Is my hon. Friend aware of another hazard that arises from the introduction of machines which accept £5 notes? If a machine goes wrong, because of the lack of staff, a passenger must wait and wait. It is embarrassing to have to elbow a queue aside for attention, but people simply cannot afford to leave their £5 note in the machine. That illustrates the need for more staff to help in the issuing of tickets, which in turn will reduce fare evasion.

Mr. Tony Banks: Machines which will take an arm and a leg.

Mr. Cohen: Taking £5 for a fare is taking an arm and a leg.

My hon. Friend the Member for Preston makes her point well. Lack of staff could lead to terrific disruption and perhaps even a punch-up. People who cannot get their change to see them through the day could cause a fuss while lots of other people are waiting in the queue. I do not have a narrow mouth, as witnessed by my long speech, but many station entrances do, and that makes the automatic ticket barriers dangerous.

The frustration created by not being able to obtain change or by waiting in a queue could lead to a serious punch-up and even loss of life. When that happens, LRT and its board will disclaim all responsibility. They will say that it was nothing to do with them because they were not there, and they will not have been there because their staff will not have been there.

I have said where the money from such penalty fares will go under this Government, but under a Labour Government it would go towards improving the service for passengers. We had a voluminous report on the terrible tragedy at King's Cross, but many of its recommendations have not been carried out. LRT has only just got round to banning smoking on the underground, but it has not banned the shops on the stations from selling cigarettes. Many other recommendations have not been implemented. Safety drills have not been implemented. Again, staffing is crucial to safety procedures. I am sad to have to say that the lessons of the King's Cross fire have not been learnt.

Often, when I travel on the tube, I can see that something has been going on. Too many people are waiting, or a platform is empty, and one knows that something has happened. A couple of weeks ago, I was travelling home by car after a late vote in the House when I saw fire engines outside the Embankment station. Luckily, it was late at night, but if it had been the rush hour, the station would have been very busy, because many people, even Members of Parliament, change lines there. There could have been a terrible accident. Fires are still occurring.

[Mr. Cohen]

The lessons of King's Cross have not been learnt, and one reason for that is that there is no money to improve safety measures and to clean up stations. Stations and trains are squalid and dirty. The seats on the train that I travelled on today were falling off; they were uncomfortable and filthy. Many cleaning staff have been cut. It is most unpleasant for Londoners to travel in such conditions. Even when a train is relatively uncongested, it is most unpleasant to have to sit in such filth and squalor.

The Labour party has said that it will move in the right direction, but I hope that we will put money into safety, into a big clean-up of the underground and into reversing the cuts on the buses. Many pensioners make great use of the free bus pass which my hon. Friend the Member for Newham, North-West and I were instrumental in winning, with the assistance of all London's pensioners. But what is the good of having a pass without the buses?

Mr. Tony Banks: I take this opportunity to make it clear from the Front Bench on behalf of the Labour party that, when we form the next Government, one of the prime responsibilities of the new London council, which a Labour Government will install through elections in London, will be for transport and transport planning, and many of the good points which my hon. Friend is making in his excellent speech tonight will, I am sure, be embodied in future Government policy.

Mr. Deputy Speaker: Order. I am sure that the hon. Gentleman will return to the Bill.

Mr. Cohen: We are talking about a £10 penalty and, given the level of fare evasion, that will be a lot of money.

Mr. Andrew F. Bennett: The fines last year were £10 and £5. I understand that, in the past 12 months, there has been a certain measure of inflation. My pensioners reckon that it is about 15 or 16 per cent. I gather that the Government will announce an inflation figure of 9·9 per cent. tomorrow as a fantastic triumph. If there has been 10 per cent. inflation, should not the penalties be £11 and £5·50? Does my hon. Friend accept that, in the Bill, the Secretary of State has power, by order, to increase the figure? Will he inquire of the Minister whether he intends to increase the penalties some time within the next couple of years?

Mr. Cohen: My hon. Friend has made some telling points. First, he asked why the level of the proposed fine would not take inflation into account. That is because London Regional Transport has given no justification for wanting a particular level of fine: the figure has been plucked out of the air. The point about the Minister being able to alter the fine at random, and without the House debating it properly, is associated with what I said earlier about the rights of debate being taken away from London hon. Members.

That is another reason why we should reject the Bill tonight: it is a blank cheque. Notwithstanding the £5 or £10 specified in the explanatory statement, the day after the Bill was passed, the Minister could say that the Government were increasing that figure to £25 or £50. The House would have no control over that.

I am not convinced that we should go along the route of penalty fines, but money spent by a future Labour Government would be spent on improved safety, improved services, keeping fares down, better staffing and better cleaning on our buses and in our stations. That is what the people want.

Mrs. Wise: Does my hon. Friend agree that any penalty or punishment is effective only if people are caught? The elaborate arrangement of barriers is extremely effective —I fear, too effective: I am nervous in case there is a fire. Even with that effective barrier system, if people continue to evade fares, how can they be caught in the future?

The imposition of a penalty in a Bill is not the same as imposing it on a person. LRT has said that as it will take fewer criminal prosecutions. Does that make it less likely that people will be caught, and more likely that people will take the risk of a £10 fine, rather than the disgrace of a prosecution? Surely that would work against LRT.

Mr. Cohen: My hon. Friend makes a fair point. I shall refer to on-the-spot fines later, and whether they will lead to a criminal record.

In my opinion, the barriers have not worked. The problem is that LRT seems to be putting its efforts into what could be a violent campaign. If the inspectors—such as the three that I saw this morning—cannot get their fare, presumably there will be a punch-up if people try to escape without paying. I can envisage a "Rambo of the LRT": there will be films about "The Bill"—the "Transport Bill" along the lines of "Starsky and Hutch" and "Miami Vice". There is only a small amount of fare evasion, but a would-be script writer for the BBC, the IBA or Sky Television could perhaps create a series called "Tottenham Court Road Vice".

Mrs. Wise: Has my hon. Friend read clause 5 (2)(a) of the Bill? It excludes from penalty anyone who finds that, when he started to travel,

"there were no facilities available for the sale of the necessary fare ticket for his journey."

Is my hon. Friend aware that that is quite a common occurrence? I can envisage much nervousness being engendered in passengers who are forced to travel without a fare, and may have to argue the toss about whether they are travelling illegally, or whether that had been thrust on them. Although the Bill excludes them, I can envisage some unpleasant incidents. Does my hon. Friend agree that it would be better to have staff to issue the tickets in the first place, instead of thrusting apparent evasion upon people?

Mr. Cohen: My hon. Friend is right to draw attention to that clause. Apart from the nervousness caused to passengers who could not obtain a ticket, trying to prove that there were no facilities available at the station where they boarded will be almost impossible, especially when they are surrounded by three burly inspectors. In many cases, I suspect that the money will be forced out of people by intimidation. There should be an absolute guarantee that staff will be available to issue tickets at stations every minute of the day, but there is nothing along those lines in the Bill.

There has been virtually no consultation. LRT has imposed many cuts—for example, on the 38 and 55 bus services that used to run from Leyton garage. That cut was arbitrary. I tabled early-day motion 630, which says:

"That this House condemns London Regional Transport for cutting the 38 and 55 bus routes from Leyton; notes that this is not only means a reduced service to the public enforcing upon them bus changes, longer waits, extra cost and less safety but also a threat to the jobs at Leyton Bus Garage; and

is further angry at the unaccountable way in which London Regional Transport made this decision effectively ignoring hundreds of letters and a thousand plus signed petition opposing the cuts."

Now the number is approaching 2,000.

I received a copy of a letter from Mr. Le Jeune, who is a public relations officer at LRT. It was addressed to the second sponsor of my motion, my hon. Friend the Member for Islington, South and Finsbury (Mr. Smith). The letter said that there had been consultation before the cuts to the 38 and 55 buses were made: it was a public relations diatribe.

LRT did indeed consult; the reply from 1,800 people was that they did not want the cuts. However, it went ahead with them. It was nonsense to say that people were consulted. It is no good consulting people and then not taking any notice of what they say. There has been chicanery on the part of the public relations people in LRT.

In March, London Labour Members of Parliament received a letter from the chairman of LRT. He said that the other system of consultation with Members had not been working—I did not know that there was one—and that he would arrange a one-off dinner for London Labour Members. A dinner is a poor substitute for a democratic input of information, but we were to have a dinner. I intended to raise at it the cuts in the Nos. 38 and 55 bus services and the objections of the 1,800 people. Surprise, surprise—the dinner was cancelled. LRT is not interested in an input from the people. Now the dinner has been set up for late July. That is the consultation that is to take place with London Labour Members. It is absolutely derisory.

Mr. Deputy Speaker: Order. The hon. Gentleman is wandering away from the Bill; I am sure that he will come back to it.

Mr. Cohen: I was setting the scene in regard to consultation about the Bill. I have already mentioned the short letter we got from the sponsors and the statement we got today in the post. That statement is full of holes. There has not been proper consultation with hon. Members or with councillors. I do not think that there has been any consultation with London councillors. I do not think that there has even been consultation with trade unions. Why does not the statement tell us what the trade unions think about the Bill? When the Bill was before us last Session, I asked what the trade unions had to say because their members may suffer violence as a result of the Bill. Yet again it comes before us, with not a word about what the trade unions think. If they have been consulted, the consultation has not been of much use.

What consultation has there been with the public? Have there been any advertisements in the underground to let people know that the Bill is going through Parliament and that they have a right to make suggestions to LRT or to their Members of Parliament? I have not seen any advertisements. I suspect that most of the public have no idea that we are discussing the matter, because LRT is not interested in telling the public about its plans.

Mrs. Wise: Does my hon. Friend accept that it is not just a London matter but that the transport arrangements in the capital affect people who travel to London for many purposes from all parts of the country? Even if there had been excellent consultation arrangements for London Members, it would be grossly inadequate if Members generally were not consulted. It is the concern of all hon. Members.

Does my hon. Friend further accept that it was probably a great service to him that LRT cancelled the consultation dinner, because many of his constituents might have misunderstood it if he had gone to a dinner with LRT when their bus services were being cut? My recommendation would be to insist that LRT consults properly at meetings which are held for the purpose and which are open to the public.

Mr. Cohen: I agree with my hon. Friend, but when there is no other opportunity to raise the concern of my constituents, I have to take whatever opportunities I can. It is not for need of a dinner that I would go—I probably go to fewer dinners than other hon. Members—but it would be a rare opportunity to raise the concern of my constituents.

I intended to co-ordinate the March dinner with the handing in of postcards signed by many objectors in my constituency. When the dinner was cancelled, we went along with the postcards and the petition against the cuts in services. LRT refused to accept the petition. I was forced to send it to the then Minister, even though I knew what response I would get from him. That is a joke as well. All he said was, "Thank you for the petition, but it is a matter for LRT."

I suspect that the new Minister will say the same when he has got his feet properly under the table, because that is what he did in regard to the Health Service. Previously, I raised with him the budget deficits and the chronic and life-threatening underfunding of local health authorities. He replied that it was a matter not for him but for the local health authority——

Mr. Deputy Speaker: Order. We are not dealing with the Health Service; that is miles away from the Bill.

Mr. Cohen: I am talking not about the Health Service but about the pattern of Minister's behaviour when they get petitions.

When there are protests over the working of the legislation, passengers may be beaten up by inspectors, or an innocent bystander may be caught in a terrible fracas. As a result, relatives may write to their Member. If the Member tries to take the matter up with LRT, it will say that it is not accountable. If the Member passes the complaint to the Minister for Public Transport, he will say that it has nothing to do with him but is a matter for LRT.

My hon. Friend the Member for Denton and Reddish was right to point out in an earlier intervention that penalty fares will be an opportunity for the application of a lower standard of proof. That was pooh-poohed by the sponsor, the hon. Member for Ilford, South, but I cannot see how there can be anything but lower standards. An inspector will tell the passenger to pay up because the law says that he must do so. The passenger may say that he was not disobeying the law because there were no facilities to buy a ticket at the station where he got on the train. He may even quote the provision to which my hon. Friend the Member for Preston has referred, but the inspector will tell him that, if he does not pay up, he will go to court and get a criminal record.

I foresee an additional problem. I am not straying from the Bill, Mr. Deputy Speaker, but just this week I read in a newspaper about two people impersonating social

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workers in an attempt to get access to children. That was a shocking case, and I hope that they are caught and dealt with. Impersonation takes place. I can envisage impersonation on trains.

All someone needs is a uniform; some poor London Transport inspector may even be mugged for his uniform. Someone impersonating an inspector will be free to roam up and down every train, collecting penalty fares. There is nothing in the Bill to say how that will be stopped. LRT may say that it has transport police, but the problem of impersonation has not been covered. Some people will stop at nothing to make a few bob. Desperate individuals will see it as an easy way of conning the public.

There is no mention in LRT's statement of whether a person will get a criminal record under the new system. Paragraph 5 of LRT's statement confirms:

"This penalty would be payable on the spot or within 21 days but, if the passenger refuses to pay the penalty, the Corporation could, and do intend to, institute civil, rather than criminal, proceedings for recovery, except in cases involving flagrant dishonesty when prosecutions will be brought."

It is all very well saying that, but advert after advert warns that people must buy a ticket if they are not to get a criminal record. We must be clear whether a person risks a criminal record following the implementation of this legislation.

What will happen to the information about a person's name and address, which must be given when the spot fine is paid? Data are already exchanged between Government Departments and provided to other organisations that should not receive them. Information provided in connection with the poll tax ends up with all kinds of credit agencies and senders of junk mail.

Mr. Andrew F. Bennett: Can my hon. Friend explain how the inspector can be sure that he has been given the right name and address? Is there not a danger that individuals will give false information, so that a person who was never involved ends up with a criminal record? Also, how will payment within 21 days be enforced if the information is false?

Mr. Cohen: My hon. Friend makes two excellent points. If false information is given, the fine cannot be enforced. That implies that inspectors will really have to lean on the individual, demanding to see proper identification. If it is not produced, all kinds of heavy tactics might come into play. A person who happens not to be carrying any identification may find himself taken to the police station and criminalised.

It is even possible that people will maliciously give the name and address of a person they do not like—perhaps a neighbour. The Government are currently into a campaign of encouraging people to snitch on their neighbour. That is how the poll tax will develop. When the Government start running anti-scrounger campaigns, they will say, "Snitch on your neighbour. Who lives with your neighbour and should be paying poll tax?" The Government will encourage the public to snitch under this Bill as well.

In these days of modern data transfer, there now exist minicomputers and microcomputers. Within a few years, inspectors could be walking around carrying a microcomputer into which they will be able to enter the name and address of the fine payer, which information will then be transferred on to a large database at Broadway, or wherever the offices are. An innocent person could find that his name has been entered into the records, yet he will have no chance to have it deleted. His first problem will arise when he is brought before the court and denies that he was the individual concerned. The magistrate may say, "I don't believe you. You are fined anyway." That individual's good character will be besmirched.

Under the Data Protection Act 1984, the public cannot have access to police records to see whether any information that they contain is incorrect and to have it corrected. Both the police and the security services have exemption from the provisions of that legislation. Some poor individual named by another as a fare dodger may find his name entered into the police records, with no opportunity to have a correction made. The advertisements warn "Get a ticket, not a criminal record." They feature a man who has a respectable job in the City and who is likely to lose it because of his criminal record for fare dodging. An innocent person could find himself in the same situation because of the Bill.

The sponsor referred to a dispute and appeals procedure. Come off it. How will that work in reality? The dispute procedure will be a blooming great punch-up.

Mrs. Wise: Paragraph (2) of the preamble, on page 1 of the Bill, states:

"It is the general duty of London Regional Transport pursuant to section 2 of the said Act of 1984, in accordance with principles from time to time approved by the Secretary of State and in conjunction with the British Railways Board, to provide or secure the provision of public passenger transport services for Greater London and in carrying out that duty London Regional Transport shall have due regard to *(a)* the transport needs for the time being of Greater London and *(b)* efficiency, economy and safety of operation".

Later, it is stated that it is in pursuance of those objectives that LRT is presenting the Bill. Does my hon. Friend agree that, given the current state of London's transport services, and given the duty placed on LRT to ensure

"efficiency, economy and safety of operation"

and that the capital's transport needs are met, it is extraordinary that the only measure that LRT has seen fit to put before the House is one dealing with fare penalties?

Does not my hon. Friend agree that LRT should concern itself more with a great many other matters? If fare penalties were but one aspect of a comprehensive programme of improving London's transport, the House might look with more favour upon the Bill. In the circumstances, is it not extraordinary that LRT can state its general duties but then go on to present the provisions that are in the Bill?

Mr. Cohen: My hon. Friend is right. The Bill by no means represents part of a comprehensive package covering the capital's transport needs as a whole, or in respect only of LRT's

"efficiency, economy and safety of operation".

It is the only measure that LRT has put before the House. We have never been asked to consider fare levels, congestion, or the filth and squalor that are all part of the same issue.

"London in Need", a report by the London Boroughs Grants Committee and the London Research Centre, states:

"Recent events such as major accidents on both the Underground and British Rail have led to a loss of confidence in the safety of London's transport systems."

Safety was one of the items referred to in the Bill. The report goes on to criticise ticket barriers and says that:

"The cost of travel by public transport in London is high. According to the Association of London Authorities, fares are higher than any other city in the EC. That creates particular problems for people on low incomes, who may be unable to afford a car and are reliant on public transport."

That is a good point well made. Such people will be encumbered with penalties as well.

I have here the latest edition of the "Capital Transport Bulletin"—no, not the latest, but the March-April edition. I have not seen a May edition yet. It is probably the latest edition. It contains an index of public transport fares for 1987 which shows that London was well ahead of Oslo, Copenhagen, Vienna, Dusseldorf, Helsinki, Zurich, Dublin, Amsterdam, Frankfurt, Madrid, Tokyo, Geneva, Brussels, New York, Chicago, Luxembourg, Los Angeles, Toronto, Sydney, Paris, Montreal, Lisbon, Houston, Milan, Nicosia and Athens. Fares in some of those cities cost half or a third as much as fares in London. In 1987 the only city with higher fares was Stockholm, which has a small and wealthy population compared with London.

Since 1987 there have been fare rises well above the rate of inflation. It would not surprise me if we did not have the highest fares now.

The "London in Need" report also says:

"Women have less access to private transport than men and, because many are carers of young children, elderly people and people with disabilities, they tend to suffer more from the inaccessibility of transport systems and irregular services."

I should have thought that that would have been covered by a comprehensive package in the part of the Bill which was referred to by my hon. Friend the Member for Preston. It mentions economy, efficiency, safety and the transport needs of London travellers.

Personal safety is a major anxiety for Londoners when they walk or use public transport. The report continues:

"While overcrowding is a problem during peak hours, deserted trains and stations are also a problem, particularly late at night. When questioned about travelling by public transport at night, female respondents to a survey by the Suzy Lamplugh Trust in March 1989, said they were most uneasy about travelling by underground, followed by British Rail, and were least worried about travelling by bus. There is a need for more staff and better lighting at stations at night."

The need for better lighting has not so far been mentioned. London Regional Transport has given no sign that it would spend the money which it intends to raise by penalty fares on such things as better lighting. I doubt if it will.

London Regional Transport has had a vast amount of money passing through its coffers. Fares have increased substantially over the period that it has been in control, but the money has not gone on lighting or safety. In the Bill all we get is a small part of a package about penalty fares and not the comprehensive improvement that it needs.

The "London in Need" report also said:

"Two women-only taxi services are currently operating in Hammersmith and Lambeth; there is a need for similar schemes to be set up in other areas."

London Regional Transport is not interested in that but it is supposed to provide public transport, to work for the public.

Mr. Cryer: Does my hon. Friend accept—and he may dwell on this for a little while—that LRT's investment in ticket machines is in contrast to the large number of escalators which are supposed to carry thousands of people every day but are out of use, being repaired in many underground stations? That leads to congestion, danger and difficulty for thousands of people. Surely LRT's first concern should be the thousands of people travelling on its services, but they would appear to be its last concern.

Mr. Cohen: That is a good point, and my hon. Friend the Member for Preston mentioned it earlier. I shall repeat what I said to her. There should be penalty fines in reverse. British Telecom has set up such a system, although it is pretty weak. I am not sure that it has ever paid out under the system, but it claims to pay if it does not provide a good service. London Regional Transport should do that. However, if that were enacted, as LRT is run so incompetently at the moment it would never stop paying out. LRT would not be able to run a transport service because it would be continually paying out. It is incompetent and makes vicious cuts that are against the public interest, such as those to the 38 and 55 bus routes in my constituency.

Mrs. Wise: Has my hon. Friend thought about the peculiarity of the Bill's long title? It states that the Bill empowers the charging of penalty fares, but it goes on "and for related purposes". I have looked through the Bill and I cannot find any related purposes. I can find only provisions relating to penalty fares and that is why I am so critical of the Bill. Could it be that LRT has some plan to introduce other clauses that have not yet been disclosed if the Bill receives a Second Reading and reaches Committee? Otherwise, why should those drafting the Bill take the precaution of including the phrase "and for related purposes"? Has my hon. Friend any ideas about what those related purposes could possibly be?

Mr. Cohen: That is a good point. We have already heard that the Minister has powers to make regulations to increase fines at will without telling the House. There have been a couple of private Members' Bills, including the one last Friday that was diluted somewhat by my amendment—it was the best I could do in the circumstances. The Computer Misuse Bill was brought to the Floor of the House without police powers, but when it reached Committee it suddenly included some stringent search powers. The Sexual Offences Bill about kerb crawling is to be debated tomorrow. I admit that there needs to be legislation to deal with men who kerb crawl, but all of a sudden inserted into that Bill are considerable police powers, which I suspect will be aimed more at women than at men. If the Bill receives a Second Reading tonight, I wonder whether strong police powers will be inserted into it backed by the Metropolitan police and London Regional Transport. The Bill is about collecting fares, but in my view it is also about increasing violence and intimidation. LRT will need those powers if it is to use such methods.

Mr. Andrew F. Bennett: I would not want my hon. Friend to mislead the House. There are some stringent rules that apply to private Bills which cannot grow in scope because of the rights of people to petition from outside. The Bill can be only narrowed in scope.

Mr. Cohen: I appreciate that and bow to my hon. Friend's expertise, but I am worried about the Bill's related purposes. I remind my hon. Friend what happened when

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automatic ticket barriers were first introduced. I cannot remember all the details, but we had specific assurances that their use would be strictly limited, that other entrances would be open at all times and that they would be staffed to assist people who had problems using the automatic ticket barriers. But within a short time the alternative entrances had been blocked off and people were forced to use the automatic barriers. My hon. Friend the Member for Denton and Reddish raised the matter and pointed out that it was a breach of the undertakings that had been given at the time.

I am worried that the Bill provides for related purposes as LRT will latch on to that to breach any undertakings that are given or say that any breach is covered by that phrase. I understand my hon. Friend's point that the Bill can be only narrowed in scope, but I wonder why the phrase was used in the first place.

Mr. Cryer: It may well be that LRT has some order-making powers. Previous private Bills that have become Acts grant order-making powers in the form of byelaws to such bodies as LRT. It may well be that the idea is that, once the Bill is enacted, it will be possible to produce more bylaws within the framework of the Bill and to say that they are related to the legislation which has the authority of Parliament. I say that because it is amazing that Parliament has granted so many powers to so many people over the years.

Mr. Cohen: That is a good point. I must bow to the great expertise of my hon. Friends the Members for Bradford, South (Mr. Cryer) and for Denton and Reddish, who have a wealth of experience from Committees about the procedures and workings of the House. Their points are especially relevant.

It is likely not only that regulations can be made to substantially increase the fines—and perhaps for other, unknown purposes—but that there may be byelaws, as my hon. Friend the Member for Bradford, South suggested. Everything hinges on the phrase "and related purposes". We do not know what we are buying, if that is the correct word, if we pass the Bill on that basis.

The Bill refers to the "transport needs" of London. Penalty fares are allegedly a part of London Regional Transport working for London's transport needs as a whole. What about the disabled? The report by the London Research Centre for the London Boroughs Grants Committee says:

"People with disabilities have limited access to transport in London; this restricts their access to employment, education, leisure and other opportunities. The absence of lifts at most Underground stations, a lack of staff at stations and a lack of information about the ability to interchange from one mode of transport to another, inhibits the ability of people with disabilities to travel in the capital. While the number of Dial-a-Ride journeys made in 1988/89 rose to over 540,000, a condition of LRT funding only allows them to be short ie to no more than one mile outside borough boundaries."—

a ridiculous restriction.

"Greater operational integration between the various types of transport service in London is needed and Dial-a-Ride should be able to provide longer journeys."

I agree. There is nothing about that in the Bill although it talks about the "transport needs" of London, and about "efficiency, economy and safety". If disabled people cannot get to their place of employment, that does little for London's economy and discriminates against the disabled. There is nothing in the Bill for the disabled.

The position for the disabled is becoming worse. I have heard enormous protests from those concerned with dial-a-ride and from the disabled about the regionalisation plans of London Regional Transport. I see that you are becoming anxious, Mr. Deputy Speaker, and I do not know why. I am talking about the transport needs of London as a whole.

Mr. Deputy Speaker (Mr. Harold Walker): Order. I am becoming anxious because the Bill is about the penalty fares of those travelling without valid tickets. The hon. Gentleman's remarks seem to have little to do with that.

Mr. Cohen: I was wondering whether penalty fares would apply to disabled people travelling on the system as a whole. There is already great discrimination against disabled people travelling on the system. They have to seek permission before they can travel on the tube and the buses are appalling as well. I referred to the booklet "Capital Transport Bulletin" of the Capital Transport Campaign. The campaign has drawn up a petition which says:

"Wherefore your Petitioners pray that your honourable House take necessary legislative action to require that all new buses and coaches purchased from 1992 by operators in the United Kingdom be accessible to all people with disabilities including all wheelchair users."

That petition will come to the House and I hope that it has a great horde of signatures.

Presumably, a disabled person who tries to use the underground without permission could find himself having to pay a penalty fare. Let us suppose that a disabled person went up to the ticket office and said, "I should like permission to travel on the tube" and the member of staff concerned said, "Nothing to do with me, guv; I don't know what the rules are." That disabled person could then find when he had boarded the train that an inspector came along and asked him, "Where is your permission? Penalty fare imposed!" That could happen. I do not know whether it will, but it certainly could and, if it does, the disabled will be discriminated against once more.

Let us suppose that disabled people use the dial-a-ride services. Will penalty fares apply on dial-a-ride? I should not think so, but it must be said that there is a dispute between the dial-a-ride committees and LRT at the moment, and a huge row about the regionalisation proposals. I could read the House some of the letters that I have received. Presumably, if LRT does not get its way, it will punish the dial-a-ride associations, and penalty fares may be one way of doing that.

Mr. Cryer: Would my hon. Friend care to comment on circumstances in which a disabled person obtains access but does not have a ticket because there is too much of a hurry or because he is busy handling a wheelchair? Is it not likely that if he is accused of not paying his fare and is therefore subject to a penalty fare, he will seek to avoid further action? Clause 9(1)(a) provides that no action is to be taken if the passenger has paid the penalty fare to the person providing the service. The disabled person might well feel that the easiest way out is to pay the fare and get the authorities off his back. The Bill thus allows for a potential intimidation of disabled people who already face great difficulties in life without having such obligations thrust upon them.

Mr. Cohen: Yes, I think that there is an element of intimidation. I have given some examples already. I think that the Bill will lead to the intimidation of able-bodied people—let alone disabled people, always supposing that they can gain access to the transport system in the first place, which a lot of them cannot because LRT has been slow to improve access to buses and train services.

As I said, there are many problems with the dial-a-ride system. One local resident in Waltham Forest, Mr. Docking of the Walthamstow Older Persons Forum, complained about it. He said that the regionalisation—I presume that he also means the penalty fares or other penalties imposed by LRT on disabled people—

"will take away all local control. Should this change come about it will affect the most vulnerable persons in our community, the old and impaired, and those who suffer from some disability and cannot always use public transport. Also, there are many of our older community who are afraid to use a normal bus service at night when they wish to make a visit. The more difficult it becomes to obtain a Dial-a-Ride bus the more people become homebound. This change, should it come, could cause a number of things to happen—fewer buses to cope with a greater number of people. A complete breakdown of the system unable to cope with the already unsatisfactory booking system, and shorter journeys. Dial-a-Ride has already suffered by a shortage of buses. Are we now beginning to see the end? Is this what London Transport would like to see? When are we going to be consulted on the changes that affect our way of life—or are we just to settle for a cup of tea and a chat and accept what we are given?"

They do not even get a cup of tea and a chat but they are certainly being told that they must accept what they have been given.

We have not had satisfactory answers from LRT about its plans for the regionalisation of dial-a-ride. These matters are related to the Bill, and I make no apology for referring to the state of the underground or the cuts in the 38 and 55 bus routes for the very reason that I gave at the beginning of my speech. We have been refused the opportunity to debate LRT issues in the House and the system entails no local democratic accountability.

Mr. Andrew F. Bennett: Does my hon. Friend agree that it is puzzling that London Regional Transport preferred to take the time of the House to introduce this measure on penalty fares rather than deal with some of the serious issues to which he referred? Would it not have been far better if it had not introduced a Bill such as this but suggested to the Government that, if we need a system of penalties, it should be introduced across the whole country, not on a local basis? It would have been far better to introduce a Bill to improve London transport along the lines that my hon. Friend suggested.

Mr. Cohen: That is the case. We are still waiting for a comprehensive set of proposals for London Regional Transport on which the London public can be fully consulted and can have an input in decision-making. We need proposals that will make a significant improvement in the transport system. My hon. Friend is right that penalty fares should not be a small part of a piecemeal package for London—the rest of the package is non-existent—which does not apply to the rest of the country.

The Government should have said to LRT, "Go to the back of the queue on the penalty fares issue. First, we want to extend to the rest of the country the system introduced by the GLC of free travel for pensioners." That should have had a higher priority than penalty fares.

It is not simply a matter of fare dodging in London. There is a lot more to the matter, such as safety, cleaning up the tube and introducing lower fares. Those points should also have come higher.

Mr. Cryer: My hon. Friend has rightly dealt extensively with the system. I refer him to the original cause of the Bill, which is the entirely unsubstantiated claim on which we have received a trivial and meretricious document from the promoters—who receive large sums of money for doing very little—about the amounts that are lost through fare dodging. We do not support fare dodging. LRT should have known that the cost would be dwelt on because it has been dwelt on before. Will my hon. Friend explain that there are still fare dodgers on conductor-operated buses —Routemaster buses on central routes and one-man or one-woman operated buses on other routes? Does he agree that the expensive ticket equipment that is supposed to work superbly, which was installed at a cost of many millions of pounds, was supposed to stop people getting on trains without a ticket anyway?

Mr. Cohen: That is right and it was touched on in the earlier part of the debate. The figures presented in the statement by LRT were completely unsubstantiated. LRT failed to come to any conclusions about the impact of the ticket barriers on fare dodging. It has simply churned out the same figures again. If the figures have not changed, automatic ticket barriers were a complete waste of millions and millions of pounds. The people responsible should be sacked for wasting public money.

Mr. Cryer: Does my hon. Friend agree that the old argument about sacking incompetent managers is long gone? They should be transferred to repairing the escalators at the same rates of pay as the people who usually do the work.

Mr. Deputy Speaker: Order. Let us keep to penalty fares.

Mr. Cohen: The point has been made and I shall take Mr. Deputy Speaker's advice and not dwell on that matter, but clearly high salaries are being paid. I expect that high salaries will not be paid to the inspectors. I saw three inspectors on the train this morning. They were women, put in the front line of potential violence. It may be that the fact that they are women will mean that violence will not take place. Their gender might help to stop violence in some cases. But it is typical of LRT to put women in the front line of the potential risk. I bet anything that those women are not highly paid but low paid for the risk that they take.

We should discuss in the House whether it will be the policy for inspectors to go round in threes to collect the penalty fare. A much better job for them would be looking after women's safety, rather than collecting the penalty fares. There should be good intercom systems so that if women are employed in the job—I do not begrudge them being employed in protecting other passengers because they do a good job and there are, quite rightly, women police officers—there must be a rapid back-up available.

In this discussion on penalty fares we have not heard what back-up inspectors will have. Will there be any? A train operated by one person might stop in a deep tunnel and there might be violence due to a dispute over a penalty fare. What sort of back-up would there be for inspectors

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in the middle of a dangerous fracas? We have not heard a word about that in all the various times that the Bill has come before the House, which is quite scandalous.

No penalty fines will be imposed on those using the 38 and 55 buses because those buses have been cut. If they were reinstituted, I would be prepared to consider curtailing my speech, not raise so many issues and perhaps give the Bill a fairer wind. But we have heard nothing from the Government or LRT. They will not take our representations properly into account so the cuts are in place, despite public opposition to them in Leyton.

There could be a severe threat to jobs at Leyton garage because of the cuts on those two popular and useful bus services. I am informed that already an extra 500 people who use those buses to get to the west end and St. Bartholomew's hospital—who pay their fares regularly, would never get a penalty fare if such a system operated because they are model passengers and are only too keen to pay and use good local bus services—will now have to use the tube system that is already chronically overcrowded.

I invite the sponsor and LRT managers to come on the Central line to Walthamstow Central and Leytonstone tube stations in the rush hour. They should get out of their Rolls-Royces and chauffeur-driven cars, and come in the rush hour to see how overcrowded those tube stations are. They are forcing people in the Lea Bridge area of Leyton to join those terrible overcrowded trains. They should come along with some of those residents. Lea Bridge road is a couple of miles away from those tube stations and when the bus is not operating residents have to walk or change buses, which entails long waits. That places an enormous burden on those people who have never collected a penalty fare. However, LRT is punishing them by cutting the local bus service.

The demand for buses is increasing but LRT's reaction is to reduce the service. It has even decided to reduce bus services because it claims that the roads are too congested. What a cockeyed and about-turn way to look at things. LRT should be pressuring the Government to restrict private cars and increase bus lanes and public transport on the routes along the Lea Bridge road so that people will get out of their cars and use public transport. We have heard crazy notions from the board of LRT, which has no idea of the real problems or how to deal with them. The board had abdicated its responsibility for what the Bill calls

"the transport needs for the time being of Greater London and *(b)* efficiency, economy and safety of operation;".

The feeble and pathetic little measure before the House will impose penalty fares for which no good reason has been given. The purpose is to raise a small amount of income for LRT, but the money will not be spent on the system—it will go into the Treasury coffers and the Government will use it for other wider political services. In the meantime, London passengers are badly treated with late, filthy trains and buses, long delays, dirty stations and poor standards of safety.

I oppose the Bill. I have a file full of representations from constituents who are bitterly angry about cuts in the No. 38 and No. 55 bus services. They are also bitterly angry at the response of LRT, which has not taken their protests into account.

Mr. Andrew F. Bennett: I am listening carefully to my hon. Friend, but he does not seem to have described two crimes which I encountered recently in connection with the new gates on the underground. Someone who looks a bit dozy enters the tube station followed by another person who puts a ticket into the machine. The first person, who is obviously without a ticket, takes the ticket of the second person, nips through the gates and on to the platform leaving the genuine ticket holder without a ticket.

The second situation relates to someone leaving the station. He puts a single journey ticket into the machine and is followed by a person who puts in a ticket that is either for several journeys that day or a season ticket. The single journey ticket does not come out of the machine and the person who inserted it lingers long enough to snatch the ticket of the person who is following. I suspect that those two crimes are developing on the underground. Will the penalty system work or will it deter inspectors from chasing that sort of crime?

Mr. Cohen: My hon. Friend raises two important matters which have been raised before in the House. I have a thick file here, and another in my office, containing letters protesting against the cuts on the No. 38 and No. 55 bus routes. Those files are as big as the ones that I have full of letters from people protesting about the automatic ticket barriers. They gave the same sort of examples as those cited by my hon. Friend of people losing their season tickets. The cost of a season ticket can run into four figures, and will probably go even higher under this Government. The shortage of staff at stations means that criminals know that they can easily get away with that sort of crime. There is nothing in the Bill to tackle that.

Will the Minister put pressure on LRT to spell out its intentions for the automatic ticket barriers? It is introducing a touch-and-pass scheme. What will be the cost of that? It appears that LRT has endless amounts of money to spend on all sorts of ideas that have not been properly thought out and without having consulted. That lack of consultation and democracy lead to appalling schemes which waste vast sums of money. How much will the touch-and-pass scheme cost? Will there be a ticket barrier removal programme? If not, why not?

Will the two schemes run at the same time? What about the safety implications of the ticket barriers? In narrow-necked tube stations they are a tremendous safety problem. The Government and LRT have been let off lightly because we have not had another King's Cross. I am very pleased about that, but there have been a number of fires. The automatic ticket barriers are part of a package to catch the fare evader. Penalty fares are another part of that package. London Regional Transport has concentrated on that to the exclusion of all the other problems faced by London passengers, and it cannot even get that policy right, despite having spent millions of pounds on it.

Mr. Cryer: My hon. Friend mentioned cuts in two bus routes in his constituency—apparently for the curious reason that LRT wants to take the buses off the road because they cause congestion. Clause 3 makes it clear that the Bill applies to any bus or train service. When in operation, one or two people will go around checking tickets. If there is a confrontation on a one-man operated bus, the bus will have to stop while it is sorted out. The money will be demanded and the penalty fare will be imposed. If the inspectors operate frequently, buses will be

at the side of the road during any altercations. That works against the argument that LRT used when it withdrew the bus routes.

Mr. Cohen: My hon. Friend makes a valid point. I remember a standard joke when one-man-operated buses were introduced. It was about the bus that crashed. When the driver was asked what happened, he replied, "I was upstairs collecting the fares at the time." I fear that there will be a similar running joke as a result of this measure. Following an accident, when a driver is asked what happened he will reply, "I don't know—I was inside the bus trying to collect penalty fares."

We do not know the trade union view of the Bill. If I am right and it is likely to lead to more altercations, assaults and violence, bus drivers and conductors and train drivers and guards will bear the brunt of that. Already, horrendous cases have occurred and staff have been killed by passengers following altercations. Immense anger is rightly created among staff at such incidents. Workers at many bus garages in London have gone on strike after colleagues have been severely assaulted or even killed. I recall a funeral procession from Leyton bus garage following the death of a worker due to violence. I fear that the Bill could increase such risks, mainly for inspectors, which is no doubt why they go round in threes. Before long they will be going round in fours and fives, although one wonders how they will make their way through congested trains.

We should have been given the workers' view of the Bill, but the Government hate the workers—they are not interested in the workers and will impose any conditions on them. That is why people have been killed building the Channel tunnel and on building sites——

Mr. Deputy Speaker: Order. Will the hon. Member stick to the subject of LRT penalty fares, please?

Mr. Cohen: I am not leaving the subject, Mr. Deputy Speaker. London Regional Transport inspectors, who are workers, will be at risk. Imagine an inspector collecting penalty fares suddenly meeting a guy determined to get away with it—a fight ensues, out comes a knife and loss of life could result. That is not an unreal scenario.

Mr. Andrew F. Bennett: Is my hon. Friend aware of two problems that will face the staff? First, there is the possibility of an altercation when someone refuses to give his name. Secondly, some fines will be collected on the spot, so inspectors will be carrying largish sums of money and there may be a temptation to take the money off them.

Mr. Cohen: My hon. Friend makes two excellent points. The inspector carrying money will himself or herself become a target. That is all the more reason why, before long, they will be going round in fours and fives. The situation late at night will be particularly dangerous, given that much fare evasion occurs late at night and not just in the rush hours. Is LRT making arrangements, and is there anything in the explanatory memorandum to the Bill about this, to provide banking facilities at each station where money can be deposited?

Mr. Andrew F. Bennett: It is important for LRT to answer that question clearly. Perhaps the sponsor will intervene to explain the position. If the general public can be convinced that inspectors will not be carrying much money because they will have ample opportunity to bank any money that they collect, people will be dissuaded from assaulting them.

Mr. Cohen: I do not know whether there will be banking points on every station. If there were, LRT would incur considerable capital expenditure because they would have to be secure and staffed. It would be like a Securicor van delivering cash to a bank. An inspector making for such a banking point could become a target for a mugger. There are many serious implications. We have not heard a whisper from LRT about whether there will be a banking point on every station. I doubt whether there will be. If there is not, inspectors will be put at severe risk.

A £10 fine one week could be increased to £20 the next and could shortly become £50. The inspector would only have to collect one or two fines before he was walking around with £200—an attractive target for a mugger. Attacks on inspectors would increase substantially, but LRT has not given the first thought to that. It has not even started to think about the implications.

I do not mind the idea of a bank on every station. The Government like to privatise everything under the sun. Perhaps we should have banks on every station from which people can obtain cash. That might have other implications, however—I should not put ideas into the Minister's head—but that should not come before the security of the inspectorate, which is my priority.

It is scandalous that trade unions were not consulted. At any rate, we have not been told of their response. LRT cannot be bothered even to put out a statement discussing the issues. Many issues have been raised during the debate, not just by me but in interventions. LRT has been trying to get the Bill through since 1986, but every time it reaches the Floor of the House the same points are raised. A management worth its salt would look at past debates in *Hansard* and consider its response to the points made. But on every occasion the Bill is introduced in exactly the same form, with unsubstantiated figures and fines plucked out of the blue. None of the important issues about which Members have expressed concern in the past are addressed. That says something about the lack of quality in LRT management.

Mr. Cryer: Will my hon. Friend comment on the order-making powers in the Bill? Clause 3 gives power to the Secretary of State to make orders containing

"such supplementary, incidental and consequential provisions (including transitional provisions) as may appear to the Secretary of State to be necessary or expedient."

That means that the penalties will be introduced by a statutory instrument under clause 10. It appears that such a statutory instrument will not have to come to the House. The Secretary of State will simply make an order which will come into effect. He has a wide range of powers because the only order required under the negative procedure, which does not have to be debated, is the amount of penalty fares to be described by order

"subject to annulment in pursuance of a resolution of either House of Parliament."

That is contained in clause 6(2). Could the Secretary of State not therefore set the process in train—to coin a phrase—without any further reference to the House?

Mr. Cohen: As I have said before, my hon. Friend has terrific expertise in these matters. He is Chairman of the Joint Committee on Statutory Instruments, and his knowledge of the procedures and workings of the House,

[Mr. Cohen]

and of the wording of Bills, statutory instruments and other regulations, is second to none. His points must be taken seriously. He says that under the Bill orders can be made by a Minister, who will not have to come to Parliament to justify what he is doing. That is serious and it is yet another factor working against the Bill.

Earlier we talked about the docklands transport system. It is a woefully inadequate system, and it is pathetic that no proper infrastructure was set up before the development. That is what happens when there are unaccountable planning authorities and also unaccountable transport authorities.

It has been said that there will be lower fines on the docklands light railway than on the buses and tubes in the capital, but what about the docklands riverbus? From what I can gather, it is used infrequently, mainly because it has not been properly developed for the maximum convenience of Londoners, who could make use of it if it had proper stops along the Thames. That is not to say that public money has not gone into it—a vast amount has, yet the fares are astronomical. It is more than £1 to travel one stop. When will Londoners get some value for their money? When will the riverbus be made more accessible to Londoners? Whenever I see it, it is empty—the money might as well be poured straight into the Thames. If someone stows away on the riverbus, will there be an inspector to charge a penalty fare? If so, will it be the £10 which applies to London buses and trains, or the £5 which applies on the docklands light railway? We should have answers to those questions.

Mr. Cryer: I am sorry to intervene as I know that my hon. Friend is pressed for time and is trying to curtail his remarks and to speak as succinctly as possible. Clause 3(1) of the Bill refers to

"any bus or train service".

Clearly the riverbus service could come within the ambit of the proposals.

Mr. Cohen: That is a key question. It may be argued that it is a private service and that the Bill does not apply. It is Government policy to hand out millions of pounds of public money to private companies, so public money was involved. Presumably the principle of penalty fares should apply if public money is being defrauded.

Mr. Cryer: I draw the attention of my hon. Friend to clause 3, under which the provisions apply to any other service provided

"in pursuance of an agreement with the Corporation by virtue of section 3(2) of the 1984 Act".

What staggers me, and no doubt my hon. Friend, is that the point was not clarified beyond peradventure, as the lawyers say, by the hon. Member for Ilford, South (Mr Thorne) when he was elaborating on why we should pass the Bill. He failed to do that.

Mr. Cohen: That is a fair point. If the Government support the principle of penalty fares, presumably they should have introduced a Bill to bring in penalty fares for the riverbus service. We have spent nearly three hours on the Bill, but if that is a private riverbus service, the Bill becomes—what do they call it?

Mr. Cryer: A hybrid Bill.

Mr. Cohen: Yes, it may be a hybrid Bill. If the riverbus service is excluded because it is private, although public money went into it, and if the Government intend later to bring in regulations to apply the legislation to the riverbus service, surely that would make the Bill hybrid. The hon. Member for Ilford, South and I should have been called to order at the beginning of the debate. Perhaps the debate should have been stopped because this may be a hybrid Bill. I am shocked that we have spent three hours of precious parliamentary time on what may be a hybrid Bill.

Mr. Ken Livingstone (Brent, East): Having just come into the House, I am fascinated. I was watching the debate on television and I assumed that at some point my hon. Friend would give up the struggle against the reactionaries who run London Regional Transport. Instead of wasting hours of parliamentary time—we can assure the lackeys from London Regional Transport who are here that the debate will go on—the best way of tackling the problem would be to return to the policy adopted by the Labour-controlled GLC in 1981 and cut fares. When we did that, the new fares brought dramatic results. People were happy to pay reasonable fares to a socially-conscious authority, but they do not like paying exorbitant fares to the lickspittles of a Tory Government running London Regional Transport.

Mr. Cohen: The record of my hon. Friend's administration in running London transport services was miles better than that of the quango. It was the Tories and their allies who took that administration to court when it wanted cheap fares. It was the Tories who wanted high fares, and they have had their way ever since. At the recent local government election there was propaganda about Conservatives costing less. That should be set beside their action when they took the GLC to court on its low fares policy. The Conservatives cost people more. They cost the people in my area more when the Nos. 38 and 55 bus services were cut. My constituents have enormous problems in getting to work, and they are furious about it. They were not consulted. There was only nominal consultation. About 1,800 people said that they did not want the bus services to be cut——

Mr. Thorne: *rose in his place and claimed to move,* That the Question be now put.

Question put, That the Question be now put:—

The House divided: Ayes 62, Noes 25.

Division No. 201] **[10 pm**

AYES

Arbuthnot, James	Greenway, Harry *(Ealing N)*
Arnold, Jacques *(Gravesham)*	Greenway, John *(Ryedale)*
Arnold, Tom *(Hazel Grove)*	Gregory, Conal
Baker, Nicholas *(Dorset N)*	Griffiths, Peter *(Portsmouth N)*
Buck, Sir Antony	Hague, William
Butterfill, John	Hampson, Dr Keith
Carlisle, Kenneth *(Lincoln)*	Harris, David
Chapman, Sydney	Heseltine, Rt Hon Michael
Clark, Dr Michael *(Rochford)*	Irvine, Michael
Coombs, Simon *(Swindon)*	Jack, Michael
Cormack, Patrick	Janman, Tim
Davies, Q. *(Stamf'd & Spald'g)*	King, Roger *(B'ham N'thfield)*
Field, Barry *(Isle of Wight)*	Knapman, Roger
Fishburn, John Dudley	Lightbown, David
Forman, Nigel	Lilley, Peter
Forth, Eric	Maclean, David
Fox, Sir Marcus	Mans, Keith
Freeman, Roger	Miller, Sir Hal
Garel-Jones, Tristan	Neale, Gerrard
Gill, Christopher	Neubert, Michael

Nicholls, Patrick
Nicholson, David *(Taunton)*
Paice, James
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Riddick, Graham
Sainsbury, Hon Tim
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Sims, Roger
Squire, Robin
Stradling Thomas, Sir John
Taylor, Ian *(Esher)*
Thorne, Neil
Thurnham, Peter
Twinn, Dr Ian
Waller, Gary
Watts, John
Wells, Bowen
Wheeler, Sir John
Widdecombe, Ann
Wood, Timothy

Tellers for the Ayes:
Mr. Roger Gale and
Mr. Lewis Stevens.

NOES

Barnes, Harry *(Derbyshire NE)*
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Boateng, Paul
Cook, Robin *(Livingston)*
Cryer, Bob
Foster, Derek
Galloway, George
Griffiths, Nigel *(Edinburgh S)*
Haynes, Frank
Home Robertson, John
Hughes, John *(Coventry NE)*
Kennedy, Charles
Livsey, Richard
McKay, Allen *(Barnsley West)*
Maclennan, Robert
Nellist, Dave
Pike, Peter L.
Powell, Ray *(Ogmore)*
Skinner, Dennis
Snape, Peter
Taylor, Matthew *(Truro)*
Wareing, Robert N.
Wise, Mrs Audrey
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Harry Cohen and
Mr. Ken Livingstone.

Whereupon MR. DEPUTY SPEAKER *declared that the Question was not decided in the affirmative, because it was not supported by the majority prescribed by Standing Order No. 36 (Majority for Closure).*

Debate to be resumed upon Thursday 17 May.

Mr. Cryer: On a point of order, Mr. Deputy Speaker. It is a serious matter when the Government are unable to maintain 100 Members in the House, particularly when they have an overall majority of 110, yet they are so disorganised, dismayed and defeated by the local government elections, particularly in Bradford——

Mr. Deputy Speaker: Order. The hon. Gentleman knows that that is not a point of order.

Mr. Livingstone: Further to that point of order, Mr. Deputy Speaker. I am raising not a party political point, but the position of LRT's management. This is a vote of censure by the whole House of Commons.

Mr. Deputy Speaker: Order. The hon. Gentleman should know that if he raises such points of order, I am bound in all fairness to allow points to be made to the contrary, and then we would be re-embarking on the debate that has just concluded.

General Product Safety

10.11 pm

The Parliamentary Under-Secretary of State for Industry and Consumer Affairs (Mr. Eric Forth): I beg to move,

That this House takes note of European Community Document No. 7480/89 and the Supplementary Explanatory Memorandum submitted by the Department of Trade and Industry on 3rd April 1990 relating to general product safety; and supports the Government's view that any directive should be restricted to consumer products, that products covered by specified directives that concern safety should be excluded from the general directive, and that any additional burden on businesses should be kept to the minimum.

I welcome the fact that the Scrutiny Committee considered the draft directive to be an important document which should be debated on the Floor of the House. It is certainly an ambitious proposal from the Commission—in my view, too ambitious, as I will shortly argue—and if it were adopted it would affect virtually all sectors of industry. It is an attempt by the Commission to establish a Community-wide system of general safety legislation that it hopes will improve overall safety levels and consumer confidence within the single market.

Let me say straight away that the objectives of strengthening confidence in the single market and ensuring adequate levels of protection are something to which the United Kingdom can give wholehearted support. Indeed, no member state has a better record than the United Kingdom in terms of implementing and enforcing safety directives. But what concerns me is that these laudable objectives should not be compromised by unacceptable rules and requirements that do little to improve safety. It is also worth stressing that, in Britain, we are fortunate to have one of the most comprehensive and yet flexible systems of safety legislation anywhere in the world, never mind the Community; we therefore have much to offer the rest of the Community in discussing such issues.

The Commission suggests a general obligation on producers, importers and, in certain circumstances, others in the supply chain to supply only safe products. That would apply to all products, not just consumer goods, wherever used, and would therefore apply to those used in the workplace, on the farm, in the street, in hospitals or indeed anywhere else.

The Commission has also tried to set out procedures for handling safety problems, particularly emergencies at Community level. That would in some ways build on existing systems of notification and for the transfer of information on unsafe products between member states. But it also envisages the creation of a new committee to oversee the workings of the directive and any difficulties that arise.

The directive is a far-reaching initiative that would cut right across many existing arrangements for dealing with product safety. The approach adopted by the Commission did not reflect the legislative systems in any one member state, and was an effort to draw in various ideas and elements from a number of sources.

In September 1989 we issued a consultation document which asked for the views of business groups, consumer organisations, enforcement authorities and many individuals and companies in the United Kingdom. At that

[Mr. Eric Forth]

stage, the Government did not express a firm view on any aspect of the proposal, preferring to seek opinions on an open basis.

A large number of responses was received which provided an interesting mix of attitudes. There was not a clear split between the business and consumer interests; far from it. Many business representatives saw considerable merit in improving safety levels throughout Europe, and were confident of being able to compete effectively on the basis of high EC safety standards. However, they were also very concerned about the additional burdens being suggested and what appeared to be overly bureaucratic controls and procedures.

The United Kingdom has considerable experience of this type of legislation, both in the consumer area and in the workplace under the Health and Safety at Work, etc. Act 1974. We have, therefore taken a full and constructive part in the debate so far. But experience also tells us about the potential problems and considerable differences of view which have separated the Commission and most member states. Most member states would prefer to set out the general principles but to leave some flexibility to member states to draft their legislation in such a way as to ensure that their courts will interpret the legislation in a similar way.

Mr. Christopher Gill (Ludlow): I am interested in what my hon. Friend is saying about the implication of the regulation for the United Kingdom. How does this sit with the policy or principle of subsidiarity, which is becoming recognised as a tenet of European Community policy?

Mr. Forth: That is an important question, and I shall touch on it later. If my hon. Friend is not satisfied, I hope that he will jog my memory. Suffice it to say at this stage that this is a general framework directive which seeks to underpin the principles of the single market, and therefore probably does not clash with the principle of subsidiarity. My hon. Friend may want to return to that point when I have completed my remarks, if I have not satisfied him.

As a result of the diverging approaches of the different member states, it has not been possible to agree a revised text of the directive that meets the concerns of all member states and the Commission. The explanatory memorandum that I submitted to the House on 3 April 1990 included a revised draft of the directive prepared by the French presidency—which left office at the end of last year—which was the basis of discussion at official level over recent months. It takes into account the points agreed in principle at the 9 November consumer Council, but it was, and remains, very much a draft for discussion and has not been accepted by either the Commission or any member state. Various redrafts have also been submitted as working documents, most notably a recent attempt by the Irish presidency to produce a compromise text, and within the last few days we have heard that the Commission is also preparing a new text.

However, there are a number of crucial points of principle that should guide our attitude to this directive. The first is what has been called the principle of subsidiarity. Put simply, where possible, it is for member states to decide on specific policy options, and it is only where there is a genuine Community dimension that action at EC level should be considered.

It is arguable—I put it no stronger at this stage—whether this directive is needed at all. The Commission suggests that it is vital for the completion of the single market and that the extra confidence it will give consumers will be essential in creating cross-border trade. This case has so far not been made, and given the very different methods employed by member states in protecting their citizens, it could equally well be argued that the disruption and extra costs that could be caused by such a directive might in practice be unwelcome to both consumers and businesses alike.

We need to consider whether the directive will actually lead to an improvement in overall safety levels, bearing in mind existing safety legislation—especially in the United Kingdom—and the impact of the new product liability directive. Again, there is a serious question over the general approach.

The Commission's role is also a major factor to consider here, especially if its involvement could lead to bureaucratic procedures that might slow down the ability of enforcement officers to take swift and effective action against unsafe products. We must remember that member states and their enforcement agencies will usually be best placed to decide on any appropriate action, as they have to date under article 36 of the treaty of Rome, and the Commission will rarely have the necessary expertise or experience—to say nothing of resources—to second-guess enforcement officers directly involved in a specific case.

The next point must be the very wide scope of the original Commission proposal. The Commission said that it decided to include all products because the same criteria for safety apply to all goods—wherever used—and because the difficulties of providing a workable definition of a consumer product were too great. This is clearly nonsense on both counts.

The United Kingdom has comprehensive safety legislation covering consumer goods and those products used at work, but we have long recognised that the circumstances in which the goods will be bought and used are completely different. Differences in skills, training, supervision, access to servicing and advice all point to different treatment, and that is reflected in the fact that the respective provisions and their enforcement differ in many respects.

Moreover, the Consumer Protection Act 1987 provides a perfectly acceptable definition of a consumer product, which can obviously be used as appropriate in other member states. Where there are grey areas—and they do, of course, exist—it is easy enough for the enforcement agencies involved to sort them out between them.

The United Kingdom and virtually all other member states have pressed strongly for the directive to be restricted to consumer goods. That was agreed by Ministers at the 9 November consumer Council, and the French presidency text includes a suggested definition. It needs more work, but it is unfortunate that the Commission still seems to be intent on staying with the wider, and in our view unworkable, coverage of its original text in the face of almost united opposition from all Community countries.

The overlap between the directive and other specific safety directives also caused much concern during the consultation exercise. It must be wrong in principle, as well as confusing in practice, to have different layers of legislation applying to the same product. The Commission envisages the new directive as acting as a sort of blanket

that covers all products and fills the gaps between specific vertical and "new approach" directives. What this approach ignores is the fact that in some cases the safety of a range of products has been considered in detail by a group of experts on them. There is real concern that the blanket approach may well disrupt the carefully constructed balance of interests for certain products.

Our view is that the most sensible way of removing uncertainty is to exclude products from the general safety directive entirely if the safety of those products has been covered already by another specific directive. If there are gaps in the protection afforded to consumers in respect of those products, it is for the specialist groups to consider the matter again. It is not for others to try to apply additional controls by another door.

The Commission has attempted to find a definition of a safe product that acknowledges the fact that it is impossible to ensure that all products are absolutely safe. A knife, for example, has a sharp edge and therefore will always present a risk of injury. The Commission's definition includes many features that are similar to those used in our Consumer Protection Act, but in some cases it has gone too far.

The most important problem is that there is difficulty in finding a sensible definition that will be interpreted in a similar way in all member states. Work goes on to find a compromise, and we must insist that any definition makes it clear that a sense of reasonableness has to be involved, and that in some cases a residual risk will inevitably remain —albeit with adequate warnings for the user.

Under United Kingdom consumer legislation, we can take action at all points in the supply chain. That enables enforcement officers to take action where they can be most effective. At the moment, the directive is restricted to manufacturers, importers and others in the supply chain whose activities affect the safety of the products. It is not at all clear what this will mean in practice and there is clearly the possibility of confusion in deciding how far individual companies are responsible. Our objective is therefore to try to retain the right to apply sanctions at all points in the distribution arrangements, where necessary providing adequate defences for particular circumstances.

The enforcement of directives is increasingly becoming a matter of concern throughout the Community— certainly in the United Kingdom and the Department. Responding to the consultation document, businesses frequently made the point that their competitive position would be improved by more uniform implementation and enforcement of directives throughout the Community and in each member state. This is a difficult issue, because there are dangers involved in a move towards more centralised control of enforcement powers and techniques.

More could be done to reduce the current unevenness —to put it mildly—and to promote more consistency. The Commission's original proposal suggests a list of powers in an illustrative annex. The French presidency text draws the powers within the body of the directive. I would argue that the list is too long, but there are strong arguments for including certain minimum controls in the text of the directive. That would mean that all member states should at least be taking similar action, which would provide a minimum level of harmonisation.

Controls such as taking and testing samples of products, collecting information on potentially dangerous products, the power to ban a product and to require suppliers to warn customers about serious risks, must be the cornerstones of any effective product safety regime, and there is much to be said for having them as part of the draft directive so that they apply to all member states.

The original proposal from the Commission would have involved a number of additional burdens on business. Chief among those was the requirement that the safety of products should be monitored at all stages of production and distribution and throughout the foreseeable time of use. Responsible companies will clearly take steps to ensure that they are aware of the risks presented by their products. The impact of the new law on product liability has also focused minds wonderfully well on the need to have in place adequate safety and quality controls.

However, again a worthwhile objective is largely ruined by a proposal that is far too prescriptive and detailed. These additional requirements would do little to raise overall safety levels but they would certainly increase administrative burdens and therefore costs to the consumer. Any new requirements on business must be kept to the absolute minimum, consistent with providing the appropriate level of safety.

The Commission's suggestions for action at Community level in serious or emergency situations would involve the creation of a new product safety committee comprised of representatives from member states. The way in which it would operate is rather complicated, but essentially the committee would be asked to discuss safety problems and to make recommendations on suitable measures to deal with the hazards. In certain circumstances, member states would be required to take agreed measures—even if they did not wish to do so— representing a considerable departure from current practice.

So far, the Commission has failed to justify the need for such a committee, or to demonstrate why it should have the powers suggested. It is for discussion whether there is a need for some sort of group at Community level to advise member states on unusual cross-border safety problems. But we are against any committee with the sort of role suggested in the Commission's text as it stands. Also, whatever procedures or institutions might be set up at Community level, it is of paramount importance that they should not result in cumbersome or bureaucratic systems that interfere with sensible enforcement action by member states.

These seem to me to be the main areas of contention raised by the Commission text. As I said earlier, the United Kingdom has considerable experience in this field, and we have played a constructive role in the discussions so far. Our views have the support of most other member states, particularly those who also have a well developed system of consumer safety legislation. The Commission has come forward with a proposal which, in spite of worthy objectives, is simply too ambitious in scope and raises many difficult problems for all member states.

We shall continue to work within the various working groups and in the Council of Ministers to overcome the difficulties, but it must be said, and I hope that the House recognises, that there is still much work to do before the directive can be ready for adoption. I hope that the House will agree that the Government have taken the right line in negotiations so far, and I invite the right hon. Members present to support the motion.

Mr. Deputy Speaker (Mr. Harold Walker): I inform the House that Mr. Speaker has selected the amendment in the name of the Leader of the Opposition and his hon. Friends.

10.26 pm

Mr. Nigel Griffiths (Edinburgh, South): I beg to move, as an amendment to the motion, to leave out from first 'safety' to end and add

'and regrets that the Government is seeking to restrict the directive and limit consumer rights.'.

The debate is on one of the most far-reaching pieces of consumer legislation that has been considered in this country. It proposes a blueprint for extending consumer rights in the 1990s throughout Europe and it offers to provide a high standard of protection for the public against dangerous goods. Sadly, it does not command the wholehearted support of the Government. In the motion that the Minister moved, the consumers' interest takes second place to the Government's prejudiced priority for their beloved free market interests. The aim of the directive is to prevent dangerous goods from abroad from being given free and unlimited access to the United Kingdom and European markets. It is unfortunate that such a measure does not command the support of the Government.

The directive offers the opportunity of establishing a mandatory framework for marking and tracing dangerous products, random safety testing of goods, comprehensive recording and assessment of safety aspects of consumer complaints and for all firms to appoint a consumer watchdog to monitor their product safety procedures. Unlike the Minister, we do not believe that that is too long a list. The Minister summarised the merits of the proposals last month when he said that the directive gives business the power to

"monitor the safety of their product at all stages of production, distribution and use."

Only a Minister in this Government could go on to say that such admirable and clear aims were unwelcome and unduly burdensome on both businesses and member states.

On 3 April the Minister wrote of the directive:

"progress on many of the key issues would be difficult."

He was too modest. He failed to claim the full credit that was due to him for his efforts to water down the directive. For him, the key issues are those which threaten to impose higher standards of safety on business. It is an irony that in a debate on consumer protection the Government seek to pursue three themes—to restrict, not expand, the product safety directive; to exclude products from its protective jurisdiction; and to minimise the burden on business. We have a Government who, when faced with supporting the consumer or business interests, always side with business against the consumer. Even in cases where business joins the consumer in pressing for tougher safety laws, we have a Government with a bagful of excuses.

The Glass and Glazing Federation has been pressing for the past six years for regulations to ensure that only safety glass is installed. Most of the 20,000 accidents that happen each year with glazing would be avoided if the right glass were used in the right place. For six years the glass industry has been campaigning for the Government to make BS6262 mandatory and for six years the Government have blocked that. Even when the industry is crying out for tougher mandatory standards, the Government have dragged their feet and obstructed that important consumer measure. That is why it is no surprise to learn that the Government seek, in the motion, to weaken, not strengthen, an important product safety directive.

The Minister's Department has admitted that a range of products would be exempt from the safety provisions if the Minister succeeded in restricting the definition of goods covered. The consumer will have no protection under the Government's version of the directive against a wide range of potentially unsafe products such as motor vehicles, pharmaceuticals, tobacco, aircraft, gas, food, water, second hand goods or any product that business believes is for export. All are exempt.

The Minister might think that it is all well and good to exempt such goods, and for us to export our unsafe goods, but in reality the existing law is not coping and stopping other countries from sending hazardous products here. The Consumers Association has drawn attention to a dangerous heater manufactured in West Germany, banned from sale there, that was exported and sold in Britain this year. The Government want cars to be exempt because they are not used just by consumers.

The Minister says that he welcomes the Europe-wide initiative. Why then does the evidence that his Department gave on the matter to the House of Lords Select Committee on European Communities read like Custer's last stand? It has page after page of objections, and not just on this or that part of the directive. The Minister's Department told the Committee on 21 February that the whole thing was "over ambitious". It said:

"We do not feel that this directive is going to make any real contribution to improving consumer safety".

The Government like to boast about how advanced they think this country's laws are. When the border controls have disappeared and a multiplicity of goods for the consumer, business and agriculture are traded without restriction between nations, when food, medicines and all manner of products can be shipped across half a continent with no frontiers or checks, this directive will prove to be the consumer's main line of defence. The weaker the Minister makes it, the more vulnerable our consumers will be. That is why the Consumers Association has asked for all the consumer protection measures listed in annex 1, inserted under the French draft, to be made mandatory rather than merely illustrative, as the Government want.

The Minister claims to have consulted consumer groups, but he has not listened to what they have to say. He has argued for the directive to be limited to consumer products only. For him, there is no need for further legislation. On 3 April he said:

"For non-consumer products there is a wide range of existing safety legislation which provides comprehensive protection from unsafe products."

That is not the view of any consumer organisation. The National Consumer Council wants all products to be treated equally when it comes to safety, not just to be limited to consumer products—a phrase that would keep all the Euro-lawyers talking for a decade.

If we consider the Minister's critics, we see that the Townswomen's Guilds, the National Council of Women of Great Britain and Age Concern support article 2(a). The hon. Member for Staffordshire, South-East (Mr. Lightbown) may snigger at that, but they and 27 other organisations represented by consumers in the European Community group argue against the Government's

attempt to restrict the directive's scope to certain goods only. The Minister may be correct when he claims that there are some effective directives that already cover individual types of product. That is not the issue here. But what if there are? It is better to be safe than sorry. Medicines, food and food products are excluded from the general safety duty in the Consumer Protection Act 1987 and the unamended directive would therefore apply. The Consumers Association has already drawn attention to the unsatisfactory procedures in the Netherlands and Italy for withdrawing unsafe products. Such goods can be sent to Britain. A directive limited to consumer goods does not provide comprehensive cover and protection for the United Kingdom consumer. A general product safety directive would do that.

The Minister rightly mentioned the burdens placed on industry. No one can seriously ignore that, nor do we seek to ignore it. However, it is not unreasonable to expect industry to subject itself to the closest scrutiny on product safety. Many British firms lead the world in monitoring the safety of goods at every stage of production from design to sale. If such high standards can be met by British firms, why should other businesses at home and abroad get away with second best?

The Confederation of British Industry has said that achieving harmony in monitoring the safety of widely diverse products may pose problems. The directive does not seek harmony in monitoring so much as high safety standards. Firms that currently have effective monitoring procedures should have nothing to fear, but the existence of a requirement to monitor product safety will in itself heighten the awareness of other businesses to such procedures.

If some countries have lax laws, the standards that prevail along the whole production process may well be lax, whereas if they know that tough standards have to be met, they will gear themselves to meeting those standards. That is the crux of the argument. We want every encouragement to be given to promoting the highest standards of safety throughout Europe. We can no longer afford to argue for the lowest common denominator and delude ourselves into thinking that our laws will insulate our consumers from dangerous foreign products. They will not, and that is why we want the highest possible standards to be set across the widest range of goods, with proper monitoring.

It is astonishing that the Department responsible for consumer protection could tell the House of Lords Select Committee on 21 February:

> "We are still of the view that the United Kingdom protection would not be enhanced by the General Safety Product Directive."

The directive strengthens our laws and rectifies certain defects. The major criticism of the Consumer Protection Act 1987 is the development of risk defence that arises from part I of the Act. The Government insisted on the inclusion of that and it weakens consumer rights. The directive would remedy that. Some countries do not have strong powers for recalling unsafe goods: the directive should have such powers.

I know that the Minister will have studied the comments of consumer groups about the directive. I hope that he will ensure that their views are communicated to the Commission and that he will seek to ensure that in its final form the directive does more to reflect the views of consumer organisations. If he does that, he will make a better law and gain considerable support.

10.37 pm

Mr. Conal Gregory (York): The hon. Member for Edinburgh, South (Mr. Griffiths) has moved a negative amendment. It is indicative of the lack of interest by the Opposition in consumer matters that seven to eight times as many Conservative Members are here at this fairly late hour to debate product safety. Once again, there is no sign of the Liberal party or the SDP. No doubt by this time members of those parties are tucked up in bed with improving literature and cocoa.

I should like to discuss three matters—the scope of the draft directive that my hon. Friend the Under-Secretary of State for Industry and Consumer Affairs so ably moved, the general duty, and enforcement. I am sure that my hon. Friends will give a warm welcome, rather than the carping one that we have heard from the Opposition, to the fact that the directive will extend the style of the Consumer Protection Act 1987 to foods and medicines and will spread the general approach to other EEC states.

If enacted, the directive will be a major boost to consumer confidence in the general internal market. The sooner it can be implemented, the better, and attempts to limit its scope to consumer goods will weaken the universal safety advantages that the directive seeks to achieve.

The directive establishes a general safety duty. Our essential concern is that it does not appear to place a specific duty on manufacturers and suppliers to supply safe goods. Under article 3, it is left to member states to take

> "all necessary measures in order to ensure that only safe products are placed on the market."

That leaves the directive open to implementation in different ways in various member states. I therefore ask my hon. Friend the Minister whether the directive can include a clear requirement for member states to impose the general safety duty on suppliers of goods.

It is unclear how the arrangements for the permanent monitoring of products will work. The products need to be monitored across the EEC states. With regard to the enforcement mechanism, are we sure that countries such as Greece and Portugal have the same concerns as national authorities in this country? The status of the indicative list of powers for national authorities is not clear. I hope that they will be minimalist rather than simply indicative. I hope that my hon. Friend the Minister, who has wide experience of EEC matters, will consider including hired goods in the directive.

The United Kingdom appears to be alone in wanting the general duty requirement to apply to all suppliers and for sanctions to apply at any point in this chain. Other states want that to be largely restricted to manufacturers and importers. I hope that the Government are supported in their wish and that retailers are included in the scope of that general duty.

On enforcement, there is no Community dimension to the banning of dangerous products. In my time in the House, I have been involved in legislation on foam-filled furniture. My hon. Friend the Minister acted speedily and it is good to know that all new foam-filled furniture now has to comply with the new legislation. There is some concern about second-hand foam-filled furniture, and I hope that the trading standards officers will deal with that as effectively as possible.

[Mr. Conal Gregory]

My hon. Friend was sympathetic to the all-party delegation that I led on the danger of glass-topped tables. It was sad that a little youngster on the outskirts of York died because of unsafe glass in a glass-topped table. My hon. Friend, without any lethargy, has pressed on and is looking to the British Standards Institution to produce a new specification—full marks to him and to the Department for that. Those two specific items were lacking in the Opposition's credibility on consumer matters.

It will be helpful to have an EEC-wide rapid notification system for the exchange of information on dangerous products. The sooner that is introduced, the better. I hope that we shall not have to wait for implementation of the directive.

10.43 pm

Mr. Peter Griffiths (Portsmouth, North): I welcome the broad concept of the directive and what my hon. Friend the Minister said when he introduced it. He may remember that, on occasion, I have spoken briefly on the subject of product liability. However, I am not so much concerned with that tonight, because we are not really dealing with the fringes of technology, where we seek to give specific encouragement and protection to firms that are trying to push forward the frontiers of scientific application to production. Instead, we are considering the question of consumer goods.

I accept my hon. Friend's point about costs. That must be relevant. I have some sympathy with the point made by the hon. Member for Edinburgh, South (Mr. Griffiths), who moved the amendment on behalf of the impressive list of absentees who claim to have so wide an interest in consumer safety. I agree with him that the basic issue of consumer safety is of great and significant importance. It would be a pity if the Minister gave the impression that the Government were seeking in any way to water down what would be worthwhile safeguards for British consumers.

But there is the danger that, with a multiplicity of levels of protection, far from improving the protection of the consumer, the situation could be so complex and potentially expensive legally that the consumer would lose his protection. That would apply in national consumer protection, in terms of EC directives covering particular ranges of products and, now, in the more generalised directive that we are discussing.

The question of cost does not apply only to manufacturers in reaching safety standards. I imagine that most manufacturers would welcome high safety standards, so long as they are applied equally to all their competitors. After all, high safety standards of the final product reflect the high quality of that product during its production.

Mr. Roger Gale (Thanet, North): The Minister has a fine track record both in implementing European directives in United Kingdom legislation and ensuring that they are enforced. Does my hon. Friend have any qualms lest, if these provisions become too complex, other European countries which are perhaps not as good as we are in enforcing such directives will not enforce them?

Mr. Griffiths: My hon. Friend reinforces what I am saying, which is that the responsible manufacturer—and the responsible retailer who sells the product and the responsible Government who enforce the legislation—benefits most from the universal application of firm regulation, properly enforced. That is why I agree that we cannot do everything in one blanket directive, because of the innate complications of the issue with which we are dealing.

There are some areas in which it is essential to have clear and straightforward safety objectives in the European Community—particularly after 1992, when the flow of goods will be easier and, we trust, more advantageous to consumers in that they will enjoy a wider range of goods—not only for goods which have their origins in the EC but for those which are imported and sold in the EC. They must be subject to the same degree of regulation, particularly as we have seen recently a weakening of the old-fashioned style of stamping, listing the country of origin. We do not have the protection that we used to have when the origin of goods was readily recognisable.

I suggest that there is a problem in the Minister's attempt to use the phrase "consumer products", which is not an exact term in European usage. It may be that we know what we mean by "consumer goods" in the Consumer Protection Act 1987, but European countries have different definitions, and we will find it difficult to reach agreement on the matter with our European partners. Many items produced and purchased by individuals for their own use are utilised in further economic activity. If those goods prove to be unsafe and lead to consequential injury, loss or damage, that is just as serious a matter as if the products were seen as being for industrial or commercial use even though they are listed as being consumer products.

National legislation, including our own, can leave grey or uncertain spaces. For example, some products are sold which appear to have a therapeutic value but which make no particular medical claims, so that they do not fall under the restrictions which would affect drugs and medicines. I think particularly of those products which are sold as slimming aids and as some sort of aphrodisiac or sexual enhancer. At present, the United Kingdom law in that area is inadequate. That matter needs considering. With the wider range of products which will be available in future some kind of blanket directive covering those areas—*[Interruption.]* Was the hon. Member for Bolsover (Mr. Skinner) seeking to intervene on the matter of sexual enhancers?

Mr. Dennis Skinner (Bolsover): I wondered whether the hon. Gentleman had tried them.

Mr. Griffiths: I have no need. I am sorry, Madam Deputy Speaker, but I have been tempted by the hon. Gentleman, which I know is unusual for him.

The important fact is that there are grey areas which need to be covered by a blanket directive. Therefore, I welcome my hon. Friend the Minister's recognition of the need to limit the scope of the directive, but we need some consumer protection for the person who buys products which do not fall directly under national legislation or the directive.

I welcome what my hon. Friend has said tonight. He put his case strongly, but I hope that he will keep in mind the fact that there are areas where we may be able to learn something from European concepts. It may be that it is in partnership that we shall bring about what we all want—the ultimate safety of the consumer.

10.52 pm

Mr. Christopher Gill (Ludlow): I listened carefully to the hon. Member for Edinburgh, South (Mr. Griffiths) and no doubt if I were of his political persuasion I could have said that there was no relationship between the interests of the consumer and the interests of the producer, but with my experience of satisfying a general public I know that there is a great and important relationship between the interests of the consumer and those of the producer or manufacturer.

Again, had I been of the same political persuasion as the hon. Gentleman I could have deceived myself into believing that people can be protected from themselves, but they cannot. What distresses me so much about the documents before us today is that so much of what is contained in them is an attempt to protect people against their natural judgment and instinct. That is a triumph of hope over experience, and in complete contrast with the view expressed by my hon. Friend the Minister, whose remarks I applaud.

My hon. Friend the Minister was critical of the fact that so much of what is before us for consideration today is so prescriptive in detail. The European Commission makes the same mistake time and again, seeking to be prescriptive of everything that we do in the Community. That will eventually be its undoing. Whether the butter-fat content of milk is this, that or the other matters not a jot or tittle to me or to anyone else in the land, but the European Commission continues to follow its prescriptive line.

The Community and the House should concern themselves with what I would describe as the macro-issues. In the past 12 months, we have seen a remarkable phenomenon—eastern Europe has thrown off the shackles of socialism and wants to join a free market. That presents the Community with an enormous challenge, and how it meets that challenge will be of monumental importance throughout the world for the lifetime of many hon. Members. Economic and monetary union is another macro-issue—and now, as a result of pressure put on us by the leaders of other Community nations, we are being asked to consider political union. I am prepared to discuss such issues into the small hours, but I am not prepared to discuss mundane and prescriptive details—and nor, I am sure, is my hon. Friend the Minister.

In an earlier intervention, I observed that much of what comes out of Brussels nowadays thoroughly undermines the principle of subsidiarity, within which the Government have committed themselves to the policy of economic and monetary union. At every turn, the Commission shows that it does not understand the meaning of that principle, let alone subscribe to it. That is why I shall support the Government today.

10.57 pm

Mr. Forth: This has been a brief but invigorating debate. I thank my hon. Friends for their supportive comments and I will ponder on how the details can best be incorporated into our approach to the directive.

In reply to my hon. Friends the Members for York (Mr. Gregory) and for Thanet, North (Mr. Gale), may I say that I am still concered about the extent to which existing directives are uniformly and effectively enforced throughout the Community. I hope that the House will agree that there is little point in our labouring long and hard to devise more and more directives, even if the aim is to underpin the single market, if we are not convinced that existing directives are being properly implemented.

I believe that we can look anyone in the eye with confidence and pride, knowing that in this vital area of consumer protection we have probably the best system in the world. Our regulations are detailed, they are developed after consultation, and they are implemented and enforced by independent, expert and professional trading standards officers who report to local authorities rather than to central Government.

Our blend of expertise and independence underpins the regulations, which in turn enforce the directives. I suspect that all my hon. Friends—and, for all I know, Opposition Members—share the Government's fear that the directives are not implemented uniformly throughout the Community. I hope that hon. Members will bear that in mind in debates of this kind. Otherwise, we shall be kidding not only ourselves but—much worse—the consumers of the European Community if we suggest that they will obtain better protection through measures such as this. It is vital to take that into account.

My hon. Friend the Member for York and the hon. Member for Edinburgh, South (Mr. Griffiths) referred to the safety of glass. I thank my hon. Friend for his kind remarks. He knows that we are concerned about the matter and are considering it carefully. I thought that the hon. Member for Edinburgh, South was less than fair, if not uncharitable, in suggesting that the Department of Trade and Industry was not dealing with the matter. We are indeed dealing with it, but we are reliant on the independent British Standards Institution to come forward with effective standards which we will endorse as quickly as we can so as to put in place the glass and glazing safety regulations that the hon. Gentleman wants. In his comments, including his allegations that unsafe heaters could come in from other member states, he did not seem to understand fully the way in which the existing provisions work. If a product, from wherever it comes, can be shown to be unsafe, it can be taken off the market under our existing national regulations. I am sure that he understands that. No doubt his comment was made inadvertently and he may like to withdraw it on another occasion.

Mr. Nigel Griffiths: The point that I made came direct from the Consumers Association. The Minister will have studied carefully the association's evidence to the Select Committee on European Legislation. It maintains that this year heaters, which were illegal under the safety standards for sale in Germany, were on sale in this country. I was drawing attention to that. I believe that a tougher directive would address the problem properly.

Mr. Forth: I yield to none in my admiration for the work done by the Consumers Association, but I do not necessarily take all its documents as texts for my speeches. The hon. Gentleman should look critically at what the Consumers Association says and not accept everything produced by it as suitable material to be used from the Opposition Front Bench. Perhaps he and I could deal with the matter in correspondence as a separate issue if it still troubles him after the debate.

The hon. Gentleman profoundly misunderstood the discussions which have already taken place. I was at pains to emphasise, and I re-emphasise, that many other

[Mr. Forth]

member states of the Community share the reservations that I have outlined to the House. In the preliminary discussion in the Council of Ministers in November, the majority of member states shared our reservations—indeed, some were more vehement than the United Kingdom—about the scope of the directive, its ambitiousness, and the extent to which it is unlikely to be effective for various reasons. It is unfair for anyone to suggest that the United Kingdom is alone. We have many friends in favour of our argument to make the measure effective and workable. We are all moving forward in that direction.

I thank my hon. Friend the Member for Portsmouth, North (Mr. Griffiths) for his comments. He was right to emphasise the point about multiplicity not necessarily giving viability, if I may put it in that multi-syllabic way. The definition of consumer goods may be a problem. We are happy that it is workable in the English language and in our own tradition, but I accept that it may be more difficult to get it into a workable state across the entire spectrum of European languages and cultures. That will be dealt with in working up the details of the directive.

My hon. Friend made some points intriguingly and hauntingly, if not hintingly, on pseudo-pharmaceuticals. He mentioned slimming aids and aphrodisiacs. Tempted though I am to get involved in a dialogue with my hon. Friend about aphrodisiacs just after 11 o'clock on a Thursday evening, I will resist the temptation. I suspect that these are probably matters for my hon. Friends in the Department of Health and in the Ministry of Agriculture, Fisheries and Food, but I will consider the points more carefully and perhaps write to my hon. Friend to tell him what is being done about these matters as he speaks for many people in voicing concern about them.

Finally, I thank my hon. Friend the Member for Ludlow (Mr. Gill) for his vigorous approach to the directive and his support for the tone of my remarks and the content of the motion.

We have had a useful debate which has been helpful to me. I hope that the House, having heard what I have to say and having listened to the contributions of my hon. Friends and of the hon. Member for Edinburgh, South, will feel able to support the motion.

Amendment negatived.

Main Question put and agreed to.

Resolved,

That this House takes note of European Community Document No. 7480/89 and the Supplementary Explanatory Memorandum submitted by the Department of Trade and Industry on 3rd April 1990 relating to general product safety; and supports the Government's view that any directive should be restricted to consumer products, that products covered by specified directives that concern safety should be excluded from the general directive, and that any additional burden on businesses should be kept to a minimum.

Statutory Instruments, &c.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(3) (Standing Committees on Statutory Instruments, &c.).

Sea Fisheries

That the Fishing Vessels (Acquisition and Improvement) (Grants) (Amendment) Scheme 1990 (S.I., 1990, No. 685), dated 20th March 1990, a copy of which was laid before this House on 30th March, be approved.—*[Mr. Patnick.]*

Question agreed to.

Greenwich Hospital Bill [*Lords*]

Order for Second Reading read.

Motion made, and Question put forthwith, pursuant to Standing Order No. 90(6) (Second Reading Committees), That the Bill be now read a Second time.

Question agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee.

Orphans (Romania)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Patnick.]*

11.5 pm

Mr. Humfrey Malins (Croydon, North-West): It may be thought surprising that we in this country did not know earlier of the appalling tragedy of the Romanian orphans. In any event, since Ceausescu's death in December 1989, the tragic story of those child victims of a terrible regime has gradually unfolded, leaving people in this country and elsewhere in Europe deeply shocked and deeply moved.

The Ceausescu regime was cruel to women and children. It banned contraception and outlawed abortion, and women were expected to bear at least five children by law. With no means to prevent them, pregnancies came in rapid succession. Women also had to work, because a single wage was not enough to keep a family.

In a country that had hitherto treated infectious diseases as a state secret, the AIDS epidemic among young children, and the scale of mental and physical handicap that afflicted them, is truly heartbreaking. The scale of AIDS among children in Romania is unprecedented, and though it was thought that it was largely confined to children, a report in *The Times* today suggests that many adults are affected as well. It is likely that the epidemic was caused by infected blood transfusions given to newborn babies, who lack any immunity, or by the use of infected syringes. Romania's mortality rate was high, and underweight, frail babies resulting from starvation diets and overworked mothers were the norm.

Thousands of undernourished, unwanted and abandoned children found their way into Romania's overflowing orphanages. They were treated with unscreened blood plasma taken from hundreds of samples. Thus were the children infected with the AIDS virus, resulting in probably the worst child AIDS epidemic in the world.

How many such children are there? A figure of 550 HIV positive infants was given in February, but it is thought by many to be only the tip of the iceberg. How many orphans are there now? Perhaps 200,000 of them—though as no one knows for sure, it is difficult to give an accurate figure. The orphanages vary in size, taking from 50 to 800 children. One is thought to have 1,400 children in it.

When people in Britain began to understand the scale of the tragedy, they wanted to help by making gifts of money, toys, food, and medical supplies—and by seeking to adopt young infants who lacked the security of parents. It is about those efforts to help, and the vital need to co-ordinate them, that I want to say a few words tonight.

The *Croydon Advertiser*, an outstanding provincial newspaper, has this year highlighted the tragedy of the Romanian orphans. It appealed to its many readers to help, in a series of deeply moving articles. That call has been answered. It was much encouraged by Mr. Speaker, who, as Member of Parliament for Croydon, North-East, has taken a deep interest in the problem and has visited Romania. The *Croydon Advertiser* appeal has raised more than £14,000.

Croydon's help has been practical. A most able and experienced *Croydon Advertiser* reporter, Hilary Brook, joined a group of Croydon volunteers who drove a truckload of food, clothes and medical supplies from Croydon to Romania in early February. Their destination was an orphanage 17 miles outside Cluj-Napoca, on the Dej road.

As Hilary Brook reported, the volunteers found an orphanage which was home—if one could call it such—to some 300 boys. Some were simply abandoned, some were genuine orphans, some were mentally or physically handicapped and most were crippled. Each child—they were aged between six and 18—had a metal cup containing water, a little bread, a little onion and a few cubes of fat, but no knives, forks or plates. It was freezing outside and not much better inside and they had nothing hot to eat or drink. Some children had twisted limbs so that they could hardly walk, others were in dormitories and were so handicapped that they could not move. Hilary Brook reported that they were unloved, unwanted and uncared for, but that their spirit was still unbroken. The incidence of physical handicap was extraordinarily high.

Later the *Croydon Advertiser* reported that a Croydon head teacher, Stuart Newton, from Selsdon High school, together with Ralph Osborne, was to take blankets, warm clothes and toys donated by readers, school pupils and others from the Croydon and Bromley areas to the orphanage. More volunteers will be travelling in a few weeks time.

A major concern is that, although a huge United Kingdom relief operation is under way, largely made up of individuals or small groups, many of those involved have little experience of such problems and simply follow their instincts. They worry that there is a lack of co-ordination here or in Romania. It seems that many voluntary bodies are acting independently with no central body to co-ordinate their efforts.

There is no doubt that the British Government are seeking to do what they can. My hon. Friend the Under-Secretary of State for Foreign and Commonwealth Affairs has told the House of the work done by the International Red Cross and of the large United Kingdom contribution to that. He also told the House about the Government's donation of a consignment of 1·8 tonnes of medical supplies on 24 December and several items of medical equipment since then, including 1 million disposable syringes worth £40,000. Five victims of the December fighting are in the United Kingdom for major surgery, at a cost yet to be determined. A further £53,000 has been made available to finance a project by Marie Stopes International to improve birth control services in Romania. He told us that we are contributing about £5·8 million to food aid and medical supplies packages sent, or so far agreed, by the EC. Further funds, as yet to be determined, will be made available, he told us, over the next few months for medical supplies.

The Under-Secretary of State for Health, Lady Hooper, is taking a keen interest in the problems. She recommended that priority be given to the work of the task forces to develop maternity and child health services, to build up missing skills through the provision of nursing and other health personnel and in developing a satisfactory management system for primary health care. She would also like funding to be provided for essential drugs and medical devices of which there is a considerable shortage in Romania.

However, the question of co-ordination of effort remains. The British Red Cross confirms that no body exists to co-ordinate the contribution of voluntary organisations. It describes children as one of its top

[Mr. Humfrey Malins]

priorities in Romania, now that the emergency medical aid has been provided, and is concentrating on providing long-term help to improve standards in orphanages whilst working to have those institutions dismantled altogether. It is providing aid in the form of toys, cots, blankets and so on, and attempting to see that heating is provided in the winter. The orphanages do not have any form of heating. The British Red Cross is acting together with the International Red Cross, and each country has been allocated a particular area of the country within which to work. The British Red Cross is the largest organisation involved in providing aid.

Other organisations working to provide aid to Romanian children include the Romanian Orphanage Trust, the World Vision of Free Romanians, the Terrence Higgins Trust and the Flanders Scottish Alliance of Edinburgh. Kevin Ernshaw, the project director of Flanders, has visited the orphanages in Romania extensively, pointing out the need not for more children's homes, but to empty those that already exist, and the need for specialist nurses and nursing homes and specialist training. He says that we should help in the specialist training of Romanians so that they can provide appropriate care and treatment.

The Terrence Higgins Trust has worked magnificently and has been acting as an informal contact point for the various organisatons providing aid to Romania.

One issue concerning those poor children that has been highlighted in the press is adoption. I understand that the British agencies for adoption and fostering know of no voluntary or official body to approach with regard to possible adoption, as there are no approved adoption agencies in the United Kingdom dealing with foreign adoption. All such adoptions are arranged by private agencies. They are referring inquiries to the Romanian embassy which, apparently, has no information but is advising inquirers to contact the Flanders Scottish Alliance.

My message to my hon. Friend is that there are so many people—not just in Croydon but throughout the country and in many other places—who are willing and wanting to help in so many ways that surely there is a need for those people to have some co-ordination here and in Romania.

The *Croydon Advertiser* reporter, Hilary Brook, recently went to a national conference organised by a Southampton group called Starvation Aid for Romania, which is trying to get together a database for all United Kingdom groups involved in relief work. Surely that is a sensible move and the right approach. There is an argument for the Government to provide funds for a contact point which can collect facts, information and views centrally, and advise those many people who are willing to help but struggling for guidance, so that effort is neither duplicated nor wasted.

I raise the subject tonight on the Adjournment because it is of great importance locally in Croydon and nationally. I know that my hon. Friend is deeply concerned with the issue and I hope that he will be able to say something on the important question of co-ordination of British efforts to provide some desperately needed help for those poor children.

11.17 pm

Mr. Roger Gale (Thanet, North): My hon. Friend the Member for Croydon, North-West (Mr. Malins) has generously allowed me a couple of minutes to take part in this short debate. Everyone in the House tonight has listened with gratitude and sadness to his moving account of a terrifying situation.

My hon. Friend was kind enough to refer to the work of the Romanian Orphanage Trust. My wife is one of the trustees and on her behalf I should like to express the thanks of the trust to all those Members on both sides of the House who have contributed personally to the work of the trust and who have involved their constituents in fund-raising for that work. A great deal of money has been raised, and a great deal more will be needed to send the medical teams, paediatricians and nurses to whom my hon. Friend referred to help the orphans in Romania. Foremost among the Members of Parliament who have contributed to that work has been Mr. Speaker.

My hon. Friend referred to the work of that outstanding provincial paper, the *Croydon Advertiser*. I hope that he will not mind if I couple the work of that newspaper with the work of the *Daily Mail*, and with the name of the estimable Hilary Brook the name of Bob Graham who has turned an assignment into a crusade. We often criticise the press for various aspects of its work, but it is only right that in this case we should praise those newspapers which have dedicated their efforts to keeping the plight of those desperate children in the forefront of our thoughts.

It is a sad fact that the plight of the orphans may depend on the outcome of elections in Romania in which the opposition parties are denied all access to free media by Ceausescu's successors. Unless the elections in Romania are free and fair, and unless a free Government are returned, one fears that the orphans there will face a new dark age. It is therefore vital that newspapers such as the *Croydon Advertiser* and the *Daily Mail* continue their work to keep the matter in the forefront of people's minds and to try to ensure that democracy prevails and that those children receive the help that they need. Like my hon. Friend the Member for Croydon, North-West, I wish them well.

11.19 pm

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Tim Sainsbury): I congratulate my hon. Friend the Member for Croydon, North-West (Mr. Malins) on bringing the plight of the Romanian orphans to the attention of the House and on doing so movingly and eloquently. As my hon. Friend has described, over the months since the revolution in Romania, efforts by the western media, especially British television news and, of course, such excellent newspapers as the *Croydon Advertiser*, have unearthed one of the most horrifying human legacies of the years of the Ceausescu dictatorship.

In orphanages throughout Romania, babies and young children, some of them mentally handicapped, have been languishing in terrible conditions, as my hon. Friend has described. The shocking scenes, for example, of the Brincovenesti Castle institution, which were shown on BBC television earlier this year, were scarcely to be believed. In many other locations around the country, as

my hon. Friend has so graphically described, children and babies have been found living with barely the minimum of health care, food and attention.

Some of the young children in those institutions are doubtless there because their parents are dead or physically incapable of looking after them, but many are there for other reasons. For many years, Romanian women were denied access to contraception because of Ceausescu's desire to increase the size of the Romanian population. They were forced into either back-street abortion, with all the horrendous risks to health that that entails, or into abandoning the babies that they could not afford to look after. Many families could scarcely feed themselves, let alone a new arrival, and we should pause before criticising too fiercely parents who abandoned their unwanted children in such hopeless circumstances.

Ceausescu's policies exerted a baleful influence on every aspect of Romanian life. Such news as managed to leak out from the country pointed to arguably the worst human rights record in eastern Europe—and that was well before the revolution of 1989. Political life was ruthlessly suppressed and would-be dissidents were harassed and jailed. Freedom of expression and religion was severely circumscribed by decree. The press and television were totally controlled by the state apparatus. Ordinary Romanians were forced to conform to the will of the dictator and his wife by the Securitate secret police, who ruled by fear.

In the economy, 25 years of Ceausescu's policies had brought the system to a virtual standstill. His obsession with generating hard currency even led him to order that food supplies, badly needed in Romania—by the children more than anyone else—should instead be exported. We and other western countries did what we could to support ordinary Romanians through the provisions of the Helsinki process, but the suffering was widespread. The regime's indifference to human rights was perhaps epitomised by the fact that it even incarcerated the United Nations human rights rapporteur, Dumitru Mazilu.

The discoveries that I have mentioned are heartrending, but, as my hon. Friend has said, the response to them in Britain has been magnificent. Around the country, British people have given freely of their time and money to bring aid to the Romanian orphans. The British Red Cross's "Help Romania" appeal elicited a huge response in the early days of the revolution. Bristol Mencap and the Romanian Orphanage Trust have brought desperately needed aid to orphanages, and the *Daily Mail*, as my hon. Friend the Member for Thanet, North (Mr. Gale) said, has just launched a £1 million appeal for the same purpose. The Flanders Scottish Alliance, to which my hon. Friend the Member for Croydon, North-West referred, the Romania Aid Fund and many other groups have organised convoys to take food and medical supplies into Romania. My hon. Friend has described this and, more particularly, the splendid efforts of the people of Croydon in response to the appeal by the *Croydon Advertiser*, supported by my hon. Friend and by Mr. Speaker himself. The generosity of the British people has been wonderful.

My hon. Friend has outlined some of the ways in which the Government have also been glad to contribute to the solution of this great problem. Our aid to Romania since the revolution, direct or via the EC, totals £6·6 million. We have funded a family planning programme which will contribute towards removing one of the causes of the problem of unwanted children. As my hon. Friend said, one of the most distressing aspects of the problem of the orphans is the number of children who are HIV-positive—up to 50 per cent. in some orphanages and schools. The Romanian practice of giving blood transfusions to undernourished babies has led to widespread infection. We are doing what we can to help. We have given 1 million disposable syringes and needles. We are also paying for the transport to Romania of generous donations of disposable gloves from the Far Eastern Group of Chesterfield and of contraceptives and syringes from London International Group. We have given equipment for the testing of blood for the HIV virus.

Our help has not, however, been confined to tackling the AIDS problem. We have made contributions to two of the British charities that I have mentioned, to help send doctors and nurses to Romania and bring for training in this country Romanians responsible for looking after mentally handicapped children at the Brincovenesti Castle institution. We have also donated funds to transport, and reassembled in a children's hospital in Bucharest, some £250,000-worth of used X-ray equipment, kindly donated by Walsall Manor hospital. The arrangement was made by the hon. Member for Walsall, South (Mr. George), to whose efforts in this field I also pay tribute. Finally, I should add that we brought to this country for surgery at our expense five young victims of the fighting at the time of the revolution.

My hon. Friend raised the crucial question of how aid to Romania should be co-ordinated. Proper co-ordination, accurate targeting and effective delivery of aid are top priorities for the Government in our own aid programmes worldwide. I know from my dealings in other areas with the United Nations agencies and non-governmental organisations how important it is to channel aid through bodies that know what is needed most, and by whom, and how to get it there. It is for that reason, and because the problem is so large, that we believe that the main humanitarian effort to help Romania must come through the international community and the international bodies, whose resources and expertise are essential.

The EC Commission has already allocated £35·5 million for general medical and food aid since the revolution. The 12 Governments of the Community last week expressed their concern to the authorities in Romania about conditions in Romanian orphanages and homes for mentally handicapped children. The Romanians said that they are determined to improve conditions, and have already started to do so with the help of aid provided by friendly Governments and organisations. The European Commission now proposes to send a medical specialist to Romania to examine conditions in orphanages there. In the light of his findings, they have offered to organise joint action with non-governmental bodies in member states. That will be a valuable role in co-ordinating the international effort, as my hon. Friend rightly said. Once their plans are clear, we shall be happy to advise all the voluntary organisations with which we are in contact.

Several other international bodies are very experienced and efficient in co-ordinating and supplying aid. My hon. Friend has already mentioned the Red Cross. The Romanian authorities are co-operating with the United Nations Children's Fund to help orphans and mentally handicapped children. Finally, the World Health Organisation has organised a large-scale programme of assistance to the Romanian health service. My right hon.

[Mr. Tim Sainsbury]

Friend the Minister for Overseas Development announced on 5 April that the Government would donate £500,000 to the WHO programme. We shall make sure that the organisations are fully aware of the scale of the generous response of the British public—and, indeed, the public in other countries—and play their part in ensuring that the total aid effort is satisfactorily co-ordinated.

My hon. Friend has spoken of the group in Southampton called Starvation Aid to Romania, which is organising a database for all United Kingdom groups involved. This should clearly be of great help, and we shall be delighted to pass to the group whatever useful information we can.

I have outlined some moves that are in progress, which I hope will go some way towards meeting my hon. Friend's concern that all the help provided—and particularly that provided by the people of Croydon—will always be directed where it is most needed. These measures, and the other help in train, will go some way to overcoming the problems in Romania. However, my hon. Friends will agree that, in the long term, there can be no substitute for Romania itself coming to grips with the problems. That can be done best in a free society which can call on the resources of a flourishing economy. My hon. Friend the Member for Thanet, North mentioned his concern about free elections. We regard free elections as a rightful contribution to the creation of a free society and, therefore, of a flourishing economy.

As a step towards assisting Romania to develop the abilities in this respect, we have taken measures to help the new and recently reformed Romanian political parties to organise for the elections that are to be held shortly. We have invited a group of their representatives to visit the United Kingdom for a political seminar organised by the Great Britain-East Europe Centre and the Inter-Parliamentary Union. We later donated 118 tonnes of paper, which, I regret to say, is in short supply in Romania, to the main parties for use in the elections. My hon. Friends will be well aware of the amount of paper that is used in elections. The British Government are ready and willing to help Romania more extensively, once there is a clear commitment to democracy and economic freedom.

Finally, my hon. Friend the Member for Thanet, North raised the subject of adoption. I am not competent to speak in detail about that which is strictly the preserve of my colleagues in the Department of Health and the Home Office. I am sure that the House would agree that, all other things being equal, it is better for children to be looked after in their own country. This is, indeed, a principle of the United Nations declaration on adoption and fostering. But I can certainly sympathise with the sincere reaction of the many British people who wish to give one of the Romanian orphans a home and family here. I wish to make it very clear that the Government have no desire to put obstacles in their way.

We have to apply the same rules and procedures as we would for an adoption in the United Kingdom. These are safeguards to protect the children. I know that they can seem slow and cumbersome, but my colleagues in the Department of Health and the Home Office are reviewing them to see if they can be streamlined and improved. We have done our best to clarify requirements on the Romanian side as well. I can assure the House that applications are, and will be, dealt with as quickly as is consistent with the welfare of the child, which must be the concern of us all.

I have run through, I hope without repeating too much of what my hon. Friend the Member for Croydon, North-West said, the causes of the tragic plight of Romanian orphans, to which he drew the attention of the House. They lie in the inhuman policies of the unlamented Ceausescu regime. I have paid tribute to the sterling work of British individuals and groups in sending aid, and outlined the Government's contribution. I have referred to some of the ways in which the aid effort is being co-ordinated and will be further co-ordinated in future. I thank my hon. Friend for raising this important subject, and hope that what I have said has gone some way to reassuring the House that the Government are committed to doing what they can to help.

Question put and agreed to.

Adjourned accordingly at twenty-seven minutes to Twelve o'clock.

House of Commons

Friday 11 May 1990

The House met at half-past Nine o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

RAOUL WALLENBERG (MEMORIAL) BILL

Ordered,

That the Raoul Wallenberg (Memorial) Bill be referred to a Second Reading Committee.—*[Mr. Amess.]*

Orders of the Day

Sexual Offences Bill

Not amended (in the Standing Committee), considered.

New clause 2

'Section 1 of the 1985 Act as amended by this Act shall only apply to designated local authorities. An area may be designated by a local authority if

(a) complaints are made by the general public and

(b) the police are satisfied there is a problem of prostitution and kerb-crawling and

(c) all other reasonable steps have been taken to deal with the problem.

Any designations shall remain in force for three years, but may be renewed thereafter.'.—*[Mr. Andrew F. Bennett.]*

Brought up, and read the First time.

9.35 am

Mr. Andrew F. Bennett (Denton and Reddish): I beg to move, That the clause be read a Second time.

I want to make my position absolutely clear: I do not in any way approve of prostitution, male or female, and I think it a tragedy that people are driven to it by poverty or greed, or for any other reason. It is a sad reflection on human beings, too, that they are driven to use prostitutes by their own failure to enjoy sexual relationships of a loving and caring nature. So nothing that I say today is meant to defend prostitution.

I am well aware also of the problems for people who live in red light districts, in areas where kerb crawling takes place and where people try to pick up prostitutes in pubs and clubs. In some cases, these activities leave people virtually prisoners in their own homes at night, and sometimes in the day, frightened to go out because they think they may be propositioned in the streets. These activities also cause major problems for people who run pubs and clubs and who try to discourage them.

I am also well aware of the absolute disgust felt by people who live in or near such areas and who find that the pathways are littered with used condoms and other rubbish. As I say, I am well aware of the extent of the problem.

However, I am also always a little worried when the House of Commons expresses horror, repugnance and disgust at the problem and assumes that it must take some action, but without first carefully weighing it up. It is all too easy for us to be stampeded into taking action that appears to try to solve the problem but which, in practice, does not solve it at all. A cosmetic approach is all to easy.

Sometimes when the House is stampeded into trying to solve one problem it just causes another, harming certain people or curtailing the civil rights of a particular group, and that is why I urge caution today.

I should have liked to table an amendment that called on the Government to review the whole problem of prostitution, but unfortunately that was outside the scope of the long title of the Bill. Although I understand the desire of the hon. Member for Streatham (Sir W. Shelton) to deal with the problem of kerb crawling, I believe that there is a much wider problem that must be dealt with at some stage. The idea of new clause 2 is to allow the whole issue to be debated, within the rules of order, and more particularly to discover the Government's thinking about the problems of prostitution and kerb crawling.

We ought to spend a minute looking back at the history of this legislation and at the continual complaints about kerb crawling that have been made to Parliament most of the time since I entered the House in 1974. Strong arguments have been advanced that something should be done to ensure that the men, not the prostitutes, involved in kerb crawling are prosecuted. There have been various attempts to introduce legislation, and a Bill appeared in 1985. That Bill was hotly contested. It was argued that the major problem of kerb crawling had to be addressed. We also heard the perfectly legitimate argument that sometimes it is difficult to tell the difference between a kerb crawler and a person who has strayed into an area by mistake and is genuinely seeking information, to find an address in that area or to find somewhere else.

Mr. Matthew Parris who was then a Member of the House and the hon. Member for Northampton, North (Mr. Marlow) argued at that time that we had to be careful not to place an innocent person in a position where he could be convicted of an offence that he clearly did not commit. That was why the legislation contained the provision that the offence had to be a persistent one in a motor car and that clear nuisance had to be created either to someone who was being solicited or to people in the area. It was a general catch-all provision. I think that my hon. Friend the Member for Barking (Ms. Richardson) advanced the case for civil rights.

Why should the compromise that was hard fought in 1985 be destroyed by the Bill? We need convincing evidence before we take out the words that were put in to achieve such a balance in 1985 in the "persistently" and "annoyance" clause. Is there overwhelming evidence that the retention of that clause is at the root of the problem? The police say that they have had the legislation since 1986 but that it has not worked because the onus of proof is too difficult for them, so they have not used the legislation. I am not totally convinced by that argument.

There are many reasons why the police have not dealt with the problem and even if we change the legislation I am not convinced that it will be solved. Will changing the legislation solve the problem without creating the possibility that a small number of people who are in no way involved in kerb crawling could be convicted for it? Worse still in some ways, could such people be prosecuted? It is stigmatising for people to be prosecuted let alone convicted. In theory, if someone is acquitted by the courts there is no stain on his character. However, almost every hon. Member present in the Chamber would accept that in

[Mr. Andrew F. Bennett]

such cases there will be nudges and winks and innuendo because people think that a person who has been acquitted in such cases was in some way involved. They take the view that the court was kind to him or that he was lucky to get away with it.

Can the Minister present overwhelming evidence to show that the police have genuinely tried to use the 1985 Act and have in practice found it impossible to use? Secondly, is there overwhelming willingness on the part of the police to use it if it is amended? What other action is being taken? I have the feeling that what is before the House is a placebo. It is a cheap solution to say that fines will be increased and prosecutions will be made easier so we can forget about the problem. The view is that it will be a terrible nuisance for people who live in such areas, but the legislation may solve the problem in the next three or four years. Meanwhile, it is said, nothing needs to be done about it.

9.45 am

We should be looking for a much more fundamental solution than the one suggested in the Bill. It will have no impact on people who apparently cruise around such areas. Cruising around in cars for such purposes is a nasty activity but the Bill will not stop it. If the practice of prostitution disappeared in an area there would be no point in people cruising around in their cars. Have local authorities with prostitution in their area looked at other ways to deal with it? I am told that in some areas pedestrianisation has stopped cars cruising about and that in some cases it has stopped prostitutes standing in the area.

There is considerable scope for traffic management schemes. The new clause suggests that in addition to increasing the chances of conviction, the Government, local authorities and others should look for other solutions. A traffic management scheme that makes it difficult for cars to remain in an area substantially reduces the problem. Most people want to drive through such areas as quickly as possible. Street lighting and general appearance have much to do with the problem. In some though not all cases, an improvement in street lighting and in the way in which streets are set out for parking will make the area less attractive for prostitution.

My next argument deals with the level of policing. I am assured by the police that the presence of police cars with lights can lead to a substantial reduction in prostitution. Perhaps the Minister can tell us what he thinks is the best policing practice in such areas. Is it quiet surveillance and attempts at prosecution or is it much more obvious policing? If the police aim for many prosecutions, they simply increase the notoriety of an area, whereas a fairly high level of obvious policing may well reduce the problem and use police time more efficiently. Much police time is taken up by bringing prosecutions. Police officers could be used more effectively on our pavements.

The new clause ensures a proper democratic debate about the problems in specific areas. I am greatly worried about the way in which our police force has developed. There is not much opportunity for democratic debate about policing in a particular area. Enforcement of the law is governed by decisions made by the chief constable, probably in consultation with one or two other senior police officers in his area. It is for the chief constable to decide on the level of resources to be devoted to combating kerb crawling and activities in red light districts.

Some chief constables seem to ignore the problem. They think that there are far more important issues to deal with and that it is not helpful to move the problem from one area to another. They prefer to know where such activities are going on and know about the side issues that they create, such as drug abuse. If one lives in such an area and keeps pressing the police to take action, it is extremely frustrating if official, although unpublished, police policy is to keep a low profile when dealing with the problem.

Other chief constables—for example, in the west midlands—give the matter a high level of publicity and hope that sending letters to people who have been seen in the area will deter them. Will the Minister tell us whether such campaigns have achieved the results for which the chief constable hoped, or have they simply increased the problem? A worrying factor is that some people get involved in such activity out of bravado and a desire to live on the knife edge, almost daring themselves to get away with it. Publicity about an area may simply attract such people to it.

Other chief constables want to take action quietly. They have a high level of policing in the area, warning or cautioning many people, but do not bring many prosecutions. Others want a high level of prosecutions because that makes their crime statistics look good.

I admit that I have put forward these approaches in very generalised terms, but I should like the Minister to tell us which of them is bringing the best results. What advice is Her Majesty's inspectorate of constabulary giving chief constables about how they should approach the problem? There is a strong case for making sure that there is a proper local debate about the appropriate action to take.

I realise that there are major problems with the new clause in that if an area is designated it immediately becomes stigmatised and the debate about it adds to the publicity. The other difficulty is that designating areas means drawing lines, with the absurd result that someone could be prosecuted for such activity on one side of the road but not if he was on the other side. Furthermore, one could simply remove the problem from one set of streets to another.

However, designation will force people to examine the problem of prostitution and weigh up the implications. Some people may argue that we should be getting rid of prostitution altogether. However, history shows us that, although all sorts of different regimes have been used, rather than getting rid of prostitution, they have simply driven it from one place to another. There must be local debate about the impact of simply moving the problem of kerb crawling from one neighbourhood to another. Those who have had to put up with the problem for many years will no doubt be delighted, and I do not blame them for that. If we stop kerb crawling, will we create another problem which may cause as great a nuisance? All these factors have to be discussed.

What is the Government strategy for dealing with prostitution? Do they hope that if the Bill is passed, whether amended or not, it will solve the problem? Are the Government giving guidance to local authorities about traffic management, pedestrianised areas, better street lighting? These are all changes that may help to deal with the problem. Do the Government believe that they can eradicate prostitution altogether? Will they be bold and

courageous and say that, as they cannot get rid of it, they will regulate it? Will they go for the compromise of keeping prostitution illegal, but ignoring the problem and not insisting on enforcement of the law?

Designating areas will go some way to ensuring that the problem of wrongful arrest and charging will not spread. What guidance will the Government give the police about the use of these powers? There will be pressure to deal with people who ride around in cars and talk to people on the kerb, even though they are not picking up prostitutes. In my constituency, a fair number of young people cruise around the streets in their cars—it seems sad that they have nothing better to do—and stop and chat to other teenagers on the pavement, causing nuisance to older residents. Will the Minister make it clear that there is no intention of allowing this legislation to be used in such circumstances? Will he make clear the onus of proof?

I am worried about this aspect because it is not ideal to say that a court would not convict someone of the offence without clear evidence that he had stopped and spoken to a prostitute or had gone into the area without a legitimate excuse. If enacted, the Bill will switch the onus of proof from the police having to prove that someone was kerb crawling to the individual having to prove that he was not but was in the area for a legitimate reason, for example, to ask the way.

I hope that the Minister can answer at least some of these questions and that the hon. Member for Streatham can give a little more thought to the fact that he is taking not only the word "persistently" but "nuisance" out of the 1985 Act. He should at least consider, before breaking up the 1985 compromise, whether it would be sensible to retain a safeguard. We want to keep the safeguard for the individual walking along the street in that, to be prosecuted for attempting to pick up somebody, he has to do it persistently. The only reason for removing that proviso from someone who is in or close to a motor vehicle is that he might commit the offence in one street and then move on to the next street and it would be difficult for the police to bring a prosecution. I do not consider that to be an overwhelming argument. If it is reasonable to apply the word "persistently" to an individual who is walking down a street, it should apply to someone in a car.

I have spoken for far too long, therefore I shall now sit down and listen to other speeches.

10 am

The Minister of State, Home Office (Mr. David Mellor): Because of the unavoidable absence of my right hon. Friend the Member for Oxford, West and Abingdon (Mr. Patten), I find myself taking a trip down memory lane, as I was the Minister dealing with the 1985 Act. Therefore I am well familiar with the arguments, and I come to the Dispatch Box buoyed up by the confidence of having predicted that, because of the words we were forced to insert into the 1985 Act as the price of getting the Bill through the House of Commons, the Act would thereby be rendered only partially effective. No doubt what I said then bears the test of time better than some of the other things that I said about various topics five years ago.

I hope that I shall have the attention of the hon. Member for Denton and Reddish (Mr. Bennett), as it is important that we should reach sensible terms on the matter.

In 1985 Parliament listened to appeals from communities in different parts of the country that were fed up to the back teeth with having their neighbourhoods ruined and despoiled by the activities of prostitutes and their clients. Two distinct but related problems were identified: first, the awfulness of living in an area where one could not walk around without being made totally aware of what was happening and the fact that that was a serious public nuisance and detriment to the amenities of an area; and secondly, the fact that perfectly respectable women were unable to go out in the evenings without being the object of those appalling attentions.

Let me say straight away that this is not a party matter, thank God. The 1985 Bill had support from all sides of the Chamber, as does the Bill today. There is no partisan element, and I have nothing but praise for the way in which those on the Labour Front Bench have sought to get the Bill through. By an irony, last time we debated the matter two Conservative Back Benchers were responsible for the difficulties. One of them has now gone on to a higher plane in the sphere of journalism. I do not think that he has ever quite forgiven me for some of the things that I said about his campaign against that Bill. It is a cross that I now have to bear every time I see a reference to myself in his column.

However, it was a fight well worth taking on. If, in 1985, Parliament had failed to pass a Bill to give those communities some respite, it would have stood condemned by the public, so I am not ashamed or embarrassed at having fought for that Bill. But an Act is not enough in itself; it has to be effective.

I do not talk of these matters academically. Although, thank goodness, my own constituency of Putney is not particularly afflicted by such problems, the borough of Wandsworth, where I have my parliamentary constituency, has had persistent problems for many years. The problems in Bedford hill in the constituency of the hon. Member for Tooting (Mr. Cox) were among those most prominently described in 1985.

I respect the parliamentary skills of the hon. Member for Denton and Reddish, and I regret that he is an obstacle to the Bill's progress because I recognise him as a formidable obstacle and a parliamentarian well capable of making his opposition to any measure effective. As we proceed this morning, I shall try to assist him with any legitimate points that he raises. I am sincere in that, as I do not consider it a matter of shame that hon. Members are concerned about the civil liberties aspects of the criminal law. I am concerned about them too and I always have in mind that little tag, "Quis custodiet ipsos custodes" or, "Who shall protect us from our protectors?" and believe that checks and balances should always exist.

However, the hon. Gentleman should think long and hard before using today as an opportunity to prevent the Bill from making progress. In doing that, he would be denying not only the will of the rest of the House, which has been convincingly expressed in Committee and on Second Reading, but redress to decent folk who deserve it. He would also be failing to recognise the significance of the issue for women.

One of the most healthy developments in recent times has been a great narrowing of the gap between various parts of the Chamber on a number of key women's issues. I was glad to see it recorded in one of the Sunday papers —although I do not think that the author was particularly impressed—that a number of Opposition women

[Mr. David Mellor]

Members of Parliament came to see me with researchers and experts on pornography and its impact on women, and we reached almost total agreement. There was a time when men regarded pornography as a bit of a laugh. Plenty of people now recognise that excessive pornography is a threat to women and are prepared to be more sensitive to women's views.

Because the hon. Member for Denton and Reddish is a man, if he walks down a road in his constituency, or even if he parades up and down Bedford hill every day for a month, it is unlikely that any kerb crawler would try to pick him up. But the fact that it would not happen to him is no reason for being insensitive to the rights of those to whom I can assure him it will happen if Parliament is not prepared to be rather more firm in its resolve than it was in 1985. Male members of Parliament—I know that the hon. Gentleman has at least one other ally—should think long and hard before putting a somewhat academic approach to the legislation before the practical requirement of sensible law enforcement. It is clear that the problem will not go away.

However, we need to demonstrate that we are as serious about private Members' legislation as we are about Government legislation. I am a great believer in private Members' legislation. My hon. Friend the Member for Luton, South (Mr. Bright) is here today. One of my happiest parliamentary memories is taking through the House of Commons with him his Bill dealing with the problem of video nasties. He worked extremely hard on the Bill, which is a monument to his work. We do not hear about video nasties any more. His was a complex and difficult Bill; it was properly argued and there were genuine points of dispute, but ultimately Parliament appreciated that something had to be done and that it was a good thing for Parliament that legislation of such complexity could be taken through by a private Member.

However, it did require certain Members who were not happy about the Bill to show some restraint and recognise that, although it was not everything they wanted it to be, it was something that the majority of Members wanted and which plainly addressed a real public ill. It was a real and genuine cause, not an issue which some hon. Members had invented.

It is unfortunate that, in recent times, private Members' legislation that has had a great deal of support has been blocked by only one or two hon. Members. That is a flaw of our private Members' system. I hope that the Bill, which deals with two important issues of criminal law, will not join the long list of private Members' Bills that have been blocked.

I say that so that the hon. Member for Denton and Reddish knows what my view is from the outset. I am not saying that I do not want to deal sensibly with legitimate objections. Indeed, I am prepared to spend a long time doing so. I do not think that the hon. Gentleman would be lightly forgiven, however, not least by other Opposition Members, if he were to take his opposition beyond the reasonable point of asking us sensibly to justify what we are doing and why we are doing it.

Mr. Andrew F. Bennett: I understand all the arguments and the implied threats that the Minister is presenting. I remind him that, when the sus legislation passed through the House, it was a response to an outcry from outside that such legislation was required. We soon began to be aware of the resulting problems. That is the danger. I have made it clear that I understand that there is substantial concern about kerb crawling. We must be careful, however, that we do not produce a placebo to cause people outside this place *to think that* we are doing something but which does not attack the real problem. We must ensure that, in responding to a problem, we do not erode civil rights and cause some people to be wrongfully convicted.

Mr. Mellor: The hon. Gentleman's intervention reveals that I was right to give him 10 out of 10 for sincerity but not such a high mark for accuracy. The sus law passed through the House in 1824, and was abolished in 1980. I was a member of the Committee that considered the 1980 legislation, and I was an ardent advocate of it.

I am glad that the hon. Member for Tooting has entered the Chamber. I should tell him that I have been talking about the problems of living in Bedford hill, for example, which he knows far better than I do. I ask the hon. Member for Denton and Reddish to understand that this is not an academic matter that should be dealt with academically.

The sus law was abolished because it was seen to be oppressive. I put that as a battle honour on the escutcheon in proving that I am not interested in repressive or oppressive legislation. I dare say that every hon. Member who was in the place during the 1979 Parliament voted with a glad heart to abolish the sus law. I can say with certainty that my hon. Friend the Member for Streatham (Sir W. Shelton) did. The hon. Member for Denton and Reddish chose a terribly bad example, and he was wrong to imply that the sus law was a recent invention. It was introduced a long time ago, and was rightly abolished in 1980. We are all glad about that.

One of the answers in an area where there is a problem of the sort that we are discussing is to pedestrianise it, but pedestrianising decent residential areas near a major thoroughfare such as Bedford hill suggests evasion rather than a policy. I cannot think of anything more ludicrous than inviting local authorities to become involved in millions of pounds of expenditure on pedestrianising because Parliament cannot nerve itself to pass a decent and effective statute. If the hon. Members for Denton and Reddish and for Brent, East (Mr. Livingstone) went to Bedford hill and said, "Listen chaps, we must pedestrianise it," I think that they would get the bird. I shall await their response.

10.15 am

As I have said, I am not aware that there are any prostitution or kerb crawling problems in Putney. I know, Mr. Deputy Speaker, that you live in Wimbledon, which is not far from my constituency. We are equidistant from Bedford hill. I do not think that you have any problems in Wimbledon. If we were to engage in some absurd designation process of the sort postulated in the new clause, offenders would soon be aware of it. They would say, "We cannot do it here, in these six streets, but if we move about a quarter of a mile down the road, everything will be all right." That would result in an absurd tag match, in which the authorities would be chasing offenders and trying frantically to extend designation to meet the spread of the problem.

That has happened before. When we began in Wandsworth to have a street robbery problem, it soon

became clear that it was the result of the intensity of the action that had been taken on the Northern line to stop robberies. I am talking about the action that was taken a few years ago to deal with the problem in Brixton. Every mugger who was worth his salt said, "It is getting a bit tricky here, we'll move west a bit." As a result, Wandsworth faced a problem. For a brief period, street crime in the area increased.

I genuinely respect the parliamentary skills of the hon. Member for Denton and Reddish. If he is to be critical of the thought processes of those who have formulated the Bill, let him ensure that his thought processes are manifestly better. If the new clause is the best that he can do, he cannot produce an answer to anything.

Mr. Matthew Carrington (Fulham): My hon. and learned Friend has referred to street crime in south London. I remind him of another example which I think is even more pertinent—that of the drug industry. It is operated in a way similar to prostitution. People crawl along roads in their motor cars until they find someone who is prepared to sell them drugs. When the police in Notting Hill Gate cracked down on the activity in the All Saints area, the traders started to move on to the streets in SW6 and W6, including my constituency. In other words, the problem was transferred. I think that that is a perfect example of what my hon. and learned Friend is trying to say.

Mr. Mellor: I am grateful to my hon. Friend. He is a fellow inner-London Member and a parliamentary neighbour of mine. He does not approach the problem reeking of the midnight oil of academic study. He has practical experience and is aware of the nature of the problem. That is true also of my hon. Friend the Member for Walthamstow (Mr. Summerson).

I have not been inactive in the House this week, and might have thought that I could spend today pursuing some other cause, but I was not unhappy at the chance of being able to deal with the Bill. I consider that there is a problem that should be addressed. I shall not weary the House by going through what I said and did in 1985, but I am not ashamed of my words and actions when that legislation was passing through the House. What I said then has come true.

Mr. Andrew F. Bennett: I said when I moved the new clause that, once an area is designated, problems are transferred. Does the Minister accept that that is one of the problems of legislative action of the sort proposed? If it is enforced, some areas will receive a substantial amount of police attention. If the desire of the promoter, the hon. Member for Streatham (Sir W. Shelton), is to be realised, the problem will merely be moved. The Minister must think about that. Will the Bill stop prostitution, or will it merely move it somewhere else? Will it spread the problem so that the chance of being accosted in the street will increase and spread over a wider area? Will that activity be moved to pubs or clubs, for example? If the problem is moved, I understand that those who are now facing it will enjoy relief, but the Minister must address himself to the wider issue.

Mr. Mellor: There is a grain of truth in what the hon. Gentleman says. If policing focuses on one area, there is a potential problem that offenders will go to an area where policing is not so hot. I acknowledge that there are examples of that. The answer is not to make it impossible to deal effectively with the problem of prostitution, or kerb crawling, in chronic areas. The answer is not to say, "You must bear the prostitution equivalent of the white man's burden so that the rest of the neighbourhood in a city or county is not afflicted by it. If we take effective action in your area, it will only spread somewhere else. So tough luck for you, the residents of Bedford hill, King's Cross and Walthamstow."

That is not so. We need a simple, effective and straightforward law which allows us to deal with kerb crawling, whether it is a manifestation of a particular red light district problem or whether it happens in a leafy lane in an area hitherto untouched by the problem. A woman there may be walking home at night, as she is perfectly entitled to do in a free society, and someone may come up in a car and start making suggestions. I must point out to the hon. Member for Denton and Reddish that that is one of the most desperately unpleasant experiences for a woman. A woman with whom I work was a victim of kerb crawling a year or two ago and she was desperately upset by it. It is an awful experience. That is why I am saying that we are not dealing with a problem that it would be nice to tackle, but which does not really matter very much. We shall fail in our duty if we do not deal with this problem and leave women without sensible redress.

Mr. Andrew F. Bennett: I am well aware of the problem of people being accosted in the street in areas that are unlike those with which we are dealing in the Bill. Is the Minister saying that the Bill is designed to deal with that? If he looks carefully at clause 1, he will see that it is not designed to deal with that problem. It is a separate problem. He would worry many people if he suggested that the Bill could be used against any man approaching any woman along any road.

Mr. Mellor: The Bill can be used in that way. Once again, with the greatest respect, the hon. Gentleman is not doing himself much credit. It would be bad enough if he knew the parameters of the matter and then took a different view. In fact, each of his interventions suggests that he does not know what he is talking about, which is sad but true. The essence of the Bill is that it gives relief not only to hard-pressed people in areas where there are a series of cases of prostitution, but to my wife, to the wives of other hon. Members and to female Members when they are walking down the street late at night and are accosted by a man in circumstances where it is not an unreasonable imposition to say that his action is not proper and that the man renders himself liable to prosecution.

There is a great gap in the present law. After sustained efforts by the police, the number of prosecutions reached about 600 last year. However, that is the tip of the iceberg. The reason is that the law is hedged around by qualifications which were included only under the most extreme duress, because it would not otherwise have been possible for the Sexual Offences Act 1985 to be passed. The qualifications were put in with a clear warning of what the consequences would be.

By one of those happy coincidences that make life so exciting, I found in *The Times* law report on page 38 today the case of Darroch *v.* the Director of Public Prosecutions. It was a case in the divisional court about the Sexual Offences Act. What does it reveal? First, although the man beckoned a prostitute in an attempt to get her into his car,

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and although the divisional court found that the magistrates were fully entitled to say that that was an act of solicitation, he was entitled to be acquitted because it happened only once. In such a clear-cut case, I cannot see the logic of making it not a criminal offence and of allowing people to do it twice. If I walk down the street and snatch a woman's handbag, people do not say that I had better do the same to another woman or it will not be an offence. For the life of me, I cannot see the logic in that.

Secondly—this is more pertinent to the concerns of the hon. Member for Denton and Reddish—the divisional court upheld the contention of those acting for the appellant that merely driving around a red light district was not an offence and that the magistrates were not entitled to see that in itself as an act of solicitation. I rely on that to prove a point to which I shall come later if the hon. Member for Denton and Reddish persists with his other amendments.

It would be wrong for any hon. Member to proceed on the basis that he believes that the authorities cannot be trusted with the law because it will inevitably be used oppressively. The Darroch case and the care it was given by the divisional court are a sign of how seriously the courts take even pieces of legislation with which, I dare swear, they are no more happy than we are. Nobody likes to see somebody escape on a relatively spurious technicality, but it was made quite clear, as it would no doubt be in any similar case, that the requirements of the law are for more than what one would call potentially innocent activities.

I got a bit bored in 1985 with the man who stops a lady merely to ask the way to the Dog and Duck public house —although I dare say that we may hear about him again in 1990. One may get bad directions once and one may approach someone else, but in the intervening five years, I do not know of many people who have merely asked for the Dog and Duck and have had their lives ruined by being arrested.

Those who say that the Bill is potentially oppressive have a heavy burden to come forward with some examples. The evidence is that the courts have taken their duties under the Sexual Offences Act seriously and have not hesitated to make it clear that, even in a good cause, the rules cannot be bent, and that firm and clear guidance is given in each case.

The consequence of the Darroch case was that somebody who was plainly soliciting—the divisional court said that the magistrates were entitled to regard it as an act of solicitation—and about whom there was evidence that he had previously been found in the company of a prostitute in a stationary car, was not convicted. What message does that send out about the seriousness of Parliament's resolve? This week—quite rightly, I dare say —we stood here criticising the football authorities for slapping with the inside of a glove when dealing with the problems of football hooliganism. The present state of the law on soliciting is barely even a slap with the inside of a glove. It is a wilful abdication of Parliament's responsibility to put in a coherent and cogent set of legal arrangements.

I will seek to meet the hon. Member for Denton and Reddish on some points. I have discussed that with my hon. Friend the Member for Streatham, the promoter of the Bill, and with the hon. Member for Kingston upon Hull, West (Mr. Randall). I shall be able to show him ways in which we can monitor the consequences of removing the word "persistently" to show our sincerity in not wanting to see the law used oppressively.

However, it is clear that, as long as the law contains the word "persistently", the areas that sought redress from Parliament in 1985 will come back to Parliament for redress because their redress will be at best partial. Some people can cock a snook at the enforcement of the law in a way that I seriously suggest should not lead us, especially after the relatively effortless passage of the Bill so far, to let the Bill become blocked on the whim of one or two hon. Members.

Mr. Andrew F. Bennett: The Minister is misleading the House if he is saying that simply removing the word "persistently" will solve these problems. I ask him to think carefully. Some people who go into red light areas do so with the attitude of high risk, so it will not make a lot of difference if their chances of being caught are increased. It will simply increase their excitement to come to the area. I am also not convinced that greater policing will solve the problem. If the Minister said that by passing the Bill we should solve the problem of prostitution, I should have some sympathy for him. However, all he is saying is that we shall simply change the type of problem. I should have liked him to spend a little time addressing the question of what happens if we simply move people from one area to another. *[Interruption.]*

10.30 am

Mr. Mellor: The hon. Gentleman's hon. Friend the Member for Norwood (Mr. Fraser) represents an area that suffers from these problems. He is also an experienced solicitor of many years standing. His response to the hon. Gentleman's remarks was, "Rubbish." Alas, even I cannot improve on that description.

Of course, no law that Parliament passes can solve the problem of itself. It can be solved only if the law is properly and sensibly policed. The police will face difficult decisions about what resources to give, what tactics to use, how to deal with the problem of a spillover into other areas and so on. However, if we give them a simple, effective and fair law, at least they will have a good chance of success.

The police cannot opt out and say that, simply because Parliament has failed in its duty, so too can the police. They must at least try to offer some redress to those living in the affected areas. A clear, simple, straightforward law, which also has the virtue of being fair, will make it easier for the police because, for the first time, they will have an opportunity to deal with these people. If someone is an exhibitionist, I should be only too happy if he put on an exhibition for the local magistrates court, which could then deal with him. What is so wrong at the moment is that he can put on an exhibition every Monday, Tuesday, Wednesday and twice on a Friday and get away with it. That is not an ornament to the way in which we deal with these matters.

On the point about deleting the word "persistently" from the 1985 Act, I shall make the hon. Member for Denton and Reddish what I hope he will accept is a sensible offer of a framework within which we can consider these matters. New clause 2 is an evasion, not an acceptance of responsibility. Parliament will do itself no credit if it accepts new clause 2. I hope that, as the morning

wears on, the hon. Gentleman will increasingly recognise that he is in a minority. Having raised the point and having, as I believe he will, received some substantive commitments about how we will proceed, there would be nothing disgraceful about him then retiring, thinking that he has done the best service that he can. If the Bill does not make progress today, it will be an abdication of responsibility by Parliament, and I should be thoroughly ashamed of that.

Mr. Stuart Randall (Kingston upon Hull, West): The notion of the criminal justice system being operated by a local authority is quite unacceptable to the Labour party. New clause 2 would mean that the Metropolitan police would encounter no-go areas in places affected by kerb crawling. They would have to consult a map to find out what parts of the London metropolitan area they could police. It could be that with a street falling between two boroughs, the police could pursue crime on one side but not on the other. New clause 2 is not acceptable. It would not allow the criminal justice system to operate in any logical and rational way. It would not allow the police the operational right to pursue crime.

I hope that the House will not spend too much time debating new clause 2. As the Minister said, this is not a party matter; it is one of great substance that has a profound effect on the lives of many people living in certain parts of London, and also in other parts of the country. The hon. Member for Streatham (Sir W. Shelton) and my hon. Friend the Member for Tooting (Mr. Cox) have strongly highlighted that. It is a problem of great magnitude. The Bill is part of the armoury we need to deal with the problem. I accept that local authorities have a role to play, such as erecting one-way-street signs. Unfortunately, the 1985 Act does not really work. If we retain the word "persistently" those living in areas affected by kerb crawling will be deeply distressed.

I well understand the two sides to the argument—first, that we need a law that works and protects people against kerb crawlers, and secondly, the preservation of civil liberties. I have considerable respect for the parliamentary skills of my hon. Friend the Member for Denton and Reddish (Mr. Bennett). If he pursues new clause 2 and his other amendments, he could wreck the Bill. That would be sad and the Labour party would want to dissociate itself from that. I say to him, with all respect, that he has gone overboard on the civil liberties aspect. We should always be vigilant on civil liberties issues, but we must accept the Bill as it stands.

I welcome the Minister's suggestion—I do not want to be too specific, as I know that he is still thinking about it—that he can meet my hon. Friend's concerns. I imagine that he will write to the Attorney-General, perhaps suggesting that a circular be sent to the Crown prosecution service asking it to ensure that civil liberties are properly taken into account. The Bill is the best deal that we can get. I would be deeply distressed if my hon. Friend used his great skills—indeed, we are all at his disposal today—to block the Bill. I hope that he will not do so. I hope that he will accept the reasonableness of amending the 1985 Act by this Bill, so providing legislation that will work, but that will also protect people's civil liberties. If we can do that we shall have served our purpose as a House of Commons. If we reject the Bill women will be the major losers. That distresses me very much. I have discussed the matter with the leadership of my party and it is agreed that women could be the losers. That is not acceptable, certainly to the Labour party, to hon. Members from other parties, or to my hon. Friend the Member for Denton and Reddish.

The 1985 Act and the Bill are not about prostitution per se but about kerb crawlers. They are about people who can put their hand in their pocket and pull out £100, or however much it costs to buy a prostitute for the evening. We are not discussing the merits or demerits of prostitution but the kerb crawlers who have damaged some areas in which people who are often on low incomes, although not exclusively, live. The places affected by prostitution tend to be poorer areas and it is the more middle class people with their big company cars and perks who have the cash to come in and cause such disruption. I hope that today we shall not pursue the matter of prostitution per se.

I hope that the appeal that I have made to the House will be heeded. It is the best deal that we can reach. The people of London, and other parts of the country where prostitution is at its highest will welcome the measure if it is accepted. I sincerely hope that it will be.

Mr. John Fraser (Norwood): My credentials for speaking in the debate are that I was born in an area such as we are discussing and grew up there. My mother, who is over 80, still lives there. Also, the area is on the margins of my constituency, so it is not distant from me in any way.

I wish to tell my hon. Friend the Member for Denton and Reddish (Mr. Bennett) in a comradely fashion that kerb crawling is a serious problem that afflicts people living in Wandsworth and Lambeth. On another occasion he held up the Bromley London Borough Council (Crystal Palace) Bill which would have provided employment in my constituency. It had the support of the Bromley Labour group and was not opposed by either Southwark or Lambeth councils. He held up the Bill for about six months. If I held up Bills that affected his constituency, there would be some comradely distress, if not anger, about the behaviour of one hon. Member concerning the problems in another hon. Member's constituency or borough. I ask my hon. Friend to understand that we have a problem in my area and it needs to be addressed.

I do not dismiss the point that my hon. Friend made about civil liberties, which I shall discuss later. I hope that he understands that there is a serious problem for residents, and for women in particular. I hope that he will approach the Bill in that spirit. I hope that, if some compromise on civil liberties can be reached, he will find it acceptable and allow the Bill a reasonably rapid passage through the House.

So far, we have discussed the problem of residents, but there is also a problem for prostitutes. The life of the prostitute on the street is by no means a happy one. Frequently their money is taken from them at the end of the evening or the day's work. They are subjected to the most vicious violence. They are often drug addicts who are on the streets for that reason. Street prostitution, violence and extortion all go together. I believe that it is about time we shifted the balance to make the polluter pay, as it were. In this context, the polluter is the kerb crawler.

My hon. Friend the Member for Denton and Reddish said that there were other ways of approaching the problem of kerb crawling, such as providing street lighting, traffic schemes and the like. Lambeth is charge-capped. Unfortunately, we have a great deal of crime other than soliciting for prostitution. We are entitled

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to judge where it is best to place our resources. A borough as hard-pressed as Lambeth, with problems of homelessness, cuts in education and so on, has better things to do with its money than pedestrianising Streatham high street and Bedford hill to deal with kerb crawling. We have better priorities for the use of our money and our police force. Therefore, I reject his argument in favour of the new clause.

10.45 am

The point about civil liberties must be borne in mind. Perhaps I could have the Minister's attention now. There is a risk that, without corroborative evidence—I moved an amendment in this respect in Committee—an innocent person could have his reputation ruined by a relatively trivial crime in the calendar of crimes. The Minister must address himself to that risk. There are several ways of dealing with it. I should have preferred to do it by building corroboration into the Bill. We went through that matter in Committee.

Mr. Andrew F. Bennett: My hon. Friend will be aware that the Bill has yet to go to another place. There is no reason why, in another place, they should not consider corroboration. That might be one way of reaching a compromise.

Mr. Fraser: I agree with that. I want to see the Bill go to another place. Perhaps my hon. Friend will intervene again to tell me that he too wants to see it go to another place.

The right way to deal with corroboration would be for the Attorney-General to give advice to the Crown prosecution service about conducting prosecutions. The safest protection would be to provide guidance such as that given on prosecutions for possession of drugs as opposed to supply. A warning or caution could be given in the first instance to a kerb crawler, with a new offence where no corroboration is required and no persistence or nuisance has to be involved. A caution or warning in the first instance that, on future occasions, the person could not plead innocence by saying that he had merely asked the way of a prostitute in an area such as Streatham would deal with the problem.

Mr. Mellor: As it is a matter of police practice, not a matter for me, I cannot undertake that that would be done. However, it is increasingly police practice that cautions are given when first offenders are arrested for relatively minor, though troubling, offences. That would be one option. When the moment comes, I intend to take the matter to my right hon. and learned Friend the Attorney-General to discuss guidance to the CPS. Guidance on when a caution should be given and when it is appropriate to take action is certainly a sensible point for me to explore with him. That suggestion has much merit.

Mr. Fraser: I can conclude on this point. A process of warnings could be established in an effort to sieve cases before they come to court. Such a compromise should be accepted by the promoter of the Bill and those who have perfectly legitimate fears about civil liberties.

Mr. Ken Livingstone (Brent, East): As my hon. Friend the Member for Kingston-upon-Hull, West (Mr. Randall) said, the majority of the House agrees that this is not a party issue. Listening to my hon. Friend, I was strongly reminded of the words of Cynthia Payne a week ago who made much the same point in a television debate in which I took part in Manchester. She said that prostitution was not a party issue. She had been raided as often when there was a Labour Government as when there was a Tory Government. As we have heard the vigour of my hon. Friend's condemnation of what has been happening in many parts of our cities, we can have no doubt that we all want to see it end. The point at issue is whether the Bill will achieve that. If I thought that it would, I would vote for it. However, no amount of silver-tongued oratory from the Minister of State will persuade me to vote for a Bill which I believe will fail to stop what is happening and may indeed make matters worse.

Like my hon. Friend the Member for Norwood (Mr. Fraser) I was born and grew up in Lambeth. As a child wandering around the streets at night with my mates I met and talked to the prostitutes. They were there a generation ago and I suspect that they were there two or three generations ago. When I became the GLC member for Hackney, North and Stoke Newington there was an appalling problem of kerb crawling in Finsbury park. Once again that problem was not a party political issue. Sir Horace Cutler led a Conservative-controlled GLC at the time. I met members of his administration and with the backing of Hackney council, which was about 99 per cent. Labour at the time, we introduced an incredibly complicated road scheme to try to stop the kerb crawling. In the short-term there was some limited relief. However, I very much doubt whether that has continued.

We simply pushed the problem somewhere else. My constituents were happy for a while, but constituents elsewhere suffered similar problems. In London there seems to be a pattern of prostitution moving around a fairly regular circuit: Finsbury park to Tooting to King's Cross and to Shepherd market. I suspect that that route reflects the concentration of police effort.

After pressure of complaints in King's Cross, there was a major increase in policing the area and the problem moved elsewhere. Police pressure moves the problem around a city and we must be aware that attempts to resolve the problem in legislation have failed. We were told that the Sexual Offences Act 1985 would succeed, but it has not. We are now told that this Bill will resolve it. What will happen if it does not? What legislative measure will we take next?

The difficulty is that we are tackling the symptoms and not the cause. That is the Bill's failure. I want to see a society in which there are no prostitutes. I want a society in which no one buys sex and in which sex takes place between consenting adults and involves an act of love. However, that is not the world we live in and it will never be the world we live in. What should we do to mitigate the problems facing people in areas where kerb crawling occurs?

Mr. Randall: Does my hon. Friend agree that the Bill is about kerb crawling and kerb crawlers rather than about the merits or demerits of prostitution?

Mr. Livingstone *rose*——

Mr. Deputy Speaker (Mr. Harold Walker): Order. I was tempted to reproach the hon. Member for Brent, East (Mr.

Livingstone) a little earlier, but I was reluctant to interrupt the flow of his speech. Hon. Members should address their remarks more closely to the new clause.

Mr. Livingstone: I hope, Mr. Deputy Speaker, that you will allow me the discretion to range widely in the same way as the Front-Bench spokesmen who managed to refer to video nasties and the situation 180 years ago.

New clause 2 is the widest amendment for us to discuss today. If my points could be resolved, I would be happy to support the Bill. No one would disagree with the provision in the Bill to remove the nonsense that someone under the age of 14 cannot commit rape. The Bill would have the support of all hon. Members in the House if that was all that it did. However, the Bill does more than that and we must consider civil liberties.

We must balance the liberties and rights of residents in areas where life is blighted by the curse of kerb crawling with the liberties of ordinary innocent citizens who may be entrapped in a conviction which could destroy their lives. I believe that the majority of hon. Members would claim that the organisation Liberty is one of the most important champions of liberty in this country. It is not a party political organisation and it has the support of hon. Members on all sides of the House. That organisation wrote to hon. Members saying:

"We accept the need for some effective legislation to protect women from unwanted soliciting for the purposes of prostitution or other sexual harassment in public places. However, we have consistently opposed legislation which creates offences capable of proof by police evidence alone."

That is the weakness of the Bill. The Minister begged us not to oppose the measure because we thought that it might be wrongly enforced. However, after the events of the past year, is that really a credible point to make?

I am not one of those people who believe that the majority of the police in our society are criminals who bend the law. That would be a travesty. The overwhelming majority of police officers in our society seek to do the best that they can, often in intolerable circumstances. However, they are not perfect any more than politicians are perfect. We are all aware of Members of Parliament and members of local councils who have been corrupt and broken the rules. That happens also among a small minority in the police. How can the Minister ask us to suspend judgment as to whether the Bill will be properly conducted in the wake of the scandal of the West Midlands serious crime squad?

Mr. Mellor: I take the hon. Gentleman's point about the nature of the evidence. I have already said that I believe that I can make points about prosecution practice later that will be helpful.

However, with regard to the hon. Gentleman's central point about a conviction purely on the basis of police evidence, although that may be undesirable from the hon. Gentleman's point of view, it is sometimes the inevitable consequence of the woman concerned having no interest in the administration of justice and therefore an extreme reluctance to come forward. Under the present law, there is no prohibition on police evidence alone. If a policeman was minded to gild the lily he would only have to say that he saw someone approach two people rather than one. I understood the force of the point when it was made five years ago. However, as I said earlier, after five years' experience of the Sexual Offences Act 1985 and after more than 1,000 prosecutions, I am completely unaware of any suggestion that the Act has been used oppressively or that police evidence has been used to obtain corrupt convictions of people who should not have been convicted on the basis of police evidence.

The hon. Member for Brent, East (Mr. Livingstone) should not approach the issue as an academic point. If he cannot produce evidence to support his argument today, he should understand that his view is not an objection to the Bill becoming law.

Mr. Livingstone: I accept the Minister's argument that there will often be occasions when, in the effort to convict someone of a crime—perhaps a horrendous crime—there may only be police evidence. My basic presumption is that that practice should be reduced to the minimum and we should accept it reluctantly.

Sir William Shelton (Streatham): Will the hon. Gentleman accept that under the 1985 Act the prosecution of kerb crawlers rests on police evidence only? The suggestion that "persistently" should be removed will not change that in any way. Police evidence alone leads to prosecution in such cases.

Mr. Livingstone: The hon. Gentleman is absolutely right and I object to a further extension of that. By removing "persistent" prosecution becomes easier. It seems that in the past decade there has been a massive shift in the nature of legal practice in Britain and increasingly we see convictions based not on forensic evidence, but on police evidence alone or on confessions obtained in cells.

Mr. Deputy Speaker: Order. We must get back to designated areas, which are the subject of the new clause.

Mr. Livingstone: I am coming to that. I have not the slightest doubt that local government is much more in touch with its area than national Government. The hon. Member for Streatham (Sir W. Shelton) represents a constituency of 70,000 or 80,000 people; he keeps in touch with them, but not as well as the 15 or 17 local authority members who represent smaller areas, and whose reason for political activity is entirely connected with those areas. They are not diverted by foreign policy or macro-economic policy.

11 am

The question of how best to defend an area is best left to a local authority. I say that as someone who came here reluctantly after my local authority was taken away. I always felt that I could achieve more for local people in local government than I could in central Government. It was only the erosion of the powers of local government that shifted my attention from a sphere in which it was no longer possible to achieve very much to questions of national Government.

I doubt that every local authority is fully up to the task of tackling the problem. However, I have no doubt that it is better for local government to make the decisions than for a national scheme to be imposed by centrally controlled legislation, monitored by the Government and covered by the Crown prosecution service. There will be differences, as there are differences in the areas of prostitution in London: for instance the pattern of prostitution in King's Cross differs from that in a constituency such as that of the hon. Member for Streatham.

I disagree with my hon. Friend the Member for Kingston upon Hull, West, who suggested that this was a class issue and that we were dealing only with the rich. A detailed study of the pattern of kerb crawling and prostitution, carried out in the early 1980s in King's Cross, showed that, rather than rich men in their Rolls-Royces driving into a poor area, relatively poor men were using the services of prostitutes.

Mr. Randall: My hon. Friend may recall that on Second Reading points were made about the research that had been carried out into the "social structure" of people who kerb crawl. That research showed—my hon. Friend can get the exact quote from *Hansard*—that most people who kerb crawl are in the class that I have described, namely those on highish incomes who have a car and can spend £100 without having to blink too hard.

Mr. Livingstone: That merely confirms my earlier assertion that there could be different patterns of prostitution within the same city. My hon. Friend's point was not that identified by the study into prostitution at King's Cross. The hon. Member for Streatham looks puzzled. Let me jog his memory: that study followed the occupation of a local church in 1982 by a group of prostitutes who were complaining about police harassment in the area.

Everyone who has spoken so far has pointed out that this is a specific local problem. Most hon. Members do not face the problem of prostitution in their constituencies; those who do will have found that the problem existed long before they became hon. Members. Perhaps only two or three dozen constituencies contain areas like King's Cross or Bedford hill. The problem would be better tackled locally, because a local administration in touch with local thinking could balance the consequences of taking action to designate an area in this way.

I said earlier that a week ago I had been in a debate with Cynthia Payne in Manchester for Granada television. I found that some local people in Liverpool had made a firm decision, taken the law into their own hands and driven prostitutes out of the area. That has also happened in other areas. The new clause would allow that local understanding to be brought to bear.

I know that many people doubt the ability of councils in this regard, and perhaps some councils could not do it. There might be problems in a hung council, and a temptation for parties to compete and try to upstage each other in the pursuit of local votes. However, I believe that the majority of local authorities would approach that responsibility with the seriousness that it deserves. I believe that it is better to shift the balance of power away from Whitehall and devolve it to local communities, which will be much more responsive. I do not know what Lambeth's response would be if it were given the power that my hon. Friend the Member for Denton and Reddish proposes in his new clause. I suspect that it would support the proposals being introduced by the hon. Member for Streatham, but, it might not and there could be a long period of discussion and debate.

In the upheavals around King's Cross in the early 1980s there were many massively attended public meetings where local people argued the issue. They spoke of the harassment of women in the area, not just by kerb crawlers: violent threats were made by pimps when members of the local community sought to defend themselves. What came out of those meetings was the importance of bringing together the interests of residents and prostitutes. Often there was no conflict, but they were all suffering from the pattern that had developed. I would like to see a more breathtaking but valid response to the problem. Instead of looking for an increase in repression and a widening of police powers, we should look to the social causes.

In the King's Cross study it was shown that there were two types of prostitutes operating: those who worked in the evening and organised by pimps, and those who worked during the day, who were basically "freelance". Virtually all the arrests were made during the daytime. There were some suggestions that that might show a degree of favouritism and bias by the police. Interestingly, the professional prostitutes, who had a much longer track record, referred to the new prostitutes—women who were just working one or two days a week in the afternoons—as "Thatcher's girls", because they had been forced into prostitution by a decline in income, lost jobs, or because their social security payments had not kept up with inflation. If the hon. Member for Streatham produced a Bill that tackled the social causes, we could perhaps end prostitution, but instead we are talking about a further scale of repression.

Local authorities have local knowledge. An authority that serves an area where there is a higher level of unemployment and economic distress will be much more sensitive and attuned to what is causing prostitution in its area than Ministers who issue statements, and who are isolated in London, surrounded by senior bureaucrats and cut off from day-to-day involvement with people's problems.

I once visited a society where women felt safe and there were no kerb crawlers. Conservative Members may find this unbelievable, but when I went to Cuba three or four years ago I found that no woman was frightened to be alone on the streets at night. That is not because Cuba has adopted the proposal of the hon. Member for Streatham or the new clause about putting prostitution under the control of local authorities. It is because in Cuba there is a different attitude to women. *[Interruption.]* I am sorry that Conservative Members laugh.

Mr. Jeremy Corbyn (Islington, North): I, too, have visited Cuba——

Mr. Deputy Speaker: Order. We are not going around the world. This Bill applies to this country only.

Mr. Corbyn *rose*——

Mr. Deputy Speaker: Order. I do not see how Cuba can be a designated area. Let us get back to those areas.

Mr. Livingstone: The new clause tabled by my hon. Friend the Member for Denton and Reddish would be successful because a local authority would understand the problems of the area that it designated far better than central Government. The local authority may well reach the conclusion that social problems are the root cause of prostitution in its area and that it is better to tackle those problems. Therefore, it might decide not to designate an area. Local authority officials may decide to visit Cuba to adopt the methods used there that have done so much to make women safe on the streets. For a start, women's bodies in Cuba are not used to sell goods. There is a different attitude——

Mr. Deputy Speaker: Order. I must remind the hon. Gentleman that this is a not a Second Reading debate. The Bill has had its Second Reading and we are now discussing a new clause that deals with the power of local authorities to designate areas. We should return to that new clause.

Mr. Corbyn: On a point of order, Mr. Deputy Speaker. When discussing the new clause, would it be in order to discuss also the problems that a local authority would face when deciding whether to designate an area, and such issues as the exploitation of women's bodies for commercial purposes?

Mr. Deputy Speaker: The hon. Gentleman must not start to ask me what I might, in hypothetical circumstances, do about matters that may or may not be discussed. It is my responsibility to judge whether the content of a speech is in order or otherwise. I hope that the hon. Gentleman is not seeking to encourage me to debate my ruling with him. I hope that the hon. Member for Brent, East (Mr. Livingstone) will heed what I have said.

Mr. Livingstone: I agree with you, Mr. Deputy Speaker. I want a society in which there is no prostitution—a goal achieved voluntarily.

My hon. Friend the Member for Denton and Reddish has suggested that we can amend the Bill, but I believe that it might fail. I know that the hon. Member for Streatham seeks to do what is best for his constituents, but I am worried that he will raise their hopes with the Bill. In three years' time, when nothing has changed and just a few more pathetic men have been arrested, women will still be harassed. People will become embittered because they will believe that the Bill has led to no real improvement.

If I were convinced that the Bill would work I would vote for it. I believe that the new clause tabled by my hon. Friend the Member for Denton and Reddish would strengthen the Bill, but if we are to tackle the problem, there should be local control and a local understanding of it.

We have already spoken about video nasties, which are not directly relevant to this debate, and it is important to consider all possible alternatives to help solve the problem. If local authorities were given the power as set out in the new clause, they would be able to seek those alternatives.

Sir William Shelton: Surely the hon. Gentleman understands that the kerb crawlers and most of the prostitutes in my constitency do not live there. Whatever social problems there might or might not be in my constituency or in Lambeth, they have no relevance to the problems of the kerb crawlers or the prostitutes who live in a different area.

Mr. Livingstone: That is exactly the point—the basic problem cannot be simply be solved by the Bill. There is a social cause that must be addressed.

In the past few years, prostitution has increased and I am certain that the hon. Member for Streatham is aware that the situation has worsened in his constituency. In an Adjournment debate in 1989 he said:

"Over the past few years, a plague—a pollution—has struck a part of my constituency."—

About certain streets he said:

"At night, they swarm with prostitutes."—[*Official Report*, 12 January 1989; Vol. 144, c. 1092.]

That was a clear acknowledgement from the hon. Gentleman that the problem has got worse and it will continue to do so until we tackle the social problem.

11.15 am

The new clause tabled by my hon. Friend the Member for Denton and Reddish is the first step towards giving local government real powers to deal with the problem. After a brief time, however, I am certain that the local authorities would say that social problems cause the distress and that those problems must be tackled instead of extending the scope of legislation to reduce civil liberties. Such legislation also carries the possibility of destroying the career of someone innocently caught up in a prosecution because he happened to be in the area and, in the eyes of a police officer, was behaving in a suspicious manner.

It is important to remember some of the scandals that have occurred in the past year. The Minister has told us that we should work on the assumption that the Bill will be implemented properly and that we should put out of our mind any possible abuse. I cannot accept that. The hon. and learned Gentleman cannot ask the House to assume that the laws passed by it are carried out perfectly. That is nonsense. Some of us have been leaders of local authorities. We sat at the top, issued edicts, but knew damn well that down at the grass roots they were not carried out in the way intended. The problem is even greater for central Government.

The Minister has told us that we should put out of our mind the idea that the Bill will not be properly implemented, but how can he reach that conclusion in a year that has witnessed the major scandal of the falsification of evidence by the West Midlands serious crime squad and the stunning decision to release the Guildford Four? Our policing system is not perfect any more than our political system. One cannot achieve perfection and the best that one can hope for is to strike a balance between the needs of the oppressed and the civil liberties of those people who may be caught up in a prosecution.

The new clause tabled by my hon. Friend the Member for Denton and Reddish is a step towards ensuring the proper implementation of the Bill. Although I have reservations about the Bill, I am still prepared to vote for it, provided that some safeguards are introduced. The Minister echoed my concern as he assured the House that the pattern of prosecutions would be monitored because of the general worry that innocent people might be caught. If the Bill is so perfect, why must the Government monitor its implementation and ensure that it is not abused? It would be much better to get the Bill right and not accept something that is imperfect in the hope that we can rectify it later or rely on the Crown prosecution service to tidy it up. That is not good enough. We have a duty to ensure that the legislation we pass contains the checks and balances necessary to protect the individual. I accept, however, that it is every bit as important to protect people who are harassed daily on the streets.

I took action around the Finsbury park area of Stoke Newington to tackle kerb crawling and I believed that that would do the trick, but it failed. The traffic management did not work. At that time, I had the same ideas as the hon. Member for Streatham, that yet more controls, yet more laws and more policing would solve the problem. They do not. I failed to solve the problem in Finsbury park with that traffic management scheme. The traffic moved on, but from what I hear, the problem returned to Finsbury park as, gradually, the kerb crawlers learnt how to work their way around the new traffic management scheme.

Instead of constantly trying measure after measure that relies on extending the powers of the state and having more legal measures to tackle the problem, the House should consider going to the source of the problem, the social conditions that produce, not just prostitution, but those men who rely on prostitution and cannot develop fulfilling personal relationships.

The clause would push the debate down to local government and mean that the issue was being debated in council chambers across the country. Do we need more laws or should we consider social consequences? If that debate were taking place, I am certain that there would be a huge public consensus that considering social consequences was the way to tackle prostitution.

Earlier, the Minister of State referred to the growing consensus in the House about women's issues. I welcome that, but I do not think that it is growing fast enough. He talked about the need to protect women. It would be much easier to give expression to that belief if he were to come to the House with proposals to pass into law the ten-minute Bill that was the initiative of my hon. Friend the Member for Birmingham, Ladywood (Ms. Short) to remove page three, that daily diet of pornography that creates the climate in which men feel that they can buy women because they are available for them as and when they want. Why do not the Government do that?

If the Minister wants to protect women—I see his interest is such that he is leaving the Chamber rather than respond—he should introduce real protection for women and change the climate. As I said, in Cuba, women's bodies are not used to sell goods and pornography is not encouraged in virtually every shop, as it is here.

I have believed for some time that the major cause of the increase in rape cases—I believe that there has been an increase—has been page three, which has meant that generation after generation of young men have grown up, seeing that filth and assuming that the degrading way in which women are portrayed means that women are available to them as and when they want. Those are the men who go on to become kerb crawlers, incapable of forming equal relationships with women or of developing loving relationships with them. They end up crawling round the streets of Streatham or Finsbury park making life hell for everyone there. Those are the issues that we should consider in tackling the problem.

I am certain that if the legislation were amended in that way so that local authorities were debating the problem, those are issues with which they would return to the House. Local authorities that had had the problem on their plate, had tried to tackle it and failed, would come back to the House asking us to do something about page three to reduce the social causes of prostitution. I believe that those local authorities would also say that they would like better sex education in schools, which did not include merely discussions on the mechanics of sex, but ensured that another generation of kerb crawlers was not produced, and boys grew up in society aware that it was not just a matter——

Mr. Deputy Speaker: Order. I must remind the hon. Gentleman once again that his speech seems more appropriate to Second Reading. I hope that he will address himself to the issue of designated areas, as provided for in the new clause.

Mr. Livingstone: I am glad that you bring me back to the point, Mr. Deputy Speaker.

I was running through what conclusion I thought local authorities that were given the powers of designation would reach and what proposals they would make. Another aspect of designated areas is policing. Councils that have control over designation would also need to have control over policing and the ability to intervene to ensure that there was adequate policing in those areas. There would be no point in a local authority having the power of designation if it could not direct enough police resources into an area to ensure that the policy was carried out. In a sense, local authorities would take over the role that the hon. Member for Streatham and I carry out, as do all London Members. We pursue the police so that they provide the resources to tackle the problem.

I cannot remember whether it was on an Adjournment debate or Second Reading that the hon. Member for Streatham talked about the way in which the police had responded to his pressure, done their best under the present system and switched resources into the local areas, but it had not been enough. If we give local authorities the power of designation so that they are in control, we must also say to the police that they must respond to local authorities' decisions about the level of policing required.

I can talk only about London. Since the Government were elected 11 years ago there has been a massive increase in the numbers of police and in police pay in London. Sadly, there has also been a massive increase in crime and kerb crawling. In his Adjournment debate speech the hon. Member for Streatham identified that increase. Designated authorities may reach the conclusion that more local police are needed on the streets to prevent the problem.

In London there are more than 25,000 police officers, excluding the support staff who are not uniformed officers. I accept that they have to operate a three-shift system. No one would seriously want the police to work more than eight hours a day on average. In London we should have about five police officers available at any one time of the day in each ward of the city. If we had that and local authorities that had been given the powers of designation could say to their local police that they wanted them on the streets day by day, we could prevent the problem arising. It would be much better to prevent the problem by a visible police presence on the streets, as there was when I was a boy.

Where I grew up I did not go more than 10 or 15 minutes without seeing a police officer walking down the street. There was a constant police presence, and it deterred. It is no good dealing with a crime after it has been committed. A woman who has been scandalised by being approached by a kerb crawler is not cheered up very much by hearing that the character is going to be prosecuted and might be fined £100 or £500. She has been traumatised. In exactly the same way, heavier and heavier penalties for muggers will not bring back the joy that a pensioner has lost. The fear that lives with pensioners may mean that they never feel free to go on the streets again after they have been mugged.

Rather than constantly demanding more and heavier penalties, we should focus on prevention. Under the powers of designation, local authorities would argue strongly for a change in the pattern of policing. We should move away from the bureaucratisation of the police force so that the majority of local bobbies are on the street and

prevent crime by their presence. That would be a much more effective way of tackling kerb crawling. If five or six police officers were available in each ward every hour of every day, the problem would not arise. We would not be merely pushing the problem to another area. If we moved to genuine community policing, we could change the pattern and stop the problem occurring.

After considering and debating the problem, designated authorities would see that it is not just a matter of pushing it somewhere else or dealing with the social problems, because that would take time.

Perhaps the first thing that designated authorities would want to do would be to decriminalise prostitution so that prostitutes were not forced to concentrate in certain areas and they would not then need their pimps. I am not arguing for legalisation; I do not think that designated authorities would. The idea of state-run brothels would fill me with horror. In Germany—

Mr. Deputy Speaker: Order. I must tell the hon. Gentleman that it does not satisfy the requirements of the Chair merely to keep inserting the phrase "designated authorities". I hope that he will recognise that this is a private Members' day and that we have another 16 private Members' Bills on the Order Paper. I have a duty to safeguard the interests of those hon. Members, so I very much hope that all hon. Members will bear in mind the rights and interests of other hon. Members.

11.30 am

Mr. Livingstone: I agree with you, Mr. Deputy Speaker. In this debate it is important that we preserve the rights of people who might be entrapped by the new legislation and whose lives might thereby be destroyed.

I have said what I wanted to say about the new clause, and I hope to speak again on later amendments.

Mr. Tom Cox (Tooting): I am sorry to have missed the opening speech of my hon. Friend the Member for Denton and Reddish (Mr. Bennett), but I did hear his interventions later, and all the other speeches. I listened with great interest to the speech by my hon. Friend the Member for Brent, East (Mr. Livingstone), but I must tell him that I am wholly opposed to the new clause, as I hope the whole House will be.

Those of us who represent constituencies in which kerb crawling has been a problem for many years know that the new clause contains nothing that will really tackle the problem. More importantly, the people who live in these areas, especially women, know that new clause 2 will offer them no protection. I hope that, if it is forced to a vote, it will be roundly defeated.

My hon. Friend the Member for Brent, East made great play of the idea of involving local councillors and local authorities, saying that they would know what to do. I have represented part of Wandsworth in this place for 20 years, during which control of the borough has been held by both Labour and Conservative parties. The problem of kerb crawling has been evident in this area since long before I became a Member of Parliament, and under councils run by both the major parties. The new clause refers to complaints from the public, to the police being satisfied that there is a problem of prostitution and of kerb crawling, and to all other reasonable steps having been taken to deal with the problem. However, I and other hon. Members who have represented the borough of Wandsworth over the years have frequently been asked by leaders of the authority to seek action here in Parliament to try to end the problem.

There is no doubt that there have been many complaints by the general public. One of the first speeches that I ever made in this place was about the problem of prostitution and kerb crawling in the Bedford hill area of my constituency, a subject that I have spoken about many times since. I served on the Committee that scrutinised the 1985 Bill and on the Committee that dealt with this Bill. I know that local authorities can help—for instance, by providing better street lighting, by introducing one-way schemes that will stop drivers persistently driving around certain areas. My hon. Friend the Member for Brent, East rightly said that we need more police on the beat, but ultimately Parliament has to introduce legislation that the courts of this country can follow, and no amount of consultaton with local authorities, local ward councillors and the local community will solve the problem by itself.

We have heard a great deal this morning about the problems in my constituency, in that of the hon. Member for Streatham (Sir W. Shelton) and in other parts of London, but the problem exists in many other parts of the country too. I notice that the hon. Member for Luton, South (Mr. Bright) is in his place; he served with me on the Committee that looked into the previous legislation on this subject and he outlined the problems in his area. Kerb crawling does not go on only in big cities; it is a problem in small towns too.

Today we have the opportunity to introduce legislation to strengthen that which is already in place, because what happened in the other place to the 1985 Act has led to problems that continue to this day.

We have heard a great deal about people's rights, and I support such rights, but I give greater support to the rights of women who live in my constituency and who need to be able to walk home without continual harassment and abuse from people who come into the area that I represent and, I am sure, into that represented by the hon. Member for Streatham. These people do not live in our areas: they come in from outside. They cause all the problems from which our constituents suffer. I have often been told by women in my constituency that age has nothing to do with it. Young girls going home or going to school, or retired ladies going shopping or going to a day centre, when walking in certain streets in my area are regarded by kerb crawlers as potential prostitutes. What has happened to their rights? They need protection from such harassment, which is why I fully support this Bill.

The Minister spoke about the collaboration of witnesses, but I was not much impressed by some of what he said. Over the years I and other hon. Members who have suffered these difficulties in our constituencies have tried to get legislation on to the statute book to solve the problem, but we have always been told that a review was under way and that the Government could not anticipate what suggestions it might contain. So for years there was no action. Then, the hon. Member for Plymouth, Drake (Dame J. Fookes) introduced her Bill in 1985. To those of us who had campaigned for years against kerb crawling, her Bill offered the first ray of hope. It gave the police some authority to take action against kerb crawlers who came into our areas.

It sounds good to say that there must be collaboration before action can be taken against a kerb crawler, but before the legislation was enacted, local community

[Mr. Tom Cox]

groups in my constituency tried protesting and hassling prostitutes and their minders off our streets. But they suffered a great deal of abuse; their cars were attacked, as was their property. Some windows were broken late at night, but no action could ever be taken against the perpetrators.

Of course we have to protect the individual's rights. The Minister quoted a report from today's edition of *The Times*. It appears that a person who has been convicted of kerb crawling can go to the High Court with an articulate barrister and be acquitted. By all means we should protect individual rights, but the Bill is about protecting the communities that we try to represent. It will certainly protect women.

I have discussed these matters with the local police and with a wide variety of people who live in the affected area of my constituency. They fully support what the Bill seeks to do. It ill becomes my hon. Friends to say in one breath that they want to protect the rights of women and then to point to things that happen in one country or another. Of course we have to look at such things, but the real test is whether my hon. Friends are concerned about the rights of women to walk safely on our streets. They should not attempt to insert this clause, and they should not try to talk out the Bill. If they do so, the wrath of the people that I represent and the constituents of the hon. Member for Streatham will descend on them.

This is an opportunity for us to tighten the legislation and all hon. Members should warmly welcome that. The Bill will tackle the problem of kerb crawling and the new clause would not do that. My hon. Friend the Member for Kingston upon Hull, West (Mr. Randall) said that the new clause would remove the guts of the Bill. If my hon. Friend the Member for Denton and Reddish is truly concerned about the rights of women, he should not seek to delay or destroy the Bill.

Mr. Corbyn: I apologise to the House for not being present to hear the opening speeches in the debate. I was delayed on constituency business. I represent that part of the Finsbury Park area which is in Hackney. I also live in that area, and I am familiar with the problems of prostitution and kerb crawling and the harassment of women throughout that area. Those problems are frequently brought to my attention in my surgery and by correspondence.

We are debating the designation of areas. Based on experience, publicity, police records and attempted prosecutions, the Finsbury Park area would have been designated in the past—I am not so sure about now—within the meaning of the new clause proposed by my hon. Friend the Member for Denton and Reddish (Mr. Bennett). Would designation of that area be of assistance or would it merely create a further problem? The local authority would be presented with the possibility of designating that area. There would inevitably be a great deal of public discussion, during which I can imagine the sort of reporting in which some of the more salacious newspapers would engage. I can also imagine the sort of discussion that would take place in some parts of the media.

In that period of discussion, the kind of voyeurism that exists throughout London at the moment and which is seen in other parts of Europe where there are no red light districts would greatly increase, as would the harassment of women. We have had such problems for a long time. Not long ago, a woman was molested while walking in the Finsbury park area. When the case finally came to court, the magistrate more or less said that she should not have been walking on her own at night in that area because she should have known that it was a sort of red light district. That approach is not helpful. In effect the magistrate was saying that people should not walk the streets at night when they know the sort of area that they are in.

11.45 am

What will be the effects of designation after the debate and furore surrounding it have died down? It could mean considerably more police activity in an area, but such activity could be increased anyway and does not require designation. Will a designated area be a kind of magnet for pimps, and will prostitution increase? It would probably make the situation worse. Public designation of areas such as King's Cross, Shepherd's Market, Finsbury park and some parts of the constituency of my hon. Friend the Member for Tooting (Mr. Cox), as a result of newspaper reporting, has not improved the situation. It has increased the problem for women walking around those areas. The designation of an area is of no assistance at all.

When does one lift the designation? How does one decide whether an area is designated, and by what criteria are the statistics drawn together? The new clause says:

> "An area may be designated by a local authority if
> (a) complaints are made by the general public and
> (b) the police are satisfied there is a problem of prostitution and kerb-crawling and
> (c) all other reasonable steps have been take to deal with the problem."

I do not want to incur your wrath, Mr. Deputy Speaker, by going wide of the mark, but we have had experience of legislation that made it easy to build up a case that was apparently based on the effective use of statistics showing that there was a problem to be dealt with and that legal action had to be taken. I think, for example, of the introduction of visas for people from Bangladesh coming to this country. Plainly, that was done using statistics that were based on the fact that immigration officers asked more people from Bangladesh than from any other country why they were coming to Britain. On that basis, it was deemed to be a problem. On what basis can an objective decision be made that there is a problem in a certain area?

There is also the matter of the objectivity of complaints from the general public. I do not doubt that prostitution is a serious problem in my constituency and in the constituencies of other hon. Members. I also know that a person who is having a dispute with his neighbour for goodness knows what reason may tell us at the end of the conversation, "By the way, the house is full of prostitutes and it is a serious problem." There is no way of checking that or of dealing with it. It is simply given out as a complaint. If it is referred to the police, it is probable that nothing could be proved one way or the other, but it is recorded as a complaint and is used as part of the statistics for building up a case for designating an area.

Legislation should be correctly drafted and able to achieve its intentions. It should not cause problems for people who should not be affected by the legislation. My hon. Friend the Member for Norwood (Mr. Fraser) gave a good analogy in Committee of the way in which the Official Secrets Act passed through the House in 1911,

when there was deemed to be a problem. There might have been, but there has been a far bigger one since. I want to see legislation that will protect women and that does not designate areas as red light or red line districts, thereby exacerbating the problem. I hope that we can succeed in that aim.

The new clause also says:

"Any designations shall remain in force for three years, but may be renewed thereafter."

Three years is quite a long time. As my hon. Friend the Member for Brent, East explained—at one time he was a member of the Greater London council and represented the area, so he is aware of the problems in Finsbury park—the traffic management schemes introduced on the Hackney side of the Blackstock road had a considerable effect. Few people could find their way into the area, and if they did, they could not get out. There is a permanent traffic jam there, with the result that there is no kerb crawling.

Unfortunately, the traffic management scheme moved the problem somewhere else—to the other side of the Blackstock road, to Stamford Hill and then on to other parts of London. Designation is not the way to solve the problem. It probably makes it far worse, for the reasons that I have outlined. Nor does designation solve the problems that lead to prostitution—for example, as my hon. Friend the Member for Brent, East (Mr. Livingstone) has said, commercial exploitation of women's bodies in advertisements. I know that Conservative Members apparently do not take these matters seriously, but I do, because the way that women are perceived in advertisements and so on has a knock-on effect and ends in the harassment of women in the streets by kerb crawlers and the like.

I have no sympathy for kerb crawlers—they are a menace—but it is important that legislation introducing prosecution of people scouting round London looking for commercial sex also protects the innocent. The protection of women is done no good if legislation is so badly drafted and incompetently presented that it amounts to the right to harass anyone who happens to be looking for the way. It is important to get these things right. If we get them wrong, we shall have done nothing to solve the problems of kerb crawling and prostitution but will have created a greater problem, affecting the right of individuals to walk or drive around streets unmolested. London has already experienced the sus law and I do not want to see harassment returning in another form through a quirk of badly drafted legislation.

Sir William Shelton: I regret that I was unable to contact the hon. Member for Denton and Reddish (Mr. Bennett), but I have been abroad with the Council of Europe and arrived back only yesterday. I should have wished to discuss these matters with him.

I agree with the hon. Member for Islington, North (Mr. Corbyn) that new clause 2 is not the sensible way to proceed. Like the hon. Member for Denton and Reddish, I wish women to be protected, and designated areas will reduce protection. With them, a woman walking with her daughter along one side of the street would be protected by the criminal law while another woman walking on the other side of the street would not be protected. That must be wrong. Furthermore, if the House has decided that a certain activity is a crime, surely it is a crime wherever it occurs, not just in an area that happens to be designated by a local authority. I ask the hon. Member for Denton and Reddish to withdraw his new clause.

Since Second Reading, I have been inundated with hundreds of thousands of letters of support from individuals, from councils and from various organisations and bodies. The hopes of many people are riding on a successful outcome of today's proceedings. I ask the hon. Member and his colleagues not to talk out the Bill. I know that they can do that, and I would not be able to stop them, but they would disappoint not only my constituents but, for example, people in Merseyside. This morning, "Breakfast News" had a programme about the Bill, and local radio stations are monitoring our debates. The attention of many families who are trapped in their homes by kerb crawlers, of women whose daughters are solicited and who themselves are solicited and who must be protected, is focused on us. These 14 amendments and two new clauses remove protection rather than adding to it.

Mr. Andrew F. Bennett: At the beginning of our proceedings, I made it clear that I understand the strong feelings of people who live in areas subjected to such harassment. I make that clear again. Some solution to the problem must be found, but I am worried that a large number of people are pinning their hopes on simply making it easier to prosecute and on a small increase in fines. I am not convinced that that will solve the problems of kerb crawling and prostitution. We should not be raising hopes too high.

It is always dangerous for Members of Parliament to be so carried along in a wave of anger and disgust at a particular problem that they impose legislation that does not solve the problem. I still have to be convinced that this legislation will solve the problem. If we pass the Bill, we shall be telling people in the areas affected not to worry because it will solve the problem in the next couple of years. I am not convinced of that.

I am interested in what the Minister said about trying to meet the legitimate points made about civil rights. He made it clear from the start that he was worried about this, and he has far greater experience of this than we have because he served on the Committee considering the 1985 Act. He said that he would come up with something on a later group of amendments.

Mr. Mellor: I am grateful for that conciliatory thought. As we know that that is the nub of the matter—far more than what we are discussing now—I would be only too happy if I were allowed to intervene briefly. I feel confident that, if the hon. Member were satisfied on that point, the progress on later amendments would be quicker and easier. If I could, with the leave of the House, speak again, it might speed the passage of the Bill.

Mr. Bennett: I was about to suggest that we voted on the new clause and that, during the Division, we discussed informally what was being suggested. That may be the most helpful way to proceed. Therefore, I shall press the new clause to a vote.

Mr. Mellor: With the leave of the House, I would be only too happy to follow up any suggestion, but this should be a public process, because we are in a publicly accountable institution. I understand the concerns that there will always be that, in our enthusiasm to convict the guilty, we should not put the innocent at risk. The record

[Mr. Mellor]

will show that my concern on this matter, as expressed for instance in my membership of the Committee considering the legislation that got rid of the sus laws, means that my commitment is more than rhetorical.

The requirement of persistence makes it extremely difficult to obtain a conviction in an otherwise clear cut case. That is why more than 9,000 women were arrested and convicted of soliciting, but only 570 men were arrested under the 1985 Act last year. It was predicted that that requirement would seriously handicap the enforcement of the law, and it has. I read out *The Times* law report of the Darroch case, which showed that a clear single act of solicitation was not enough to grant a conviction, because persistence was absent.

Mr. John Marshall (Hendon, South): I do not know whether my right hon. Friend saw the television programme broadcast by London Weekend Television some 12 or 18 months ago, emphasising how difficult it was to achieve prosecutions in Streatham for that reason.

12 noon

Mr. Mellor: I am grateful to my hon. Friend for that helpful point.

I am anxious to ensure that we pass effective law. If someone has committed a clear act of solicitation, there is no reason why they should be required to do it twice to be convicted, any more than there is a requirement for someone to snatch a handbag on two occasions before he can be convicted of an act of robbery. The concern is how the law will be enforced.

I realise that there have been one or two instances in which people have protested about the manner in which the law has been enforced, but they have been isolated cases and there is certainly no evidence that the uncorroborated evidence of police officers has led to any injustice. If there is concern that someone will gild the lily and invent evidence, it is just as easy to invent two acts of solicitation. The hon. Member for Norwood (Mr. Fraser) made it clear that there is more concern about the framework in which the prosecution process is carried out.

I said in 1985, and I am happy to repeat now, that, wherever possible, the woman should come to court and give evidence. That is undoubtedly the way in which police forces go about their business. However, we have to bear in mind two problems. First, if the woman concerned is a prostitute, the last thing that she will want to do is give evidence to secure the conviction of one of her customers. It would not be in her interest to do so, and I can think of half a dozen reasons why she would not want to come forward. It does not discredit the police in any way that in those circumstances they could not enlist the support of the woman.

Secondly a woman who is not a prostitute, but is accosted as if she were, may be reluctant to come forward because of the disproportionate amount of publicity that she might attract. I hope that, in those circumstances, public-spirited women would come forward, but I can well understand why they might not. Therefore, it would not be right for Parliament to create a legal framework making it a necessity for a conviction that the woman concerned should give evidence. It is possible that other forms of corroboration might be available, but it is quite difficult to imagine who else would be on the scene.

However, I can make some helpful points about the framework in which we should set the legislation. After a week on the Broadcasting Bill, I would not be here unless I believed that the element of persistence in the offence is a major reason why the law has never been effective. I have no other interest in the matter. After all, I should have loved to believe that, by some miracle, the 1985 Act, on which I spent considerable time, would do the trick. In my heart of hearts, I knew that it would not, and five years on I can say categorically that it has not worked. However, I am not insensitive to the points at the heart of the debate.

I should like to make three points. First, I certainly undertake to find some way of monitoring acquittal rates to find out whether there was evidence of inappropriate cases being brought to courts. I understand the embarrassment being caused by the public knowledge that someone has been arrested. Secondly, I am prepared to explore with the Crown prosecution service the possibility of monitoring the proportion of charges in which it is decided not to proceed. That would ascertain whether too many people were being arrested. Thirdly, I will undertake to discuss with my right hon. and learned Friend the Attorney-General the guidelines applicable to the Crown prosecution service and ask him to consider whether they could sensibly be amended to reflect the concerns expressed by the hon. Member for Denton and Reddish (Mr. Bennett) about the possible oppressive use of an amended offence.

The hon. Gentleman should bear in mind the fact that, as a result of one of the Bills in which I was involved, the creation of the Crown prosecution service has separated the business of investigation from the business of prosecution and has provided a filter. It is quite possible that that process will produce the decision that some cases should be dealt with by a caution rather than by going to court. It is quite clear that the Crown prosecution service should carefully vet arrests to make absolutely sure that proceedings are not brought if a case will not stand up to scrutiny.

I reiterate that, wherever possible, independent evidence should be brought forward, but we must recognise that that will not always be possible. I believe that we can create a framework for prosecution practice and a system of monitoring the use of the law that will allow us to know within a sensible period whether we had done the right thing—as the majority of Members believe—or whether we had gone one step too far.

I can assure the hon. Gentleman that no one's amour propre or ego is involved. I believe that we can create a framework that would allow us to determine whether we have got it wrong or gone too far. I would not have a leg to stand on if the evidence that I put before the House that can be elicited in parliamentary questions or in any other way were to determine that something had gone awry. But I am quite sure that the innocent motorist who merely stopped to ask the way would not fall foul of the law.

In practical terms, a court is unlikely to convict except in three possible circumstances, such as the presence of the woman to say what the motorist really said—if there was merely a conversation, no one would know what was said unless the woman came forward. If the man asked, "Which way to the Dog and Duck, darling? I'm lost and I'm a stranger round here", the woman has to say that he really said, "How much, love?"; or a policeman has to be so close that he can hear what was said even if the woman is a prostitute who is not prepared to come forward—an

unlikely situation; or the individual concerned has to do it more than once. Even if persistence is not a requirement as a matter of law, it may be necessary to demonstrate a pattern of behaviour that clearly and unequivocally establishes a desire to solicit rather than an innocent question asking the way.

Now we are getting to the heart of the matter, I would be resentful only if it were to be thrown back in our faces. The record will show that all this is well-tilled ground and was predictable and predicted; nevertheless, we should take a proper view of the civil rights involved while offering affected communities much-needed redress. I hope that I have struck a balance that will help the hon. Gentleman and his hon. Friends to decide what they want to do.

Question put, That the clause be read a Second time:—

The House divided: Ayes nil, Noes 45.

Division No. 202] **[12.08 pm**

AYES

Nil

Tellers for the Ayes:
Mr. Ken Livingstone and
Mr. Andrew F. Bennett.

NOES

Atkinson, David
Barnes, Harry *(Derbyshire NE)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Buck, Sir Antony
Carrington, Matthew
Coombs, Anthony *(Wyre F'rest)*
Corbyn, Jeremy
Cox, Tom
Dorrell, Stephen
Durant, Tony
Fallon, Michael
Foster, Derek
Fraser, John
Golding, Mrs Llin
Hattersley, Rt Hon Roy
Hoey, Ms Kate *(Vauxhall)*
Knapman, Roger
Lawrence, Ivan
Lightbown, David
Lilley, Peter
Lloyd, Peter *(Fareham)*
Marshall, John *(Hendon S)*
Mellor, David
Miller, Sir Hal
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Patnick, Irvine
Pendry, Tom
Randall, Stuart
Rhodes James, Robert
Ruddock, Joan
Sedgemore, Brian
Shelton, Sir William
Skinner, Dennis
Smith, C. *(Isl'ton & F'bury)*
Spicer, Michael *(S Worcs)*
Stanbrook, Ivor
Summerson, Hugo
Thorne, Neil
Vaughan, Sir Gerard
Viggers, Peter
Waller, Gary
Wise, Mrs Audrey
Wood, Timothy

Tellers for the Noes:
Mr. Graham Bright and
Mr. James Arbuthnot.

Question accordingly agreed to.
Clause read a Second time and added to the Bill.

Clause 1

SOLICITING FOR THE PURPOSE OF PROSTITUTION

Mr. Andrew F. Bennett: I beg to move amendment No. 3, in page 1, line 10, leave out
'and the words from persistently onwards'.

Mr. Deputy Speaker: With this, it will be convenient to take the following amendments: No. 4, in page 1, line 11, at end insert—

'(2A) At the end of subsection 1(1)(b) there shall be inserted the words "in such a manner as to cause her fear."'.

No. 5, in page 1, line 11, at end insert—

'(2A) At the end of subsection 1(1)(b) there shall be inserted the words 'in such a manner as to cause her apprehension by physical harm.'.

No. 6, in page 1, line 11, at end insert—

'(2A) At the end of subsection 1(1)(b) there shall be inserted the words 'in such a manner as to cause the woman to fear that the man may insist on sex and rape or otherwise molest her.'.

No. 7, in page 1, line 11, at end insert—

'(2A) After subsection (1)(b) of section 1 there shall be inserted

"Provided that an offence shall not be proved unless the person who has been caused nuisance or fear gives evidence that such nuisance or fear were caused".'.

No. 8, in page 1, line 11, at end insert—

'(2A) After section 1 there shall be inserted the following section

"*Proceedings.*

1A. Proceedings under section 1 shall only be initiated if the person who has been caused nuisance or fear requests that charges be brought on their behalf."'.

No. 9, in page 1, line 11, at end insert—

'(2A) After section 1 there shall be inserted the following section

"*Proceedings.*

1A. Proceedings under section 1 shall only be brought by the person who has been caused nuisance or fear."'.

No. 13, in page 1, line 17, leave out subsection (4).

Mr. Bennett: I want to speak mainly to amendment No. 3. I listened with interest to the Minister's last intervention. He is moving a little in our direction, but he could move a little further. If he goes back over the arguments in 1985, he will see that there was a strong argument for putting the word "persistently" into the legislation. He has not established that there is clear evidence from the police that there are many prosecutions that they would like to pursue, but have been unable to. The Minister should tell the House if there is much evidence from the police that they have been hampered by the legislation as it was framed in 1985.

My hon. Friends have said with considerable passion that the problem has not been solved as a result of the Sexual Offences Act 1985, but I have yet to be convinced that the problem will be solved if we simply make it easier to prosecute. I am not convinced that the necessary police attention is given to the problem and part of my argument on new clause 2 was that there is a question about the resources directed to the problem. I suspect that if the police were directing a large proportion of their resources as many hon. Members who have spoken this morning would like, the 1985 legislation might have worked rather better than it has. I want the Minister to deal with that issue.

The Minister has said that he will consider administrative solutions. The difficulty with that is, as he must be only too well aware, Ministers come and go and Governments come and go. If we can achieve something by administrative guidance on one occasion and if we suggest that the Crown prosecution service and the police should deal with the problem in a certain way, what will happen if in 12 months', 18 months' or two years' time it is thought that the way in which the police operate the legislation and the way in which the Crown prosecution service brings prosecutions is not having the desired effect? There will then be further pressure for those administrative guidelines to be changed. Such pressure raises considerable worries. If the Minister is really saying that we must be satisfied that we are addressing the civil liberties issues raised by the Bill by administrative means, he must convince me that that will be enshrined in some way rather than being merely open for a Minister to change at a future date.

[Mr. Bennett]

I realise that there are major problems. There is the question of the independence of the police from Government direction and of the independence of the Crown prosecution service from the police and from the Government, although it is under some direction from the Attorney-General. I hope that the Minister will address that point.

I should especially like him to consider whether the Government would be willing to look at the matter further in the House of Lords. I do not claim to have any background, but there are a fair number of practising lawyers and people with a great deal more experience of legal matters in the House of Lords than there are here. If the Minister promises a further look at the matter in the House of Lords, I could be persuaded that we might meet the civil liberties issues. I am not sure about the position of my hon. Friends and they may want to speak for themselves.

The Minister will accept that there are fears outside, whether justified or not, that there will be an erosion of civil rights and that the main contention—that something has to be done about kerb crawling—will not be addressed by the Bill. I shall listen with considerable interest to the Minister. I hope that he will reiterate the points that he made earlier, that he will look at the Bill again in the House of Lords and try to go a little further than simply putting his assurances into administrative guidelines. I am sure that the Minister will accept that they are subject to, and can be varied as a result of, political pressure on the Minister or even a change of Minister.

Mr. Mellor: I shall deal with the points briefly, which may be for the advantage of the House. I am grateful to the hon. Member for Denton and Reddish (Mr. Bennett) for appearing to be willing to move on the matter. I want to help him as far as I can, but unfortunately I cannot get myself out of one difficulty by plunging myself into another. I shall explain what I mean by that later.

The hon. Gentleman's first point concerned the word "persistently". I am sure that I will have the support of all hon. Members who have studied the matter when I say categorically that it is the requirement for persistence that has prevented the Sexual Offences Act 1985 from being effectively enforced against people who have plainly committed acts of kerb-crawling solicitation from cars. The element of persistence has made it difficult for the guilty to be convicted. I do not see that the word "persistently" should have to be relied on as a way of preventing improper prosecutions.

There can be only two bases on which an improper prosecution can take place. People may invent evidence. If a person is prepared to invent evidence about one incident, presumably he is willing to invent evidence about two. Persistence is no protection against a willingness to invent evidence, and I do not think that the hon. Member for Denton and Reddish was suggesting a systematic invention of evidence: he was concerned that it should not be too easy to secure a conviction on the uncorroborated evidence of a police officer.

It is clear that the courts, whatever Parliament says, will not be prepared to convict unless they are sure about guilt. The burden of proof is not that the courts think, "He is a policeman and the other fellow is not, so on balance, I prefer his evidence," if it is one against one. The court must be satisfied. I have outlined the way in which the system works—the pressure to get the woman to appear, the clear-cut nature of the police evidence that will be necessary to obtain a conviction, and the necessity for persistence, which I suspect will remain as a matter of proof rather than as a matter of law if a prosecution is to be successful.

The hon. Gentleman is obviously worried that, if an inocent individual asked the way, he could be arrested. He could be arrested only on the basis that someone could give evidence of the words used. The offence is not stopping a car and talking to a woman; it is soliciting for the purposes of prostitution. A policeman could be 50 yards away when he sees Lil, a regular prostitute in his area, being approached by a man in a car. He might be someone who, as well as simply losing his way, is not aware who the woman is. All he might say is, "Which way to the Dog and Duck?" The policeman would have to give evidence, or get Lil to give evidence, that words of solicitation were used. The mere fact that someone stopped and had a conversation is not sufficient. That is the important point.

The element of persistence is a major handicap to the effective administration of the law. The innocent but naive traveller who has lost his way, or the person who is the victim of someone willing to invent evidence, will not be adversely affected by the changes that we want to make —but a great many guilty people will be adversely affected, as they should be.

Mr. Andrew F. Bennett: The Minister said earlier that, although the word "persistently" would be deleted, in practice the court would be likely to require evidence of at least one further approach. Can he explain the difference between section 1 of the 1985 Act, which this Bill seeks to amend, and section 2, which the Bill will not amend and which will continue to contain the word "persistently"?

12.30 pm

Mr. Mellor: Clause 2 is the presumption about a boy's sexual capabilities——

Mr. Bennett: I was referring to section 2 of the 1985 Act, not clause 2 of the Bill.

Mr. Mellor: Section 2 of the original Act relates to people on foot, which is a different point. It is not the nub of the problem. The Bill seeks only to deal with the particular problem of car-borne trade. It might have been possible to have altered section 2 also, but I do not think it is an argument against the Bill because we did not choose to do so.

Mr. Bennett: I am not suggesting that it is an argument against the Bill: I am merely wondering how the courts will interpret the matter when they see that the word "persistently" has been deleted from section 1 but remains in section 2. They may assume that that runs counter to the Minister's suggestion that they should look for evidence of continued approaches rather than just one approach.

Mr. Mellor: Quite honestly, I cannot agree with the hon. Gentleman. I practised in the courts for almost 10 years before I came to the House. Courts are used to dealing with offences that have different ingredients. That is their business.

I want to keep my eye on the main ball, which is car-borne soliciting. It is fairly straightforward. A man in

a car approaches a woman and has a conversation with her. There are only three ways in which a conviction can be obtained: first, that the woman concerned gives evidence in court and is believed on her oath, as against whatever the car driver may say, that he sought to solicit her for the purpose of prostitution. Currently, even if the hon. Gentleman's wife, mother or daughter were to be grossly offended by a guy approaching her and saying, "How about 50 quid, love, for a quick one?"—*[Interruption.]* That is the sort of language that is used, and that is why innocent women are outraged. I am sorry if that offends my hon. Friend the Member for Sheffield, Hallam (Mr. Patnick), but we are not dealing with polite clubroom conversations. We are dealing with earthy approaches and women are revolted and disgusted by what is said to them.

Under current practice, even if the court believes the woman, because it is an isolated incident the man cannot be convicted. That is crying out for reform. There is no reason why, if the court prefers the evidence of the woman to that of the man, there should not be a conviction.

Secondly, there could be a conversation, but the woman concerned is not prepared to give evidence. The only way in which a conviction could be secured under those circumstances would be if another individual heard the conversation, gave evidence to the court and was believed on his or her oath. The police officer would literally almost have to breathe down the necks of the participants in the conversation for his evidence to be as strong as that of the person spoken to. In the nature of things, that is not very likely.

How can a conviction be secured without someone hearing the words or the woman coming forward? I suspect that it would be possible only if either the gestures, as in the case in *The Times*, were clear beckoning in and the prostitute then got into the car, or if a man had approached known prostitutes on more than one occasion so that the court was convinced beyond a shadow of doubt that he could not be doing anything else. Those are the only broad categories in which a conviction could be sustained.

We do not safeguard the innocent motorist asking the way by perpetuating the persistence requirement. However, we clearly fail to give redress to a woman who is deeply shocked and offended, and willing to give evidence. She may find that, although he would be convicted if he had snatched her handbag and the courts preferred her evidence to his, he is acquitted simply because he did not go 50 yards down the road and proposition another woman—even though the court accepted that he had propositioned her in a crude and disgraceful way for sexual purposes. That is why we are all here this Friday morning. We would not adversely impact on civil liberties by removing the persistence requirement.

Several points about guidelines have been raised. I remind hon. Members that Ministers do not, and I hope never will, determine who is prosecuted in this country. I cannot pick up the phone and say to the Crown prosecution service, "Prosecute X," or, "Don't prosecute Y." I would die in the last ditch and be almost as persistent as the hon. Member for Denton and Reddish is being on the Bill to prevent that.

The CPS is accountable via the Attorney-General. He can with perfect propriety discuss the basis on which prosecution practice evolves. The great safeguard created in recent years is the separation of the practice of prosecution from investigation. It was always said that, if the police arrested people and decided to prosecute them, there was no check or balance and no opportunity to say, "He ovestepped the mark; we shall never secure a prosecution."

There are two ways of ensuring that the Act is not oppressively implemented. First, the police can offer guidelines to officers stating clearly, as at present, the need to obtain female corroboration wherever possible. I undertake that that will be examined. Secondly, the Attorney-General's guidelines can reflect the care that needs to be taken in determing whether a prosecution should proceed. That process is now wholly independent as a result of changes in recent years. A lawyer not employed by the police makes an independent decision. That is one reason why I remain convinced that it was right to make the CPS independent despite criticisms of it. Indeed, that reform was made with the assent of both sides of the House.

I shall speak to the Attorney-General and I shall write to the hon. Member for Denton and Reddish on the police aspects. I assure him that I have no interest in the innocent being convicted. I want the guilty to be convicted; that is why I want the change to be made. However, I cannot issue directions myself, because that would be unconstitutional. If the hon. Gentleman is worried about a change of Minister and a different view being taken, I assure him that the police will tell officers to proceed or the CPS will proceed only after an operational decision by the chief constable, the director of the CPS or ultimately the Director of Public Prosecutions.

There is no question of interference by politicians. However, it is perfectly proper for us to raise the concerns felt by some hon. Members, and I undertake to do that. I cannot go further than that, because I would be behaving unconstitutionally if I sought to arrogate to myself powers which, thank goodness, I do not have, have never wanted and would never want anyone in my position to have, to determine the prosecution process.

The House of Lords is not in our pocket, and nor should it be. The House of Lords considers legislation and, as the hon. Member for Denton and Reddish said, the House of Lords is particularly well qualified to consider the matter because of the number of distinguished lawyers in that place. I am happy to undertake to ensure that the Minister who deals with this Bill in the Lords will raise and invite comment on issues that have troubled some hon. Members in this House. I do not find that remotely embarrassing. I undertake that Lord Ferrers or whoever acts on his behalf will state that there was concern in the House of Commons and that it would be helpful if their Lordships with legal experience could comment on the points. The Minister in the other place might say, "We don't think that there's a problem, but one or two hon. Members in the House of Commons did. What do you think?" That would be perfectly proper.

Sir William Shelton: Am I right in thinking that the word "persistently" was introduced in the House of Lords during the course of the debate on the Sexual Offences Act 1985?

Mr. Mellor: Yes it was, but pursuant, as I recall, to one of these rather frantic Friday discussions during which it

[Mr. Mellor]

was not possible to include that word, but we undertook as a condition of allowing the Bill to proceed, that it would be introduced in another place.

I am not remotely embarrassed by this discussion. My only embarrassment comes from the thought that we might be deprived of the Bill, not that the Bill is not going to be properly scrutinised. If I could be persuaded that we had taken the wrong step here, I would be relieved, because at the end of today I do not want to feel that we have wilfully and without good reason deprived women of protection to which they are entitled by not accepting that these are straightforward, genuine and good-hearted reasons there for having confidence in the Bill.

I have done the best that I can and I have described the position as I understand it. I hope that the hon. Member for Denton and Reddish will be satisfied with that. I know that he is a scrupulously diligent parliamentarian; I have spoken advisedly knowing that he will rightly hold me to account for what I have said today.

Miss Kate Hoey (Vauxhall): I do not have a legal background, but I appreciate that if we pass legislation in this place we must get the balance right. No legislation can be foolproof.

This debate is about balance. We must balance the genuine fear that legislation might affect civil liberties against the even greater fear and distress felt by innocent women who walk the streets and are preyed on by men who disrupt their lives, causing them great suffering and leading them to be imprisoned in their own homes. We must find a way of ensuring that innocent people who drive around our streets are protected and those who are guilty of kerb crawling are punished.

Many genuine fears were expressed in Committee about civil liberties and the Minister responded to them. The Minister has responded further this morning. His suggestions about guidelines for the Crown prosecution service and monitoring conviction rates are helpful and I welcome them.

I have received many letters from people who fully support the legislation. I have also received letters from groups who are concerned about the civil liberties aspect. I am concerned about some of the things that were said in those letters. There were misapprehensions about what the Bill contained. For instance there is nothing in the Bill about electronic tagging, but one group's letter implied that prostitutes would be electronically tagged as a result of the Bill. The Bill has nothing to do with prostitution. We could talk about the problems and the reasons for prostitution for many days, but it is not something that we shall solve, and some people would not want to solve it.

12.45 pm

The Bill is concerned with finding ways to convict criminal men who drive around our streets, harass women and make everyone feel guilty about being out on the streets at night. The Sexual Offences Act 1985 has not worked. The police and the local community know that there are cars which continually kerb crawl, but the police cannot convict those people because of the word "persistently". However, as the Minister and my hon. Friend the Member for Norwood (Mr. Fraser) pointed out, even if the word "persistently" were taken out, there would still have to be proof before someone could be convicted. That makes it easier for the criminal element. There is a great deal of criminality associated with kerb crawling. It is not just a question of the odd man driving into an area—there is also the question of pimps, although I will not deal with that now.

The Bill is about balance—about dealing with the guilty people and achieving civil liberties for innocent women walking around our streets. I understand the views of those hon. Members who have tabled the amendment regarding the word "persistently" and I hope that they will be satisfied with the responses, as we all share their concern. However, I am concerned about the other amendments in the group, which attack women. It is appalling that some of the amendments would require an accosted woman to prove in court that she has been caused fear, or apprehension of physical harm, or that she has been accosted

"in such a manner as to cause the woman to fear that the man may insist on sex and rape".

The amendments would force women to go to court and give evidence in what is already a difficult situation for them.

Mr. Andrew F. Bennett: Will my hon. Friend give way?

Ms. Hoey: No, I will continue as I am the only woman to have spoken in this male-dominated debate.

The Bill will not be foolproof. I hope that, having listened to what the Minister has said, hon. Members will accept the checks and balances to ensure that innocent people are fairly treated are satisfactory.

Mr. Randall: I congratulate the Minister on the statesmanlike way in which he has dealt with the matter, and on his attempts to come up with a solution acceptable to all hon. Members.

There is no doubt that the Sexual Offences Act 1985 —which was introduced as a modern piece of legislation, specifically designed to deal with the problem of kerb crawling—has not worked. The prime reason for its failure is that the evidential requirements were so stringent that it became impossible to bring charges and get convictions.

An article by Dr. Susan Edwards in the *New Law Journal* dated 25 December 1987 referred to the kerb crawling legislation as "a fiasco". That article is relevant to our debate. Dr. Edwards noted:

"The police see the main problem in the requirements of the Crown Prosecution Service. Officers in London . . . explained, 'The problem is the law . . . the law requires two overt acts. You can have a ten-page statement and have followed him for one and a half hours and he still can get off.' Another officer remarked, 'The law is so unworkable it has made our job very difficult. The main difficulty is this question of persistent soliciting.

The evidential requirement to prove persistence is high and the law difficult to enforce.'"

Dr. Susan Edwards, herself a lawyer, wrote:

"it is clear that the standards of proof required in law and by the Crown Prosecution Service leads to a low level of police enforcement; in short, it is a fiasco. It is certainly no deterrent, nor is it reducing the number of kerb crawlers or the visibility of the problem."

The current law demands such stringent evidential requirements and the amendments would make it even more difficult to implement that law.

Instead of simplifying the law and making convictions easier to obtain while preserving civil liberties, the amendments take us in the wrong direction.

A balance must be struck. The Minister's proposals on the framework and concerning discussions with the

Attorney-General, who in turn might say something to the Crown prosecution service and the way in which steps will be taken to encourage a discussion on this matter in the House of Lords are consistent with ensuring that the law is workable and at the same time protects, as far as one can in the practical world, the civil liberties of innocent people on the streets.

Mr. Livingstone: The Minister has asked us to trust him that the provisions and the monitoring he has suggested will work. I am struck by how often parliament passes legislation and then, because of bad wording, or simple wilful misinterpretation, it is used for a different purpose than intended.

When I was the leader of the GLC, I represented Paddington in north Westminster. A mother came to see me because her son had been stopped five or six times a week while driving around the area, but never prosecuted. That went on for week after week; for some reason, one or two local police officers had got it in for that young man. He was harassed mercilessly every day, sometimes two or three times a day as he drove around the streets of north Westminster. He was stopped, proof of identity sought and his car inspected. He was never arrested for anything, until finally, after the harassment had gone on for several weeks, he took a swing at one of the officers. Parliament never intended that the legislation to deal with crime should be used in that way, so that, with pin prick after pin prick, one or two police officers abuse it. I accept that only one or two out of thousands of good police officers do so, but it is not good enough for the Minister to say, "trust."

To take a much wider example, nearly 20 years ago the House pushed through prevention of terrorism legislation, which the nation as a whole, like most hon. Members, felt was a measure to prevent acts of terrorism. But that is not how it has worked. As year by year has gone by, tens of thousands of people have been stopped and checked at airports, ports and points of entry, and detailed political records have been built up. Of those people who were actually detained under the Prevention of Terrorism Act 1974, only one in 100 was successfully prosecuted. The act became a measure to collect political information about the movements of Irish people between Ireland and England. No amount of wonderful commitment from the Government will convince me that they have the power to ensure how legislation is carried out.

I was the leader of the Greater London council for five years. We often passed policies and discovered to our horror either that they were not being carried out in the lower reaches of bureaucracy or that they had been carried out in a way that we did not want. The best will in the world—which is certainly what the Minister has—does not work its way down through the massive bureaucracy of the law.

The Minister also asked us to accept that there is a bias against the police in our courts. I do not believe that for one minute. I believe that the majority of magistrates, both lay and stipendary, and the majority of jurors have an overwhelming predisposition to believe the police. Anyone who has been in court arguing against the police will have come away with the impression that it was an uphill struggle. I am not surprised at that. The vast majority of people in Britain who come in contact with the police find them courteous and helpful, and most people's complaint is that there are not enough around when they want one.

Mr. Mellor: I understand that there may be a level of cynicism through which I cannot penetrate, but the hon. Gentleman should not be quite as cynical about what is said about the manner in which police operate and the prosecution process works.

Some five years ago at this Dispatch Box, I said that the police would, wherever possible, try to secure the attendance of the woman. I can only talk about the Metropolitan police, but I know that their orders include that instruction, and have done from day one. I know of no evidence to suggest that the police do not make a sincere effort in every relevant case to make women appear. For the reasons that I have given, which often have nothing to do with the integrity of the police, those women often do not appear. In order to meet objections, a statement was made by a Minister and was translated into action by the Metropolitan police. Some five years on, no one has so much breathed the suggestion that it was all a lot of hot air and nothing came of it.

I urge the hon. Gentleman to believe that he has a choice—he can either accept what everyone else is saying, that there is a problem that they want to help solve, or he must be prepared to allow his cynicism about the way in which authorities operate to preclude him from allowing us to help solve the problem. I hope that he will draw back from that position. I think that we have offered a tight package to prevent abuse.

Mr. Livingstone: The Minister has perfectly analysed my policies. I am an incredibly cynical person. I start from the assumption that virtually all authority is subject to abuse, and that the state inherently infringes human liberty. In many senses my particular brand of socialism has many strands which classic neo-Liberals would identify with and like. As leader of the GLC, I felt that the bureaucracy under me was inimically opposed to human freedom. The Minister sits in what is the greatest bureaucracy in the state. I start from that assumption, and nothing has happened to me in the 20 years that I have been in various forms of public office to persuade me otherwise.

I have seen systematic abuse within bureaucracies, and I have also noticed that they tend to cover it up. So I am not persuaded of the good and impartial judgment of the courts and judiciary. Our judiciary is appalling. I know that there are rules about how rude we can be in the Chamber about judges; I do not know what they are, and I am sure that you, Mr. Deputy Speaker, will bring me to order if I step over the line, but there have been many appalling miscarriages of justice such as that which occurred in the case of the Birmingham six.

I cannot therefore honestly see our judicial system as the protector of the liberties of the people of England. It often infringes those liberties. The position adopted by Lord Chief Justice Lane on the Birmingham appeal amounted to a travesty of justice, and if that is the style set at the top, how can people work on the assumption that at the lower levels—of stipendiary and lay magistrates—justice will be better? I often come into contact with magistrates courts and find them overwhelmingly pro-establishment and pro-police and anti people whom they consider not to be part of the great British consensus.

1 pm

Police resources, about which the Minister spoke, are at the core of the problem. If those resources can be released for this reason, why cannot they be released on a much grander scale to provide the amount of community policing that will deter crime on the streets? As I have said, when I was a boy, the police were a regular presence on all our streets, and they deterred crime. If people know that a bobby will be passing along a street every five or 10 minutes, that dramatically curtails the incidence not only of kerb crawling but of mugging, robbery, burglary and rape.

I hope that the Minister will accept the spirit behind our amendments and, instead of pressing ahead with the original legislation, reconsider his responsibility for the Metropolitan police and ensure that they switch their resources to the sort of policing that I have described. Those resources have been increasingly absorbed within the bureaucracy of policing; more and more police analyse crime trends and are involved in all sorts of special task forces, while fewer and fewer of them are on the streets occupied in crime deterrence.

I level this charge not only against the police but against every bureaucracy. Local government, the BBC and many of our major private corporations are also guilty in this respect. Increasingly, resources are consumed by bureaucracy and administration, while less and less is spent on the delivery of services. To tackle the problem of kerb crawling, I want a major shift of police resources away from the bureaucratic structures that have developed in the Metropolitan police and on to the streets. If there is a police officer in Bedford hill every hour of every day, there will be no kerb crawlers there. The same must be done for all the streets of London; if it is, not only will we dispense with this problem but we shall remove the vast bulk of the crime that disfigures the capital.

Mr. Andrew F. Bennett: I cannot say that I am satisfied with what the Minister has said, but I realise that there are occasions when some sort of compromise must be reached. I shall press this amendment to the vote to make it absolutely clear that I am worried about the removal of the word "persistently". I hope that, after the vote, the Bill will proceed on its way to the House of Lords, where I hope that their Lordships will finally lay to rest the fears that were legitimately expressed in the House today, in Committee and in the debates on the 1985 legislation.

What my hon. Friends do is a matter for them.

Mr. Mellor: By leave of the House. Although I was critical of one or two of the points made by the hon. Member for Denton and Reddish, I said at the outset that he was an experienced and capable parliamentarian. They were not weasel words. The hon. Gentleman has shown largesse of spirit by allowing himself to be satisfied, and for that he should be highly commended. I do not in any way resent what it has been necessary to do to achieve that end, because I am happy to see such safeguards erected. It reflects great credit on the hon. Gentleman to take that view. Obviously, he cannot guarantee the approach of his hon. Friend the Member for Brent, East, and we must take our chances with him. The hon. Member for Denton and Reddish has made a big gesture, and we all appreciate what he has done.

Question put, That the amendment be made:—

The House divided: Ayes 6, Noes 33.

Division No. 203] **[1.05 pm**

AYES

Barnes, Harry *(Derbyshire NE)*
Corbyn, Jeremy
Livingstone, Ken
Pendry, Tom
Sedgemore, Brian
Skinner, Dennis

Tellers for the Ayes:
Mr. Andrew F. Bennett and
Mr. Gerald Bermingham.

NOES

Banks, Tony *(Newham NW)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Carrington, Matthew
Cox, Tom
Dorrell, Stephen
Durant, Tony
Fallon, Michael
Foster, Derek
Fraser, John
Golding, Mrs Llin
Greenway, Harry *(Ealing N)*
Hoey, Ms Kate *(Vauxhall)*
Janman, Tim
Lawrence, Ivan
Lightbown, David
Lloyd, Peter *(Fareham)*
Marshall, John *(Hendon S)*
Mellor, David
Montgomery, Sir Fergus
Patnick, Irvine
Randall, Stuart
Ruddock, Joan
Shelton, Sir William
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Summerson, Hugo
Thorne, Neil
Vaughan, Sir Gerard
Viggers, Peter
Waller, Gary
Wise, Mrs Audrey
Wood, Timothy

Tellers for the Noes:
Mr. Graham Bright and
Mr. James Arbuthnot.

Question accordingly negatived.

1.15 pm

Mr. Deputy Speaker (Sir Paul Dean): We now come to amendment No. 10, with which it will be convenient to discuss amendment No. 11, in page 1, line 16, leave out '4' and insert '1'.

Amendment proposed: No. 10, in page 1, line 16, leave out '4' and insert '2'.—*[Mr. Livingstone.]*

Question put, That the amendment be made:—

The House divided: Ayes nil, Noes 40.

Division No. 204] **[1.16 pm**

AYES

Nil

Tellers for the Ayes:
Mr. Ken Livingstone and
Mr. Andrew F. Bennett.

NOES

Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Bermingham, Gerald
Bowden, Gerald *(Dulwich)*
Bowis, John
Carrington, Matthew
Corbyn, Jeremy
Cox, Tom
Dorrell, Stephen
Durant, Tony
Fallon, Michael
Foster, Derek
Fraser, John
Golding, Mrs Llin
Greenway, Harry *(Ealing N)*
Hayhoe, Rt Hon Sir Barney
Heffer, Eric S.
Hoey, Ms Kate *(Vauxhall)*
Janman, Tim
Lawrence, Ivan
Lightbown, David
Lloyd, Peter *(Fareham)*
Marshall, John *(Hendon S)*
Mellor, David
Montgomery, Sir Fergus
Newton, Rt Hon Tony
Patnick, Irvine
Pendry, Tom
Randall, Stuart
Ruddock, Joan
Shelton, Sir William
Skinner, Dennis
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Summerson, Hugo
Thorne, Neil
Vaughan, Sir Gerard
Viggers, Peter
Wise, Mrs Audrey
Wood, Timothy

Tellers for the Noes:
Mr. Graham Bright and
Mr. James Arbuthnot.

Question accordingly negatived.

Order for Third Reading read.

Motion made, and Question proposed, That the Bill be now read a Third time.

1.27 pm

Mr. Livingstone: Having heard the passions expressed in the debate, no one can doubt that people feel deeply on this issue. Sadly, hon. Members do not feel deeply enough for more than 45 of them to be taking part in the debate. I imagine that there will be much public speculation about which way the 610 Members who did not turn up would have voted.

It has been demonstrated that there are grave reservations about the Bill. I spoke earlier at some length about several issues which I could not develop fully because we were dealing with a series of rather restrictive amendments. We must now consider the Bill as a whole and see whether the assurances from the Minister—who is a man of integrity, although I do not agree with him—which have persuaded some of my colleagues with some reluctance that the Bill should go to the other place, are sufficient for us to give the Bill a Third Reading.

Mr. Dennis Skinner (Bolsover): I did not hear the Minister's assurances. Will my hon. Friend let me know what they are so that I can make a decision on the Third Reading? Has the Minister made concessions which would go a long way towards satisfying the National Council for Civil Liberties? If so, I may decide to vote. Did the Minister say that he would make some real changes in the other place?

Mr. Livingstone: I should be happy to give way to the Minister if he would like to repeat those assurances in his own words. They were honest proposals, which basically hinged on instructions to the police and the Crown prosecution service about the way that the legislation should be handled. He gave a commitment to monitor its effects once it is in place. In reality, although I have the greatest respect for the Minister's integrity and intentions, I do not believe that it is possible, simply through a lofty declaration in this House, to guarantee that his assurances will be carried out at the lowest levels of the judiciary and the police force.

For five years I was the leader of the Greater London council. I had many lofty aspirations about what the council should or should not do. However, some months, or even years, later, I discovered, to my sadness, that my lofty aspirations had not percolated down to the lower levels of the bureaucracy. Some people may say that what happens in local government is not the same as what happens in Parliament. However, former legislation shows that the original intentions have not always been carried out.

It may not be the police officer who gets it wrong; it could be the highest legal officers in the land. A classic case was the 1969 legislation relating to London Transport. It gave the GLC the power to subsidise fares for whatever purpose. Yet the Court of Appeal and the judicial bench of the House of Lords—which know more about the law than anyone else—put a different interpretation on the legislation from that intended by the then Transport Minister, Barbara Castle and her opposite number, the right hon. Member for Finchley (Mrs. Thatcher), now the Prime Minister.

If legislation can be so misinterpreted by the highest and mightiest in the land that the will of Parliament is overturned, how can we be confident that the Minister's assurances will be translated into reality, right down to the lowest levels of police and judicial bureaucracy?

For five years I was the GLC representative for Paddington. I earlier cited the case of a mother who came to me because her son was being stopped once or twice a day, day after day, as he drove his car around the area. He was challenged, searched and asked to produce his licence. That continued for weeks. Eventually he lost his temper, took a swing at the police officer and ended up in prison. Parliament never intended that the various traffic regulations and laws should be used in that way by individual police officers. I am sure that such an officer in no way represents the average police officer in the Metropolitan police. He wanted to provoke that man so that he could be arrested. Of course, I do not know the events that had led to that.

I accept the Minister's honour and his good intentions, and I have no doubt that the legislation will be monitored. However, is it not weak that a Minister should have to stand at the Dispatch Box and say that the legislation will be monitored because he is not certain how it will be implemented? No hon. Member can stand up and say, with his hand on his heart, that if the legislation becomes law we can be sure that innocent people will not be entrapped.

Like the hon. Member for Streatham (Sir W. Shelton), I began with the idea that we could do something to help alleviate the problem, even if we could not solve it. When I was the GLC member for Stoke Newington, I introduced a traffic management scheme. I was an opposition member, but I worked in collaboration with the Tory administration under Sir Horace Cutler. I wanted to end the horror of kerb crawling in the Finsbury park area. Residents loved me for it. It was the most popular thing that I did for the people of Finsbury park. However, as we heard from my hon. Friend the Member for Islington, North (Mr. Corbyn), the problem simply moved over the border into his constituency. That is the flaw in the Bill. it seeks to deal with the problem by moving it on or arresting a few more people. Does anyone honestly believe that if the number of people arrested for kerb crawling increases by 100 per cent., 200 per cent. or 300 per cent. the problem of prostitution will be eradicated in our cities?

The core of the argument is that we should examine and tackle the social causes of prostitution. No amount of repression will stop it. In more extreme societies than ours, people can have a hand cut off for theft—yet theft continues in those countries. The only way to stop theft is to create sufficient fairness in society so that everyone has adequate wealth and does not need to steal. In some societies, adultery is punishable by death. People are stoned to death, but even that severe punishment does not stop adultery.

I am sure that the people of Bedford hill support the Bill, but even if the Bill became law in the form in which the hon. Member for Streatham has presented it, it will not stop the problems of prostitution and kerb crawling around Bedford hill, Argyle square King's Cross or Finsbury park. In Finsbury Park, kerb crawlers have learned the mechanics and devious ways of the traffic management scheme that I helped to introduce and found their way around them. If the House wants to stop the problem of prostitution, I beg it to consider the causes. I consider prostitution a problem. I should like to live in a world with no prostitution, where people have loving and fulfilling relationships and that is the whole basis of sexuality in society.

[Mr. Livingstone]

To do away with the need for prostitution, other things have to be done. During one of the Divisions I had a pleasant conversation with the hon. Member for Streatham. He took up my point about my visit to Cuba and my analysis of prostitution and kerb crawling there. He told me that he had visited Cuba three times—twice before and once after the revolution. He was amazed that what I said was true. Havana was an American brothel until the revolution. Americans descended on it and bought the women, boys and girls. It was a den of vice run by the mafia.

Sir William Shelton: The hon. Gentleman will recall that I also suggested that the Cuban solution—a Communist dictatorship—would not be acceptable to my constituents and probably not to his constituents either?

Mr. Livingstone: I was not advocating the adoption of Communism to solve the problem of prostitution. I have also been to Moscow, where prostitution is rife and large numbers of prostitutes mingle with the tourists in Red square. There is no equation between Communism and the eradication of prostitution. Other aspects of Cuban society, not necessarily related to Communism, have led to a dramatic reduction in fear among women. When I arrived in Cuba, I was told that no woman in Cuba was afraid to walk the streets at night.

Mr. Deputy Speaker (Sir Paul Dean): Order. I realise that the hon. Gentleman was tempted by that intervention but I am sure that he will now return to the Bill.

Mr. Livingstone: My point is that if the Bill is to tackle the problem it should contain other clauses. It should include a clause which would translate the position in Cuba to our streets by stopping the use of women's bodies to advertise merchandise. One can drive around Cuba without seeing women's naked bodies draped over cars or used to sell merchandise. If we want to tackle the problem, the Bill should include a measure to tackle the issues which create the climate in mens' minds that lead them to kerb crawl and to seek prostitutes.

The House is in agreement on one issue and it is a tragedy that it is not included in the Bill. If it were, I would have voted for the Bill. In that case, on balance, the benefits in the Bill would have been greater than the detrimental effects on civil liberties. If the Bill included another clause to give expression to the overwhelming opinion of the House——

Mr. Deputy Speaker: Order. I remind the hon. Gentleman that Third Reading debates are restricted to what the Bill contains. Hon. Members had an opportunity earlier to say that other measures should be included in the Bill. Third Reading is a comparatively restricted debate on what is actually in the Bill now.

Mr. Livingstone: In that case, I will end my flights of fantasy about what I would like to see in a perfect world.

The Bill has not been amended. It is exactly as it was when first presented. Because of that, it will have considerable authority when it reaches the House of Lords.

When their Lordships considerd the Bill which became the Sexual Offences Act 1985 they added the word "persistent". That amendment is the core of this Bill in that it seeks to remove that word. As this Bill has not been amended, their Lordships may feel that their commitment to civil liberties which led them to introduce the word "persistent" in the first place is sufficiently strong that they should override the views and wishes of this House. Therefore, they might be prepared to endorse the Bill. That would be worrying.

At the end of the day, this Bill strengthens the repressive arm of the state. It gives further powers to the forces of law and order and I believe that it will shift the balance against an individual's right to travel freely on the streets.

My hon. Friend the Member for Norwood (Mr. Fraser) entertained us in Committee by giving an extreme example of what might happen. He said that there might be a by-election in Streatham. The local Conservative association might invite many leading Conservative Members of Parliament to canvass in the area and one of them might drive into the constituency. Not knowing the area very well, he might be in the vicinity of Bedford hill and have to stop, get out and ask someone the way. If that person was a prostitute, she might not know the area very well and she might not be able to assist the Conservative Member, who would then wander off and stop the next woman on the street. By that stage, the police would have all the evidence that they need under this Bill to arrest, convict and ruin the career of that hon. Member. That is the nub of it. Our debates have been about that basic position.

What is the balance between the liberties of an innocent individual who might be caught and the obvious appalling circumstances facing people who are plagued by kerb crawling? That is not a new problem and I am afraid that the Bill will not solve it. Like my hon. Friend the Member for Norwood, I grew up in Lambeth and I remember prostitutes being on the streets when I was 14 or 15 years old. As my friends and I wandered around the streets on our bikes we would occasionally stop and chat with the prostitutes. Even then, the police would turn up and arrest some of them and take them away. Thirty years on, the problem remains. Over that period, a whole range of new police powers have been introduced and there has been a massive extension in police numbers, but it has failed to tackle the problem.

I do not doubt the sincerity of the commitments given by the Minister of State. Nor do I have any doubt about the integrity of the hon. Member for Streatham, but I believe that his constituents will be sorely disappointed and possibly embittered if the Bill is passed and there is no real improvement. Although I am sure that a few more kerb crawlers will be arrested, the problem will still be there. There is nothing in the legislation guaranteed to solve it. In this country—and across the world—legislators have tried for thousands of years to stop the problem of prostitution, although now it is called kerb crawling. I am sure that there was a similar problem in ancient Greece and Rome.

Some people have suggested that we should legalise brothels, but the thought of Brent council running a brothel service does not fill me with confidence, and I am glad that the hon. Member for Norwood did not include that in his Bill. The solution is not yet more repressive police powers and a further erosion of individual rights. However, the Bill is in line with the tradition of the past decade: its underlying ideology, like virtually all the law and order legislation passed by this Government, will result in an extension of police and state powers and an

erosion of the powers of the individual. We have seen that in legislation affecting other issues such as the right of Irish people to move freely, and the right to silence is now under threat.

I support a different tradition of British justice—the basic presumption that the individual has rights. Conservative Members seemed surprised when I said that I was basically opposed to the state, which I consider a necessary evil: like Calvin Coolidge, I believe that the least government is the best government, and that we should do the minimum and have the minimum of regulations to ensure the smooth running of society. The Bill would extend the state and regulation, and result in a reduction in the traditional liberal values that one would expect a party committed to free enterprise to apply. A party that is broadly committed to free enterprise, however, has produced an increasing number of people in favour of quite rigid social regulation.

The Bill will lead to a further erosion of the use of forensic evidence to secure convictions. That is not new, and I do not blame the hon. Member for Streatham for it. During the past few years Bill after Bill has resulted in changing police practices, and it is now increasingly unusual for a conviction to be obtained on the basis of forensic evidence—

Mr. Deputy Speaker: Order. The hon. Gentleman cannot talk about Bill after Bill; he must restrict his remarks to this Bill.

Mr. Livingstone: I thank you, Mr. Deputy Speaker, for bringing me to order.

The Bill does precisely that. It relies not on forensic evidence but on police statements, often uncorroborated. I have no doubt that 99 per cent. of our police are honest, decent citizens who do their best, often in impossible circumstances—like most hon. Members whatever their disagreements. The Bill, however, provides no safeguard agains the odd rotten apple in the barrel. What happens if something goes wrong and an innocent passer-by who stops to ask the way is arrested and convicted in some low-level court on the word of a police officer? Such people's lives could be destroyed by the ensuing press reports, which might result in the end of a marriage, the loss of a job and humiliation in the community. Those are terrible powers.

There have been many instances of the miscarriage of justice, although one of the good features of the past few years has been the increasing commitment to expose such miscarriges. The Bill increases the chance of such a miscarriage of justice. I would give anything for the Bill to give some commitment to provide proper counterbalance.

The Minister struggled to give the commitments to satisfy us. He managed to satisfy my hon. Friend the Member for Denton and Reddish (Mr. Bennett), but he has not satisfied me. Words spoken in this House have no force in a court of law. Ministers come and go and a commitment given by a Minister carries little weight if his successor disagrees with it. That is extremely disturbing.

If the Minister had moved amendments to give force to the commitments that he sought to give, I would have voted for them. I regret I cannot vote for the Third Reading of the Bill.

Sir William Shelton: We have heard many vague ideals and aspirations from the hon. Gentleman, some of which I support. He said that my constituents will be embittered and disappointed if the Bill goes through and does not achieve the desired result. If the Bill does not go through, not only my constituents but many other people will be embittered and disappointed because protection will not be given, not only to women who are molested on the street but to those who are prisoners in their houses because of kerb crawlers. Does the hon. Gentleman intend to talk the Bill out?

Mr. Livingstone: Yes, because I do not believe that it will provide protection for women who are prisoners in their homes because of the crime level.

Sir William Shelton: In that case, can the hon. Gentleman tell us specifically what will provide that protection other than some magic formula that he has found in Cuba and the banning of page 3 photos? Tonight people will be molested on the streets—it happened yesterday and it will happen again tomorrow. Youngsters are going home carrying empty hypodermics and girls of 15 are solicited by kerb crawlers. That is all going on right now, but all the hon. Gentleman does is talk about Cuba and banning the page 3 girls. They are airy-fairy aspirations. If the hon. Gentleman intends to talk the Bill out in the remaining minutes, can he at least suggest what he would like to see done?

Mr. Livingstone: I have already said that I believe that there should be a massive shift of police resources on to the streets. When I was leader of the GLC I argued for community policing. I examined the figures and found that we have 25,000 police in London. Given that 25 per cent. of them are needed to administer the bureaucratic machinery, even working three shifts, that still means that at any one time one could have five police officers walking the streets in every ward of London. Their presence would act as a deterrent. If we have police officers walking around Bedford hill every day it would help to solve the problem. I am not suggesting that those police officers should be stationed in Bedford hill alone, as that would move the problem elsewhere, but there should be a massive shift in police resources. Such a shift would not require legislation. The hon. Member for Streatham is a member of the party which governs Britain and which, through the Home Secretary, has direct and immediate day to day responsibility for the Metropolitan police.

Sir William Shelton: The hon. Gentleman must be aware that the amendments that he supported would have resulted in a kerb crawlers' charter. Even if there were 100 police on every street corner they would have been powerless to arrest a girl if the area was not designated. The hon. Gentleman should pull himself together, look into his mind, and decide exactly what should be done other than what we are suggesting. If the Bill is talked out, I shall do my best to ensure that those interested in this matter are aware of what he has done.

Mr. Deputy Speaker: Order. We must stick to the rules of the House. I remind the House again that Third Reading debates are very narrow and restricted to what is in the Bill. The hon. Member for Brent, East (Mr. Livingstone) would be out of order were he to go beyond that.

Mr. Livingstone: I accept that, Mr. Deputy Speaker. I should like to respond in more detail to the hon. Member for Streatham because the Bill is bad enough already. It

[Mr. Livingstone]

represents once again a massive extension of police powers and the potential risk for massive upheaval and destruction of individuals' lives if they are caught by the provision. There are many good things in the Bill. What I regret most about it is that I would like to have been able to vote for the provision which removes the nonsense that a boy under the age of 14 cannot commit rape or have sexual intercourse. It is wise to include that in the Bill. As with the debate that we had on embryo research legislation, where a completely different matter was introduced, I do not understand the direct connection between the two issues.

Although both issues are in the Bill, kerb crawling and the measures in the Bill to try to restrict it bear no relation to the Bill's other major aspect—the removal of the presumption in law that a boy under 14 cannot commit an act of sexual intercourse. We all know that that is nonsense. There have been instances of nine-year-old boys sexually molesting girls and that is something which should be stopped. That aspect should have stood on its own. If that were the only provison that the legislation contained I have no doubt that it would have been unanimously agreed to in the House. That is why I put my name to a series of amendments to remove the other part of the legislation. I want to vote for the good and wise measure that removes a ridiculous anomaly in British law.

I shall be happy to justify my actions to my constituents because they will look at the legislation in the context of other laws that have been abused. My constituents have often been subjected to the abuse of legal procedures, either in the courts or by the odd police officer who has completely misused legislation. They will see the Bill as another step in that direction and as legislation which removes their civil liberties. I should be happy to invite the hon. Member for Streatham to have a debate in my constituency about my actions because my constituents, while they would be happy and delighted to welcome the provision relating to removing the presumption in law that a boy under 14 cannot commit rape, would be extremely worried about extending existing law further to include kerb crawling. They would take the view that the Bill would not solve the problem.

If I had been persuaded, either by the hon. Member for Streatham or the Minister of State, that the Bill would solve the problem. I would have voted for it. If I had been assured that the legislation would drive kerb crawlers off the streets while protecting innocent people I would have been happy to support it. But while we have heard many good protestations of the best intentions, we have not had the firm, specific, legal amendments to make the Bill safe legislation.

Therefore, I draw attention not to the clause with which I agree relating to boys under the age of 14, but to the Bill's core which has caused dissension. I do not think that today there has been more than a passing mention of clause 2. I regret that the Bill is almost like a composite of bits and pieces and does not achieve the response that we would like, which would have been the House unanimously agreeing to clause 2. Clearly, there is not unanimity

Looking around the House, I note that for legislation which has invoked such passion among those present, it is surprising that more hon. Members have not turned up to debate it. There are about 650 hon. Members, but there has not been a vote here today which has registered the presence of more than 45. If this is such a major issue for people like me who worry about its impact on civil liberties or for people like the hon. Member for Streatham—or my hon. Friend the Member for Norwood who represents the neighbouring constituency—who are on balance more worried about kerb crawling, it is surprising that the Chamber has not been packed. On a couple of votes we came close to not being able to muster the requisite number to allow the subject to continue to be discussed. I suspect that the Bill deals with a narrow area of law and with a small part of the country where the problem of kerb crawling is admittedly an abomination. I was born and brought up close to one of these areas and I represent a constituency in Parliament where this legislation would make no more difference than did my proposal for a traffic management scheme.

I used to serve as a member of Camden council, whose town hall is adjacent to Argyll square, which is a major centre of prostitution. Nothing in the legislation would stop that. The problem there was that most of the police activity took place in the day time; in the evening there were virtually no arrests, so evening kerb crawlers were subject to little pressure from police officers even though the problem was much less oppressive and offensive during the day.

There were two types of prostitutes. Those who worked in the afternoon were not linked into the structure of pimping, whereas those who worked in the evening were and were probably linked into organised crime. Despite that, police pressure was put on in the afternoon, not the evening. If this legislation had been in operation then, a few dozen kerb crawlers might have been picked up but I doubt whether it would have been much of a deterrent. Major television programme makers turned up to film what was going on but hardened kerb crawlers were prepared to carry on driving around Argyll square even though they knew there was a risk of being filmed. Unfortunately, the subsequent documentaries blanked out the faces of the kerb crawlers.

My guess is that some men will think that the risk of exposure under this legislation is too great and will stop kerb crawling, but I imagine that they will scuttle off to some other area where they hope there will not be the same police presence, or they may find themselves linked into a network of brothels and stop kerb crawling for that reason, but I suspect that they will be a small minority. Just as the penalties for many more serious crimes do not deter the criminal I do not believe that the hardened kerb crawler, with his different perspective on life, will be dissuaded by the small risk of arrest under this Bill.

The problem is to do with the innocent person who happens to be passing by. Perhaps I am naive but I confess that I had been walking through Argyll square for 18 months before I realised that there was prostitution there. I just thought that there were a lot of young people out late on the streets. What would have happened to me if I had stopped and chatted to one of them and if I had happened to be driving? As it happens, I do not drive, so I am safe. This is one of the few Acts of Parliament that could not be used against me by this repressive Government, but they have enough others to be going on with.

My anxieties have not been assuaged by the debate. If the Minister had given form to some of his commitments that would have been fine.

There has been some disagreement between me and my hon. Friend the Member for Kingston upon Hull, West (Mr. Randall) about the level of penalties. He spoke with some passion, depicting wealthy men driving through working class areas looking to pick up women with whom to have sex. He described men who could pull £100 out of their back pockets. But the study of prostitution in the King's Cross area suggests that although a small number of well-off business men drive through these areas to pick up prostitutes, most people using their services are not well off. Many of them are on low incomes and will not be dissuaded by a fine of £1,000 because they could not raise such an amount anyway.

I should like to see fines related to people's income and their ability to pay. Let us consider the case of a person who is without shame, the wealthy business man who does not give a damn about what may be said, or perhaps a newspaper proprietor who knows that his newspaper will not report it if he is caught kerb crawling. Such people will not be deterred by a fine of £1,000 because they could easily pay it. If Robert Maxwell or Rupert Murdoch were caught kerb crawling it would be no problem for them to pay a fine of £1,000.

A message to the magistrates that we want to see much more severe fines would create an intolerable burden. If people cannot pay it would lead to the seizure and distraint of their goods or may well lead to them being imprisoned. All those problems could arise. The part of the Bill about fines opens up the prospect of yet more problems and more discrimination in the field of justice.

The Bill might be more sensible if it contained a method of penalising people that would really hurt them such as, for example, a long period of community service. My hon. Friend the Member for Norwood is laughing. Perhaps he would like to intervene and share the joke with us. At one time I was the GLC member for his constituency. He was the Member of Parliament at that time and we did not have the immediate problem of kerb crawling in that area. The Bill would not have helped if there had been such a problem.

The Bill taps a vein of genuine worry, which I share, about what can be done to protect women who are harassed by people driving around an area asking for sex. If the Bill could solve that problem I would vote for it, but it will not solve it, it will make matters worse. It will not curtail the amount of kerb crawling but will lead to an increasing number of ordinary innocent people being entrapped.

Mr. Fraser: As my hon. Friend knows I share his concern about civil liberties, and I have made that clear in Committee and on Report. My hon. Friend asks whether the Bill will reduce the problem of kerb crawling. The difficulty at the moment is that for a charge of persistent soliciting to succeed it is necessary for four to six police officers to be involved in the investigation to bring forward the requisite evidence. That raises a difficulty in terms of devoting police resources to other important matters in my constituency. I accept that the police manpower that is necessary to obtain convictions is quite disproportionate to the manpower that is required to gather evidence for other types of convictions. I share my hon. Friend's doubts about civil liberties although I am more satisfied than he is about the assurances that we have been given. Needing four to six police officers to obtain a conviction is a serious difficulty and a waste of police resources. The Bill will be effective because it will mean that fewer police officers or other witnesses will be needed to obtain a conviction.

Mr. Livingstone: I share my hon. Friend's anxiety. As a Member of Parliament and a solicitor he has much experience in this field.

Existing police resources are not wisely used, although not for any wicked or venal reason. It should be possible for the Metropolitan police to release enough officers to ensure that when a charge is made it is accurate and will stand up in court. We have talked about three, four or five police officers being used to obtain a conviction. London has 26,000—or is it 28,000?—police officers. There has been a major increase in police numbers but we do not see the extra officers on the streets.

I draw my hon. Friend's attention to the study of police in Liverpool. It shows that at any one time only 3 per cent. of the police force was on patrol. The problem that the hon. Member for Norwood raises would be resolved if the Minister would say that he will direct the Metropolitan police to switch resources into providing an adequate level of community policing—policing that works with the community and carries the consensus of the community. The Greater London council argued for such policies from 1981, while I was leader. If that happened, there would be no shortage of resources to gain convictions under the present legislation.

It worries me when we respond to legislation that is not working, either because it has missed the target or because of inadequate police resources, by passing yet more legislation that introduces further constraints on civil liberty. Instead, we should make the police whom we have, and for whom we are paying, patrol the streets. It may be bad for women to be harassed by kerb crawlers, but it is much worse for them to be raped or mugged. Some 40 or 50 per cent. of women in London are frightened to leave their homes after dark. The Bill will not solve that problem. The only thing that will reassure women and get them out of their homes after dark is a regular police presence on their streets, as there used to be in London when I was a child. The Bill will not do that.

Women will not look at the Bill and say, "Oh, that's all right. It needs only one police officer to identify a man approaching someone once in the street, so that will solve the problem." However, if they had seen a massive shift in resources to community policing, they would be much happier. Such a move would require no legislation. It requires only a direction from the Home Secretary to the Commissioner of Police of the Metropolis. Such a move would have the support of the whole House, especially those of us who have argued for too long that we need a police presence on the streets. That would deter not only kerb crawlers but muggers, rapists and—a crime with an increasing occurrence—murderers.

I share the concern of hon. Members on both sides of the House about the fact that women are frightened to leave their homes. They are frightened not just in areas subjected to kerb crawling. Because prostitutes and their clients are regularly on the streets, and this leads to frequent visits by police, even if they are not there in adequate numbers to tackle the problem—there are sufficient people around to deter other crimes. A woman is less likely to be raped, mugged or murdered in such circumstances than she is in a poorly lit, inadequately policed and unfrequented street.

[Mr. Livingstone]

Therefore, we need legislation that tackles the problems of all women. These problems do not affect only London just as the Bill does not apply only to London. Many other areas suffer from the same basic problem. My guess is that the Liverpool study, which identified only 3 per cent. of police on patrol at any one time, shows a broad pattern that is repeated elsewhere.

How will this legislation be interpreted by the judiciary? Perhaps that is a grand word for magistrates, but presumably, on appeal, somebody who has been convicted could work his way quite high up the legal tree. If I am wrong, I will give way to one of my legal friends.

Mr. Fraser: To be fair, he could not.

Mr. Livingstone: I thank my hon. Friend, but he disturbs me even more. I am not a lawyer, but as leader of the GLC I gave an awful lot of money to barristers and I spent a lot of time with them, although I never picked up the basic principles of law. I had hoped that someone convicted under the Bill, if it is enacted, would be able to appeal all the way to Lord Lane—God help him if he got Lord Lane, given his broad range of reactions. I am even more worried if there will not be a right of appeal.

Mr. Fraser: There could be an appeal to the Crown court. One could get a retrial in the Crown court, but it would not usually go further than that.

Mr. Livingstone: My hon. Friend reassures me because in my view the worst part of the legal system is its highest level. The Court of Appeal is the judicial bench of the House of Lords. It is reactionary and divorced from reality, largely I suspect because the Prime Minister has appointed them all personally and has managed to find people even more profoundly reactionary and contemptuous of human and civil rights than herself.

Once again, the bulk of these cases will be sorted out in the magistrates courts. That worries me as my experience of magistrates courts is not a happy one. There was a gross miscarriage of justice at my expense when a security guard smacked me in the mouth. I did not feel that the magistrates court was a safeguard. Unfortunately the Bill will mean that the problem will be dealt with in the magistrates courts and that is a tragedy. Perhaps we need a judicial system under which a wider range of experience produces a better understanding of the problems.

There is a general bias among lay magistrates and stipendary magistrates in their broad commitment to support the police. That is understandable as there should be such a commitment throughout society. The legislation puts more trust in the police and removes some of the constraints on them. Therefore it is only to be expected that magistrates would be broadly sympathetic to the police and would give them the benefit of the doubt. Juries take the same position, and all the evidence shows a well documented predisposition to give the police the benefit of the doubt when there is a conflict of evidence between a police officer and someone who is the subject of prosecution. The Bill enshrines that and takes it a stage further by removing one of the checks and safeguards that have been invaluable constraints on the abuse of the 1985 Act.

Leaving aside the non-controversial issue in that we accept that, of course, a boy under 14 can commit rape and should be subject to penalties, the core of the argument is the balance between the rights of the police and their ability to operate as they wish, and the right of an individual who might be entrapped.

I listened carefully to the speech of the hon. Member for Streatham when he talked about the problems in his constituency. Those problems will not go away even if the Bill is passed. The Bill will simply lead to greater concern and chaos in the lives of those who are likely to be arrested by mistake.

There have been a small number of well documented cases in which people have been set up. Magistrates courts have been presented with evidence that individuals have been entrapped by the police particularly in areas where gay men collect. Not so long ago an hon. Member made the mistake of wandering into a gay bar and was prosecuted by the Metropolitan police who alleged that he pinched the bottom of a plain clothes police officer who was particularly attractive.

In cases involving sexual crime there are well documented instances of the police using entrapment and acting as provocateurs and of policemen pretending to be gay men in public houses and gay bars. When a Member of Parliament was caught in exactly the same way as the Bill would allow others to be caught, I challenged the Commissioner of Police of the Metropolis, Sir Kenneth Newman, and asked him how he could justify attractive young police officers dressed in civilian clothes hanging around in gay bars waiting for someone to pinch their bottoms when kerb crawling, mugging and rape are at record levels. That was a grave misuse of police resources.

Mr. Deputy Speaker: Order. The hon. Gentleman is discussing the conduct of the police and the way in which they operate. He must restrict his remarks to what is in the Bill. As he said a short while ago, the Bill is narrow and restrictive. I ask him to take his own advice as well as mine.

Mr. Livingstone: Thank you, Mr. Deputy Speaker. I shall be as narrow and restrictive as possible.

We know that a Member of this place was entrapped in a gay bar. Another hon. Member or a member of the public, could be set up in the context of the Bill. There is nothing in the Bill to prevent people being set up. A motorist driving innocently along a street could be ensnared so as to bump up the arrest figures in the area. There tends to be a high level of misdeeds on the part of officers who are involved in alleged sexual offences. About 20 years ago, it was revealed that police officers were involved in a fraud in which they were being paid by people operating in the porn trade. In a sense, the Bill would further entrap the police in an area in which it is already difficult for them to operate. It is an area in which there are boundless opportunities for corruption. That applies equally to sexual crime and drug offences which tend to cause a breakdown of standards and some times, lamentably, examples of police corruption.

I am aware that there is much activity within the Chamber and that I am not receiving the rapt attention of all hon. Members. I am waiting for something nasty to happen after the plotting has been completed. That activity should not distract from the basic issues. Our purpose must be to balance the civil liberties of all citizens, police powers and the right of women to be able freely to walk along our streets at night without harassment.

It is unfortunate that only a minority of hon. Members were prepared to discuss the issues today. That is not the fault of those who are passionately committed to one side of the argument or the other, and who have been in the Chamber throughout our proceedings. The Bill has attracted those who are committed. Although the Bill is national in its context, it is directed specifically at only a few areas. Those who have been in their places today represent constituencies where there is a kerb-crawling problem, or constituencies that are adjacent to them, and that is how it should be. It is regrettable that an amendment which was tabled by my hon. Friend the Member for Denton and Reddish which would have made the problem specific——

Mr. Deputy Speaker: Order. The hon. Gentleman cannot return to amendments on which the House has come to a decision.

Mr. Livingstone: Only local Members, as it were, are in the Chamber to discuss the Bill. None of us is present as a national Member of a national parliament. Those who are in their places have been brought here as a result of activities in local communities.

A decade ago I went down the road that the hon. Member for Streatham has taken. It involved more restrictions, more constraints and more laws. Everyone concedes that the 1985 legislation has failed, and the Bill might well fail. The commitments given by the Minister of State, Home Office, the hon. and learned Member for Putney (Mr. Mellor), suggest that the Government expect the Bill to fail. It seems that they suspect that it is flawed. Why should we need all the commitments that were given by the Minister on behalf of the Government? He told us that the Government would monitor the effects of the Bill because of the danger that things will go wrong. He said that he would give special instructions to the police and Crown prosecution service to ensure that the Bill is implemented in accordance with the wishes of the House.

This cannot be good legislation. Legislation should be drawn so tightly that it cannot be open to misinterpretation. Although the hon. Member for Streatham has drawn the legislation as well as he can to tackle an almost insoluble problem—and I am certain that he has had tremendous help from Officers of the House—once we get into the area of sexual crime, it is almost impossible to draft legislation that will provide the response that we want. The Bill is flawed because it falls into that camp.

This is a short Bill, no more than one sheet of paper, yet much of it, which is uncontroversial, deals with the ability of boys under 14 years of age to have sexual intercourse —which only a fool would deny was possible. The rest of the Bill deals with the problem of kerb crawling. The Bill deals with the balance of interest between local communities that are subject to the appalling consequences of kerb crawling and the rights of the individual woefully inadequately. If the Bill had been in operation for the past 20 years, it would not have stopped Bedford hill from being a centre of prostitution and kerb crawling, as it is today. Nothing in the Bill would have stopped the area of Stoke Newington that I represented—Finsbury park —from being a centre of prostitution today. I have judged the Bill on that basis. I thought about whether the Bill would give residents in my area relief from the pressures of kerb crawling, as I tried to do.

Mr. Gerald Bermingham (St. Helens, South): If the previous legislation of the Greater London council and the Sexual Offences Act 1985 have both failed, why does my hon. Friend oppose another attempt to curb the problem?

Mr. Livingstone: I thought that I had made that clear at some point in the past five and a half hours. I fear that we are seeing a further erosion of the rights of the individual and I see no evidence that the Bill will work. I have put forward one proposal after another in the hours of debate today which could not only stop kerb crawling but would make a major impact on reducing prostitution. I told the House, as I repeat now to my hon. Friend the Member for St. Helens, South (Mr. Bermingham), that the way to solve the problem is not the Bill, but by tackling the social consequences. The Bill simply increases the level of state control, and police powers and repression.

I am prepared to say that I seek to stop the Bill in the hope that that will produce better legislation to relieve the problems of the residents of Streatham and the constituents of hon. Members in areas where kerb crawling has become an intolerable problem. The Government may be unwilling to come forward with proper legislation, but I hope that they will do so. Better legislation might have the support of all hon. Members if the Bill fails at Third Reading. As we failed to carry the amendments, this is still a weak Bill.

I very much hope that the Government will find a way to bring legislation to the House on the subject of boys under the age of 14, which would be likely to complete its passage in a matter of hours. There is no dissent about those provisions in the Bill. Such a Bill would help to clear up the ridiculous legal anomaly which assumes that a 14-year-old boy cannot commit sexual intercourse. That hinders proper methods to cope with young offenders who increasingly, perhaps influenced by the television or by rather disreputable videos, mimic the behaviour that they see and sexually harass or, in the worst cases, rape young girls. It would be a tragedy if the provisions on that problem, which have the consent of the whole House, were lost simply because they have been lumped in with the wholly different legal and social problem of kerb crawling.

Having examined the Bill, I am amazed that it was ever allowed on to the agenda of the House. It covers two wholly different topics. I am surprised that there was not some rule of the House to knock it out earlier. Clearly, there is not and I still have much to learn. I hope that we can return to this part of the legislation, which has massive support in the House, at a time when it can be carried into law. I cannot support the other part of the legislation, which I believe would have a devastating impact on the lives of innocent people who would be entrapped.

The matter is of such importance that the Home Secretary should have come to the House today. Had he done so, and had he said that, although the legislation was flawed he would consider a massive shift of police resources—

It being half-past Two o'clock, the debate stood adjourned.

Debate to be resumed upon Friday 18 May.

Private Members' Bills

TERM AND QUARTER DAYS (SCOTLAND) BILL

Not amended (in the Standing Committee), considered.

Mr. Deputy Speaker (Sir Paul Dean): No amendments on consideration.

Order for Third Reading read.

Mr. Hugo Summerson (Walthamstow): On behalf of the hon. Member in charge, I beg to move, That the Bill be now read the Third time.

Question put and agreed to.

Bill accordingly read the Third time and passed.

REPRESENTATION OF THE PEOPLE BILL

Not amended (in the Standing Committee), considered.

Mr. Deputy Speaker: No amendments on consideration.

Order for Third Reading read.

Mr. Ivor Stanbrook (Orpington): On behalf of the hon. Member in charge, I beg to move, That the Bill be now read the Third time.

Question put and agreed to.

Bill accordingly read the Third time and passed.

ROAD TRAFFIC REGULATION (SPEED LIMITS) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 18 May.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) (DISABLED PERSONS) BILL

Order for Second Reading read.

Mr. Deputy Speaker: Not moved.

NATIONAL LOTTERY BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 8 June.

COALMINING SUBSIDENCE (DAMAGE, ARBITRATION, PREVENTION AND PUBLIC AWARENESS) BILL

Order for Second Reading read.

Mr. Deputy Speaker: Not moved:

HARBOURS, DOCKS AND PIERS CLAUSES ACT 1847 (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 22 June.

CHLOROFLUOROCARBONS (CONTROL) BILL [LORDS]

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 18 May.

TELECOMMUNICATIONS ACT 1984 (AMENDMENT) BILL

Order for Second Reading read.

Mr. Deputy Speaker: Not moved.

ADOPTION (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 15 June.

DOGS BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 15 June.

INDECENT DISPLAYS BILL

Order for Second Reading read.

Mr. Deputy Speaker: Not moved.

POLL TAX (RESTORATION OF INDIVIDUAL PRIVACY) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 8 June.

RAPE IN MARRIAGE (OFFENCE) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 8 June.

HARE COURSING (ABOLITION) BILL

Order for Second Reading read.

Mr. Harry Cohen (Leyton): Now, Sir.

Mr. Deputy Speaker: The Question is——

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day?

Second Reading deferred till Friday 8 June.

Mr. Gerald Bermingham (St. Helens, South): On a point of order——

Mr. Deputy Speaker: Order. I must put the remaining orders first.

RADIOACTIVE MATERIAL (ROAD TRANSPORT) BILL *[MONEY]*

Queen's Recommendation having been signified—

Resolved,

That, for the purposes of any Act resulting from the Radioactive Material (Road Transport) Bill, it is expedient to authorise the payment out of money provided by Parliament of—

(1) any sums required by the Secretary of State for making payments by way of remuneration, allowances or otherwise to inspectors appointed by him under the Act; and

(2) any other expenses incurred by the Secretary of State in consequence of the provisions of the Act.—*[Mr. Nicholas Baker.]*

SITTINGS OF THE HOUSE

Ordered,

That—

(1) this House do meet on Thursday 24th May, at half-past Nine o'clock;

(2) notwithstanding the provisions of paragraph (2) of Standing Order No. 17 (Questions to Members), no Questions shall be taken, provided that at Eleven o'clock Mr. Speaker may interrupt the proceedings in order to permit Questions to be asked which are in his opinion of an urgent character and relate either to matters of public importance or to the arrangement of business, statements to be made by Ministers, or personal explanations to be made by Members; and

(3) at half-past Three o'clock Mr. Speaker do adjourn the House without putting any Question, provided that the House shall not adjourn until Mr. Speaker shall have reported the Royal Assent to any Acts agreed upon by both Houses.—*[Mr. Nicholas Baker.]*

BUSINESS OF THE HOUSE

Ordered,

That, notwithstanding the provisions of paragraph (9) of Standing Order No. 13 (Arrangement of public business) and paragraph (3) of the Order of the House of 22nd November relating to Business of the House, the ballots for Private Members' Notices of Motions which are to have precedence on Friday 8th June and Friday 15th June shall be held after Questions on Tuesday 22nd May and Wednesday 23rd May, respectively.—*[Mr. Nicholas Baker.]*

Ordered,

That, at the sitting on Tuesday 15th May, the Motion in the name of Mr. Neil Kinnock relating to Immigration may be proceeded with, though opposed, until half-past Eleven o'clock, or for one and a half hours after it has been entered upon, whichever is the later; and if proceedings thereon have not been previously disposed of, Mr. Speaker shall at that hour put any Questions necessary to dispose of them.—*[Mr. Nicholas Baker.]*

MEMBERS' INTERESTS

Ordered,

That Mr. George Howarth be discharged from the Select Committee on Members' Interests and Dawn Primarolo be added to the Committee.—*[Mr. Nicholas Baker.]*

FINANCE BILL

Ordered,

That, notwithstanding the Order [1st May], the Committee of the whole House be discharged from considering Clauses 18 and 19 of the Finance Bill and that those Clauses be committed to a Standing Committee.—*[Mr. Nicholas Baker.]*

Mr. Bermingham: On a point of order, Mr. Deputy Speaker. When item No. 17 was raised—the Hare Coursing (Abolition) Bill in the name of my hon. Friend the Member for Leyton (Mr. Cohen) there was a pause during which there was no objection by the Government Whips. You then asked for the date of the Second Reading. My hon. Friend rose to say, "Now". Then the voice of the hon. Member for Dulwich (Mr. Bowden) was heard, perky as ever. That was accepted as an objection. For the past six or seven years, the standard procedure in the House has been that, once the matter is raised, the Question is put. *[Interruption.]* I hear the pathetic voice of Hallam. It does not sound well.

The procedure has always been that, once the Second Reading date has been asked for, the matter is before the House. The moment for objection is passed. Why should the rules change today?

The Deputy Speaker: Order. I have got the hon. Gentleman's point. The procedure is possibly slightly confusing. I assure him and the House that an objection can be made at any time during the proceedings. It does not have to be made as soon as the title of the Bill is read out. An objection was clearly made, so the correct procedures of the House have been followed.

Mr. Bermingham: Further to that point of order, Mr. Deputy Speaker. Perhaps we could have it stated a little more definitively. Otherwise we shall have the ridiculous position that the Chair can cast round the House for an objection, depending on the will of the Chair—of course, this is not personal. We could have a delay of up to five minutes while we wait for the learned voice of objection to a perfectly reasonable and rational Bill. Hare coursing is an obscenity which the hon. Member for Dulwich so pathetically enjoys.

Mr. Deputy Speaker: Order. Objections can be raised at any time. The moment an objection is raised it stops any further proceedings on the Bill. That procedure has existed for many years and we are well accustomed to it.

Health Authorities (Budget Deficits)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Nicholas Baker.]*

2.36 pm

Mr. Harry Cohen (Leyton): I am pleased to have this Adjournment debate on health authorities' deficit budgets. First, I congratulate the Minister on his new appointment. I hope that he will have success in reducing the deficits of health authority budgets.

The Government are saddling health authorities with a recurring debt of more than £100 million. That results in repeated cuts in our hospital medical services and patient care and treatment. The figures for 1989-90—that is to say, up to the end of March 1990—will not be available until the end of June. The picture that is emerging is of huge debts caused by the Government's underfunding.

The Chartered Institute of Public Finance and Accountancy asessment of the debt is an underlying deficit for health authorities as at 31 March 1989 of £108 million. That was based on credits and balances in excess of six weeks. Even if the Government take their figure of eight weeks, which is pushing it a bit far, the deficit is still in the region of £70 million to £80 million.

The four London health regions make up a large part of that debt. They are having to cut services as a result. I take a bet with the Minister. I am a betting man——

The Parliamentary Under-Secretary of State for Health (Mr. Stephen Dorrell): I am not.

Mr. Cohen: What a shame. I would bet him that the figure at the end of June for the year to 31 March 1990 will be higher than £108 million.

There are all sorts of reasons for the deficit. One is the Government's ridiculous 5 per cent. allocation for inflation to health authorities. We have had the figures from the retail prices index today. Inflation is 9·4 per cent. and still rising, yet the Government have allocated only 5 per cent. for inflation.

As Mr. Peter Longden, the chairman of the Healthcare Financial Management Association said at the time of the autumn statement:

"provided inflation was kept at roughly the levels . . . the impact of inflation, especially after an Authority has made its plans for the year, can have a major impact on service delivery."

Clearly inflation has not kept to the Goverment's 5 per cent. limit and that is having a major adverse effect.

The head of CIPFA's health service division, Mr. Chris Grimes, said, with reference to outturn for 1988-89:

"Little or no growth in funds had been provided leaving some Authorities with inherited cash flow problems which had been carried forward into 1989-90."

That problem is being carried forward into 1990-91.

Mr. Grimes also said:

"Although the 1989-90 funding provision had appeared generous at the outset, the effects of inherited problems and higher than anticipated pay and price increases had eaten into available resources."

When turning to the prospects for 1990-91, he said:

"It is difficult to see that pay and price increases will be limited to around 5 per cent. in the forthcoming year".

his prediction was clearly right:

"our prediction is that the level will be around 7 per cent. or more. The implications for Health Authorities if our prediction is correct could be significant."

It has been significant; it has meant greater debt and cuts in services.

At the end of November, CIPFA produced its "Health Service Trends" booklet, which is a mine of information. It contains many charts and compares inflation in the hospital and community health sectors with the retail price index. It shows that, from 1982-83 to 1988-89, taking 100 as the base figure in 1982-83, hospital and community health service inflation reached a cumulative figure of 149·9. The equivalent in the RPI was only 134·7. Health inflation is greater than the RPI, because wages and prices form 75 per cent. of the Health Service budget. The wages element is rising faster than the RPI because wages in the Health Service start at a low level. The Government are not taking account of health inflation properly in the RPI, let alone tackling the RPI.

CIPFA's "Health Service Trends" booklet refers to the 1988-89 revenue outturn and refers to a new index, the NHS specific pay and price rises index. That index shows the effect on NHS expenditure which increased by an average of 10·5 per cent. compared with a GDP inflator of 7·3 per cent. The booklet states:

"Health Authorities managed their financial affairs satisfactorily during the year, but made no major impact on the inherited problems of year end accounting."

The health authorities have made no inroads into the debt with which the Government have saddled them. That debt has actually increased steadily and health authorities have struggled with it and have made cuts in patient care as a result.

The booklet referred to the implications for 1990-91, stating:

"even the upper growth levels may be insufficient to meet current plans and targets. Any further deficiency in inflation sums will render the task impossible. It is imperative that any additional sums made available to the service allow for real growth in addition to inflation and the initial costs of implementing 'Working For Patients'."

Clearly the money has not been provided by the Government and that is putting health authorities in an appalling position.

There are no figures for the current financial year, but there is a great deal of anecdotal evidence. I shall read the Minister a few headlines. On [illegible] April the *British Medical Journal* said:

"Health authorities predict hard times ahead . . . Most health authorities are worse off this year".

The Health Service Journal said on 19 April:

"HAs slash budgets to balance books in 1990-91".

The Times said on 26 April:

"Cuts package threatens hospitals' jobs and beds".

On 21 April, the *British Medical Journal* said:

"Death by a 1000 cuts".

On 12 March, *The Independent* said:

"'Model' health authority forced to cut patient care".

On 5 April, the *Health Service Journal* said, referring to the National Association of Health Authorities,

"NAHA survey predicts a bleak financial future".

On 29 March, *The Health Service Journal* said:

"Cash crisis scuppers HA development plans".

The problem in London is even clearer. A report by Margaret Powell, the policy analyst of the inner London health authorities, showed that the debt of the inner London health authorities had shot up—from £19,823,000 to a projected deficit by the end of this financial year of £29,691,000. That figure will not be met by current plans.

In my north-east Thames region, there is debt in nearly every district. The CIPFA trends booklet shows that, in 1988-89, the region was forced to make service reductions of £7,440,000. In 1989-90 the figure was £8,933,000. My

area of Waltham Forest, which is one of severe deprivation, had to make the biggest cut in the region—£2,451,000. No wonder there is still a huge deficit.

The community health council had discussions with Mr. Ian Russell, the district treasurer, who pointed out that the storm damage was not being funded properly and that hospitals and other buildings were being run down, causing immense problems to the authority. Mr. Russell said:

"The hospital price index is actually running at 8·8 per cent. which is well over the present 7·7 per cent. of the present RPI figure".

We know that the RPI figure is now 9·4 per cent. Mr. Russell continued:

"whilst the Government at first forecast a 5 per cent. rate of inflation to stand still, to stand still this District Health Authority should have really taken account of the number such as 10·7 per cent."

He said that the district authority would be in deficit of "at least £670,000, which will result in reduction in services in this District over the next year."

I tabled a Commons motion, because only 6 per cent. had been allocated by the North-East Thames regional health authority to cover inflation costs in the coming year. The authority said that much of that would have to take account of contingencies. My local community health council planned a deputation to see the Minister about those serious problems. Debts are arising because of inadequate funding and 5 per cent. inflation.

Other health authority costs not properly funded by the Government include "earmarking"; a substantial amount is put aside for AIDS treatment, breast cancer screening, mumps, measles and rubella programmes, but the Government are not providing the necessary finance. Therefore, that increases the shortfall and the debts. There are already thousands of regrading appeals outstanding, for which the Government are not putting up the money.

With effect from 1 July, health authorities must pay VAT on fuel. That is a Government-imposed change, but no money will be provided for it. Then there is the cost of doctors' negligence. With the removal of Crown immunity, the costs fall upon health authorities—another Government change, which they have not funded. The cost of repairing storm damage to health authority property in January this year totalled some £13 million, and although the Government gave some money for the 1987 storm damage, they did not give a penny this time.

On top of that, health authorities cannot make up their deficits from capital sales because of the decline in land sales, falling prices and an inability to sell. They cannot make up the shortfall through cost improvements or income generation, because they are no longer to be had. After following that policy for six years, few cost improvements can be made and little income generated.

From April 1991, the Government intend to introduce their new policy as set out in "Working for Patients", but from the outset that new system will be brought down unless the Government make a huge injection of funds into the Health Service to rid it of debt.

The National Association of Health Authorities produced a chart to show how the Government have underfunded the health authorities. It made an estimate of target spending that included 0·5 per cent. for medical advance, 0·5 per cent. necessary to meet central Government policy objectives and between 0·4 and 1·3 per cent. to reflect the changes in population size and structure. It compared those target figures with the amounts that the Government have put in and shows that year by year, there has been an annual shortfall—in 1989-1990 it approached £490 million. As a consequence, repeated cuts have been made in patient care and in hospital and community health services. Those cuts have sabotaged the Health Servce input into community care and resulted in longer and longer waiting lists.

The Minister should get straight to the job of getting rid of those debts.

2.50 pm

The Parliamentary Under-Secretary of State for Health (Mr. Stephen Dorrell): I congratulate the hon. Member for Leyton (Mr. Cohen) on securing this Adjournment debate and on being in his usual good voice when presenting his case. I also thank him for his good wishes on my appointment. I receive good wishes gratefully from whatever quarter, but particularly from the hon. Gentleman.

The hon. Gentleman may be slightly surprised if I start by saying that he has, in one sense, highlighted a real problem. The problem with his argument, however, is that the difficulties did not begin, as he likes to suggest, in May 1979 or at the behest of the Government. The problem is not unique to the National Health Service; it is simply the difficulty faced by any manager of living within budgets when resources are scarce. It is hard to think of a time when resources have not been scarce.

When addressing the problems of the NHS it is essential to begin by separating two different issues—the political commitment to the future of the Health Service and the management choices that affect the managers of the service and the way in which that service is delivered to patients.

I welcome this debate as an opportunity to state once again on behalf of the Government our unambiguous commitment to the principle of the NHS. The Prime Minister has said that the NHS is safe in our hands. She did not use those words lightly, nor did they come to her on the spur of the moment. They reflect the Government's deep commitment to maintain and improve the NHS. During the review that led to the White Paper, it was alleged that the Government were considering privatising the Health Service. That never has been, nor is it, our intention.

When I was appointed to this job, I said that I was proud to be associated with the NHS because I regard that service as one of the best things that has happened in Britain since the war. It is a privilege for me to be involved as a Minister in trying to ensure that the principles of the NHS are delivered properly to patients in a way that patients have a right to expect.

The central mission—the jargon much used by people setting out plans these days—of the Health Service is the same as it has always been: to deliver patient care on the basis of need, not on the basis of the ability of the patient to pay for it. I accept that mission unambiguously, but it is important to be clear that we are talking about the principle that patient care should not depend upon the ability of a particular patient to pay for it. That principle does not work if one seeks to extend it to the level of funding of the service as a whole. In a properly prioritised budget, one cannot accept the principle that NHS funding is done purely on the basis of need. It must be done on the basis of a balance between the patients' needs and the nation's ability to pay for the service we want.

[Mr. Stephen Dorrell]

For that reason, I do not accept the argument advanced by the hon. Member for Leyton that, in measuring the real-terms development of the Health Service, we should consider the inflation rate of Health Service costs. In the end, it is the taxpayer who pays for the National Health Service, and his ability to fund the costs of the service must, to some extent at least, limit the rate at which patient services can improve in the National Health Service.

Mr. Cohen: If the Minister accepts that it is Government policy not to fund specific inflation in the Health Service, does he accept that it is Government policy that cuts will become part of the Health Service, if the costs are above inflation?

Mr. Dorrell: I do not accept that that is either our policy or our record. I was just going to underline the degree of our political commitment to the Health Service. I pray in aid no better evidence than the history of resource levels that have been committed to the Health Service since we came to power 11 years ago. Those resources are up in real terms by more than 40 per cent. We spend more than £500 per head, per annum, on the National Health Service, compared with £360, at today's prices, when we came to power. At today's prices, the level of our commitment to the Health Service has risen from £360 to more than £500 —an increase of more than 40 per cent.

It is of interest in measuring the commitment to the service that the equivalent figures between 1974 and 1979 rose from £337 per head to £360 a head—an increase of 6·8 per cent. I am not alleging that the Government, between 1974 and 1979, were not committed to the principle of the National Health Service—that is not part of my argument —but it is not easy, against that statistical background, to suggest that the Government are not committed to the Health Service. As we have been better able to run an efficient economy, so we have been better able to deliver the principle that we share with the hon. Gentleman, a desire for the level of service delivered by the NHS to improve year by year.

It is not just a matter of resources. Direct care staff, who deliver medical services direct to the patient have increased in number since 1979 by 84,000, which is a large figure —larger than most parliamentary constituencies. We have employed the equivalent of a complete parliamentary constituency in extra staff involved with direct care to patients since 1979.

It is not purely a matter of the resources devoted to, or the staff employed in, the National Health Service. The total number of in-patient cases treated in the Service has risen from just below 6 million in 1978 to 7·5 million in the last financial year, ending in April 1989. That is the equivalent of 14,000 cases in every parliamentary constituency in England. Our out-patient treatments have gone up from 16,700,000 in 1978 to more than 19 million in 1988-89. That is the equivalent of 37,000 out-patients treated per annum in every parliamentary constituency. That is not the record of a Government whose commitment to the principles of the National Health Service can be questioned.

I have talked of commitment because I think that it is important for that to be stated and understood. However, it is not just a matter of commitment; I shall now move on to the specific issues of the service management that lie behind some of the points raised by the hon. Gentleman.

A key priority of the Government is to ensure not only that the maximum resources are available to the NHS, but that the service is effectively managed and the resources used as efficiently as possible to deliver health care to patients.

It is important to understand that efficiency should not be an alien concept to a caring profession. Sometimes I am addressed by doctors in my constituency—I suspect that I may be addressed by a few more in the next few months —who, if they do not say it directly, at least imply that the word "efficiency" somehow relates to profit, and is therefore an alien idea in a caring profession. I do not accept that. It is by increasing the efficiency with which we use the resources committed to the NHS that we can do two things, both of which we want to be able to do—first, to increase the living standards of those who work in the service and to keep them in line with those in the economy at large; and secondly, to be able to continue to deliver the improvement in patient services which is what the National Health Service is all about.

If we employ efficient management techniques in the Health Service and draw up properly prioritised budgets and deploy rigorous management those factors will be effective in eliminating waste and ensuring that the NHS can offer patients a better standard of care and continue to improve those standards—as it has done since 1979 and since long before that. The process did not start in 1979; the NHS has a history of improving services.

How have we sought to improve management? First, we have strengthened the organisation within the Department of Health. We set up the National Health Service management executive, a group within the Department committed to the principles of ensuring effective management in the NHS. Secondly, we have introduced simple techniques such as the extension of contract tendering, which has released £100 million to improve patient care. That process is also designed to use resources more effectively.

Thirdly, and more fundamentally, there is a programme to which the Government are deeply committed, known as the resource management initiative. Launched in 1986, its intention is to ensure that resources in the large acute hospitals are more effectively managed than has been possible in the past, particularly by using the facilities that are now available for modern information technology.

We announced in the White Paper a commitment to extend resource management to 260 major acute hospitals in the country. I was rather jealous of my immediate predecessor who was able to announce, just before he left the Department, the extension of that programme, so that we have now committed a list of hospitals covering half the objective of 260 acute sites. We now have firm plans to introduce resource management in 130 hospitals and a clear commitment to do that in the other 130 as quickly as we can. That is a big investment in management to improve the services to patients.

This commitment to management in no sense undermines the commitment to extending the resources available for direct care in the service. Indeed, since 1978 we have increased the proportion of NHS employees devoted to direct care from 58 per cent. to 66 per cent. So, for the first time in its history, more than two thirds of the

people employed by the NHS work in direct patient care, not in ancillary and support services—important though those are.

Finally, and most fundamentally, our commitment to improving the management of the service informs the reforms that were set out in the White Paper, which constitute the purpose of the Bill that is going through Parliament. All these programmes of savings and of improved management in the Health Service have, in the past five years, released £1 billion to improve patient care.

That money is not going back to the Treasury. As I have shown, the Treasury has been increasing the resources available to the National Health Service and within that increasing budget £1 billion has been released to improve the quality of the service that is delivered to patients. That is the purpose of the exercise.

Health authority deficits illustrate the pressure that we are putting on managers to ensure higher and improving levels of efficiency in the delivery of the National Health Service. It is the nature of budgets that they are not easy to live within, but I think that the great majority of health authorities will find ways to live within those budgets.

It is essential in achieving the objective of the efficient delivery of patient care that budgets are fixed and adhered to. It is only by doing that and by continuing the commitment to improve management techniques that the total care delivered to patients will continue to improve in the years ahead as it has in the recent past.

Question put and agreed to.

Adjourned accordingly at four minutes past Three o'clock.

House of Commons

Monday 14 May 1990

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

ENERGY

Electricity Privatisation

1. **Mr. John Evans:** To ask the Secretary of State for Energy if he will make a statement on the Government's assessment of the effect of privatisation on price rises in the electricity industry.

The Parliamentary Under-Secretary of State for Energy (Mr. Tony Baldry): I believe that the competition created by privatisation will bring benefits to all electricity consumers both in the price and in the quality of service.

Mr. Evans: Does the Minister agree that, now that inflation is climbing towards 10 per cent. and is likely to go even higher, although the price index that he has concocted will mean higher profits for the few, it will mean increased prices for domestic and industrial consumers, particularly in deprived areas such as Merseyside?

Mr. Baldry: The hon. Gentleman is mistaken. Customers consuming more than 1 MW are already benefiting from competition in the market and many have negotiated large price reductions. For those who need more time to negotiate longer-term arrangements, the industry has offered a real terms price freeze this year. For customers consuming less than 1 MW, the average increase this year will be about 9 per cent., but the price controls on the industry should prevent any further real increase until at least April 1993. That is good news for those consumers.

Mr. Hannam: Does my hon. Friend agree that, whereas privatisation usually brings down prices through competition, when new environmental protection measures are to be introduced, they will incur extra costs, and the public must realise that they will add to prices?

Mr. Baldry: My hon. Friend, as ever, makes some very sound points. Of course, competition will be of benefit to the customer and the consumer. It will be for the generators to determine how best to meet the European Community large plant directive, but the capital costs of flue gas desulphurisation will be taken into account in setting the capital structures of National Power and PowerGen.

Mr. Dobson: Will the Minister confirm that, if a distribution company loses trade to other generators that supply power direct, its domestic consumers will find themselves making up the difference? Is not that why, under the new scheme, the Merseyside and north Wales company will be entitled in future to impose price increases of 2·5 per cent. above inflation?

Mr. Baldry: Price increases vary among the different companies, as they have in the past, reflecting the fact that they have different costs and earn different rates of return. Of course, it will be for the director general to monitor and enforce the licence conditions. The Opposition would do better to refrain from any comment on electricity prices, because during the last five years of the Labour Government, in real terms industrial prices rose by 1 per cent. and domestic prices by a staggering 22 per cent.

British Coal

2. **Mr. Skinner:** To ask the Secretary of State for Energy when he next expects to meet the chairman of British Coal to discuss the coal industry; and if he will make a statement.

11. **Mr. Cummings:** To ask the Secretary of State for Energy when he next expects to meet the chairman of British Coal to discuss the coal industry.

Mr. Baldry: With permission, Mr. Speaker, I will answer these two questions together.

Mr. Skinner: When the Minister meets the chairman of British Coal, will he discuss stocks at power stations? Is he aware that, under the privatisation legislation and the office of fuel security code, the equivalent of three months' worth of coal stocks would have to be kept by a small power station whereas the same does not apply to oil and gas? Surely that cannot be right according to the hon. Gentleman's ideas of fair competition. It means that the market is rigged against coal. When the hon. Gentleman meets the chairman of British Coal, will he make it clear that coal will not be treated adversely compared with oil and gas and other forms of fuel. Otherwise coal will carry a handicap that it does not deserve.

Mr. Baldry: I should have made it clear that my right hon. Friend the Secretary of State and I meet the chairman of British Coal regularly to discuss all aspects of the coal industry.

British Coal has negotiated with the generators three-year coal contracts that will give the coal industry a stable future. British Coal is much more optimistic about its prospects than is the hon. Gentleman. The chairman recently commented that the contracts provide the coal industry with a known sales prospectus against which to plan and operate.

Mr. Skinner: The man's thick.

Mr. Speaker: Order. Mr. Cummings.

Mr. Cummings: When the Minister next meets the chairman of British Coal, will he tell him of the worries and frustrations of the miners and community of the Easington district, which he visited 10 days ago, about the 40,000 tonnes of imported low-sulphur coal that arrived in Hartlepool a week before his visit?

Will he tell the chairman of British Coal of the worries of Easington district council about the proposed use of the Murton colliery spoil heaps, which are of strategic importance to the district's plans for the regeneration of industry and the provision of industrial estates?

Will he inform the miners of Easington colliery of their worth in terms of productivity and efficiency, even in the most exhausting circumstances that have arisen from recent flooding? Will he——

Mr. Speaker: Order. The hon. Gentleman may ask only one question; otherwise he is not being fair to his colleagues.

Mr. Cummings: Will the Minister give those miners some support and reassure them about the future of Easington colliery?

Mr. Baldry: I welcomed my recent opportunity to visit East Durham coalfield and Easington colliery in particular. It seemed to me that, if Easington colliery continued to be productive, it had a sound future.

The hon. Gentleman asked about coal imports. It is important to put those matters in perspective at all times. In 1988, the major importers of coal were the iron and steel industry and in that year total coal consumption in the power stations was 88 million tonnes, of which only 2·4 per cent. was imported. One has to put the matter in its context.

During my visit to East Durham coalfield, the hon. Gentleman and others showed me areas about which they were concerned—one of which was the surplus land at Murton colliery. As the hon. Gentleman knows, I have pursued the matter with British Coal and, as he also knows, British Coal has sought tenders for the sale of surplus land at that colliery. Once the site is restored, it should be eminently suitable for industrial and commercial development and I know that that will be warmly welcomed by Easington district council.

The hon. Gentleman will be glad to know that the Department of Trade and Industry, with the support of Durham county council and Easington district council, is committed to establishing a task force to co-ordinate activities aimed at the continued economic regeneration of the East Durham coalfield area.

Mr. Speaker: I hope that that response has demonstrated to the House what happens if— *[Interruption.]* It was not the Minister's fault. He was asked a number of questions. It would help if hon. Members asked single questions.

Dr. Michael Clark: When my hon. Friend next meets the chairman of British Coal, will he review with him the achievements of British Coal Enterprise, which, in the past five years, has created 1,640 jobs on sites no longer used by British Coal? In particular, will he congratulate the chairman of British Coal Enterprise on the success of Carcroft enterprise park where 60 companies now employ 500 people—more than were employed when British Coal was pursuing activities there five years ago?

Mr. Baldry: My hon. Friend is absolutely right. Only the week before last I had the opportunity to see for myself the work of British Coal Enterprise and its projects in Blyth valley and Newcastle. Through a whole host of schemes, British Coal Enterprise has helped to create several new jobs in areas that previously had coal mining industries. It is important to bear in mind the fact that coal mining is an extractive industry. Ever since the last war capacity in coal mining areas has been closing and the largest closures took place under the Labour Government of 1964 to 1970. So what British Coal Enterprise is doing is extremely constructive, in trying to ensure that new jobs replace those that may be lost in the coal industry.

Mr. Brandon-Bravo: Although British Coal has undoubtedly made enormous strides over the past few years and deserves to look forward to a stable future, I am concerned about that future for the east midlands. I am concerned that some of our major power stations may use gas or imported coal to meet existing and future environmental standards. Will my hon. Friend the Minister give us some assurances about that?

Mr. Baldry: There is a question later on the Order Paper about flue gas desulphurisation. However, it might be helpful if I try to deal with my hon. Friend's question on that subject now. It must be borne in mind that under the European Community large plant directive there are three target dates: 1993, 1998 and 2003. We know how much coal British Coal will send to the generators in 1993 because that is part of the coal contracts that have already been entered into and that is a firm contractual commitment. Under that contractual commitment, British Coal has nothing to fear from gas or imported coal because we know the amount that will be used in 1993.

The retrofitting to which the generators are already committed—the 8 GW—will enable them to meet the target under the European Community large plant directive for 1998. It is perfectly possible for generators to burn as much coal in 1998 as in 1993, if they so choose. We must put those concerns into perspective. However, the amount of coal that the generators burn will always depend on the competitiveness of coal in relation to other fuels.

Mr. Benn: How can the Minister justify importing low-sulphur coal, which has a total foreign currency content, at a time when the Government are cutting investment in the scrubbing plant that would reduce pollution from coal produced in this country? Is the Minister aware that if Common Market regulations on sulphur emissions are applied by the end of the century, the coal import bill could be getting on for £2 billion a year against a background of an appalling balance of payments deficit? That would also freeze underground Britain's greatest natural resource.

Mr. Baldry: It is not the Government's policy to prevent coal users from purchasing coal from the source of their choice. However, as I have already explained, only 2·4 per cent. of coal used by power stations is imported. Restricting competition from other coal will not bring long-term security to the British coal industry. The best protection is to produce reliable supplies that are competitive in the world market.

Power Generation

3. **Mr. Moss:** To ask the Secretary of State for Energy what is his estimate of how much power was generated from waste incineration and landfill gas schemes in 1989.

The Minister of State, Department of Energy (Mr. Peter Morrison): Power generation capacity from waste incineration and landfill gas schemes during 1989 has been estimated at about 36 MW. Of that total, nearly 20 MW was from waste incineration and 16 MW from landfill gas schemes.

Mr. Moss: In view of the contribution that methane gas makes to the greenhouse effect, is not it vital that that gas is harnessed whenever possible for the generation of power? In that regard, is not the Government's policy on ring-fencing renewables within the non-fossil fuel obligation welcomed by environmentalists and electricity consumers alike and likely to lead to an even greater use of landfill gas schemes in future?

Mr. Morrison: The non-fossil fuel obligation, and its renewable aspect is very important. Our estimate for landfill gas schemes is that the capacity will increase to 60 MW by 1992 and to between 150 MW and 175 MW by the end of the century.

Mr. Haynes: I want the Minister to listen carefully. I agree with incinerating waste for energy purposes, but the Minister must seriously consider cancelling the landfill business because it creates a time bomb for many areas. The Minister knows what I am talking about. I hope that the Department of Energy will take my points on board, with a view to stopping that process.

Mr. Morrison: I assure the hon. Gentleman that I listened carefully—I could hardly do otherwise. However, he and I must agree to disagree on this matter because the production of landfill gas is a useful way of generating electricity.

Renewable Energy Sources

4. **Mr. Mans:** To ask the Secretary of State for Energy how much his Department is investing in the development of renewable sources of energy.

Mr. Peter Morrison: Energy paper 55 sets out a 10-year programme of research and development worth £360 million with costs shared between Government and industry. This year, my Department expects to spend just over £20 million on renewable energy research.

Mr. Mans: I thank my right hon. Friend for his reply. None the less, does he agree that in the medium term, renewable sources of energy will still constitute only a small percentage of our total energy needs and that the further development of other energy sources, such as nuclear power, which is so important to the north-west, should go ahead?

Mr. Morrison: I agree with my hon. Friend about the importance of nuclear power. As I, too, come from the north-west, I know how dependent we are up there on the nuclear industry. However, the necessary development and research into renewables is the right course to take.

Dr. Kim Howells: As the Minister will be aware, on 28 March the EC agreed to a package of aid for this country to the tune of about £2·5 billion to cover our present and future liabilities for the nuclear industry. What sort of package did the Government aim for with regard to renewable sources of energy? Is it of the same order, and if so, what sort of projects will it cover?

Mr. Morrison: The hon. Gentleman cannot have been listening to my reply to the original question when I talked about £360 million of further research and development, shared between Government and industry. The obvious renewable energy sources will be considered, such as wind, wave and landfill gas production.

Coal Privatisation

5. **Mr. David Evans:** To ask the Secretary of State for Energy what progress is being made in preparing the coal industry for privatisation; and if he will make a statement.

Mr. Baldry: The coal market is being progressively opened up to greater competition. Privatisation of the coal industy is a matter for the next Parliament.

Mr. Evans: I am grateful to my hon. Friend for his reply. Does he agree that with the closure of 90 pits, and a work force that is halving but with output remaining the same—mainly because of the 75 per cent. increase in productivity—the coal industry is moving inevitably towards privatisation? Does he further agree that the people of Great Britain will ask the Labour party time and again why it did not condemn the miners' strike in 1984-85? Is not it now apparent that the union leaders took Libyan blood money when they should have been looking after the interests of their members?

Mr. Baldry: It remains the Government's firm intention to introduce legislation in the next Parliament to return British Coal's mining activities to the private sector. The way in which British Coal returns to the private sector will, to a certain extent, depend on the increases in productivity that the coal mining industry makes in the meantime. The activities of the National Union of Mineworkers during the strike are a matter for which the leadership will have to answer to its members. The future of the coal industry depends on it increasing its productivity. I believe that the industry has the investment and the technology and, more importantly, that it has the men with the skills, to make that possible.

Mr. Eadie: Is the Minister aware that some of my hon. Friends will think that he was less than candid when he told us that there were no plans for privatising the coal industry? Does he accept that some of us think that plans for privatising the coal industry have already been made? Is he aware that there is great concern about the code of practice and the regulations governing safety in the mining industry and that there is little consultation between all the unions involved? The Minister should know that the Department of Energy has a joint consultative role when deciding on safety measures in the coal industry.

Mr. Baldry: Obviously, I did not make myself clear enough, so for the avoidance of any doubt let me make it quite clear that when the Conservative party wins the next general election, it will privatise the coal industry. Let there be no doubt about that. But let there also be no doubt that Conservative Members are as committed to safety in the coal industry as is the hon. Gentleman, and safety in the coal industry is a matter for the Health and Safety Executive.

Mr. Nicholas Bennett: Has my hon. Friend noticed that some of the best privatised industries have been formed as a result of workers' buy-outs? Therefore, will he assure the House that when British Coal is privatised after the next election, he will welcome offers from the National Union of Mineworkers to run the industry, as it seems to think that it knows better than British Coal?

Mr. Baldry: As I have made clear, once we have won the next general election, we shall consider how to take

forward our proposals to privatise the industry. Clearly, employee participation is one factor that it will be important to consider.

Mr. Doran: Where are the Government's policies?

Mr. Baldry: The hon. Gentleman asks where our policies are. Our policy is clearly that we intend to privatise the coal industry. That is clearer than the Labour party's policies on energy generally. If *The Sunday Correspondent* is to be believed, even such detailed policies as the Labour party has had on energy are now being abandoned as too turgid.

Mr. Morgan: The Minister seems to be giving a display of the old English proverb: When Blackadder is away, Baldrick will play. Will he give serious thought to the fact that coal privatisation has just been put back five years, in part because of the abandonment of the qualifying industrial users schemes, by which large, intensive electricity users were able to buy some of their marginal coal at cheaper world prices? One of the beneficiaries of that practice was Brymbo steelworks, the closure of which was announced this morning, with the loss of about 1,000 jobs in the Wrexham area and of roughly the equivalent of the output of one medium-sized coal mine. That will impose a considerable additional burden on all domestic electricity users in the Merseyside and north Wales area, who will have to pick up the tab for the 200 MW worth of lost electricity sales in that district. Will the Minister confirm that one of the effects of the abandonment of the qualifying industrial users schemes for large coal users has been that users such as the sadly departed Brymbo steelworks expect a rise of 60 per cent. in three years in the price that they will pay for their industrial electricity?

Mr. Baldry: The proposals to privatise the coal industry have not been set back by one day. The previous Secretary of State made a clear commitment to privatise the coal industry in the first half of the next Parliament. He made that commitment in November 1988——

Mr. Barron: That was the historic pledge.

Mr. Baldry: As the hon. Gentleman says, the historic pledge. That commitment to privatise the coal industry was restated by my right hon. Friend the Secretary of State in a reply on 30 April this year, and again when he was in Nottingham earlier this month. Let me make it clear, because it seems that Opposition Members have not understood it: when we win the next general election, the Conservative Government will privatise the coal industry. That will happen during the lifetime of the next Parliament, and not one day has been lost in that commitment.

Oil and Gas Production

7. **Mr. Ian Bruce:** To ask the Secretary of State for Energy if he will make a statement on the growth in oil and gas production in the south of England and in the English channel.

Mr. Peter Morrison: Production of oil and gas from onshore fields, most of which comes from southern England, has increased by about 85 per cent. since 1985. The current level is expected to increase fourfold when full production from the second stage onshore development at Wytch farm starts later this year. There are no fields currently in production in the English channel.

Mr. Bruce: Will my right hon. Friend assure visitors to Purbeck in my constituency of Dorset, South that when they come to that area, the site of the largest oil and gas field in the European Community, they will have the greatest ease in finding red squirrels, abundant wildlife and beautiful views, and find it almost impossible to see any sign of British Petroleum's oil extraction? Will he further reassure my constituents and visitors that, with the oilfield's expansion, his Department, in partnership with BP, will ensure that that excellent record continues?

Mr. Morrison: I have been one of those visitors. I visited Wytch farm about two years ago and I was extremely impressed by the tremendous care that it takes of the environment. It goes into consultation in minute detail, and I have no doubt that for future stages it will consider everything that it hears and that the environment will in no sense suffer.

Mr. Simon Hughes: Is the Minister aware that there is just as much concern about transportation as about production of oil in the English channel? Will he have urgent talks with his colleagues in the Department of Transport to make sure that there is much better control of ships sailing under flags of convenience? Such a ship appears to have been involved in the spillage of 1,000 tonnes of crude oil in the channel over the weekend. Is he satisfied that the marine pollution control unit is doing its job properly and as quickly as possible? Above all, is he satisfied that the oil producer, or at least the transporter, will pay for the clean-up, not the poll tax payers in the coastal resorts of southern England?

Mr. Morrison: I shall pass on the hon. Gentleman's remarks to my right hon. Friend the Secretary of State for Transport. I have had discussions with my right hon. Friend's predecessor about the marine pollution control unit which led me to believe that the unit and all those involved in it are very professional.

Flue Gas Desulphurisation

8. **Mr. Harry Barnes:** To ask the Secretary of State for Energy when he expects the completion of the flue gas desulphurisation programme; and if he will make a statement.

Mr. Baldry: Together with other measures, the 8 GW of flue gas desulphurisation retrofits that my right hon. Friend announced last month will enable National Power and PowerGen to achieve the reductions in sulphur dioxide emissions that are required by the European Community large combustion plant directive by 1998.

Mr. Barnes: As late as last November the Prime Minister said that we were keen to get rid of our "dirty man of Europe" tag and were therefore committed to a 12,000 MW flue gas desulphurisation programme. That has now been reduced to 8,000 MW. Why is that? Is it because there is a commitment to import low-sulphur coal through ports such as those on the Humber? Why are private electricity companies given standards lower than those previously agreed with the nationalised industries?

Mr. Baldry: The hon. Gentleman is genuinely confused. I make it clear that the Government are determined to meet in full the European Community large plant combustion directive. The 8 GW retrofitting that has already been announced enables this country to meet in full the 1998 target. In terms of the 2003 target, the generators have not ruled out the prospect of further FGD retrofitting, but no decision needs to be taken in the immediate future for a target date that is about 13 years hence, not least because we hope that there will be continuing improvements in clean coal technology.

Sir Trevor Skeet: What does my hon. Friend expect to be the cost of extending the principle of FGD to all coal-fired capacity in the United Kingdom? Does he agree that that would make coal a more economic method of producing power?

Mr. Baldry: It is straightforward. This country is determined to meet the European Community large plant combustion directive. The Environmental Protection Bill will contain powers to ensure that my right hon. Friend the Secretary of State for the Environment and Her Majesty's inspectorate of pollution can oversee the generators to make sure that they comply with the directive. It is for the generators to decide how to comply with it. The 8 GW of FGD already announced will enable National Power and PowerGen to achieve the necessary reductions in sulphur dioxide emissions that are required by the target date of 1998.

Mr. Barron: Will the Minister answer a simple question? Why have the Government brought down the target for retrofitting FGD in Britain, designed to meet the targets agreed with EC, from 12 GW to 8 GW? What are the implications of the importation of lower-sulphur coal for our balance of payments and jobs in the mining industry? Why have the Government stood by while 49 collieries have been closed that could have supplied lower-sulphur coal to the market?

Mr. Baldry: I again make it clear to the hon. Gentleman that the Government have not reduced the amount of retrofitting to take place in the industry. The position is straightforward. The Government and the country will meet the EC large plant combustion directive in full. How that directive is met will be the responsibility of the generators and they will have a legal and statutory obligation to do so. The 8 GW of retrofitting already announced by National Power and PowerGen will enable them to meet the 1988 target in full. With regard to the 2003 target, they have not ruled out the prospect of further retrofitting, but it is not necessary now to make decisions on a target date some 13 years hence.

Gas Supply

9. **Mr. Robert G. Hughes:** To ask the Secretary of State for Energy what assessment he has made of the prospects for increasing competition in the supply of gas.

Mr. Peter Morrison: I am pleased to see early signs that competition is beginning to emerge in the supply of natural gas and I am confident that this trend will continue.

Mr. Hughes: I am grateful to my right hon. Friend for that answer. Does he agree that the fact that the price of gas to industrial consumers has fallen,, and that the price to the domestic consumer has also fallen if one does not take into account the rate of inflation, is a direct result of competition? Does he agree that the more competition increases the more likely we are to have lower prices?

Mr. Morrison: I agree with my hon. Friend. Competition has played an important part, as have the policies that the Government have pursued. That contrasts with what happened under the previous Labour Government; during their five years in office, prices increased substantially.

Mr. Doran: One method that the Government are using to increase competition in the gas industry is the diversion of gas supplies to electricity generation. As there are genuine fears that that diversion will lead to increased costs for domestic consumers and an increase in the already large import bill of 15 million tonnes of gas in equivalent terms, is that method under review? Surely such a review is necessary given the two major difficulties that the Government face—inflation and our balance of trade problems.

Mr. Morrison: I do not agree with the premise on which the hon. Gentleman asked his question. Gas is being used because it is extremely competitive; it happens to be environmentally good, too.

Council of Energy Ministers

10. **Mr. Dykes:** To ask the Secretary of State for Energy if he expects to attend future meetings of the European Community Council of Energy Ministers for discussions on energy saving and anti-pollution measures.

Mr. Peter Morrison: My right hon. Friend expects to attend on 21 May the Energy Council which will consider the Commission's communication on energy and the environment, which covers energy saving.

Mr. Dykes: I thank my right hon. Friend for that answer. Although, in future, energy saving will be more voluntary while anti-pollution measures are more compulsory, does my right hon. Friend agree that a package of such measures should be associated with the creation of the single market as well as the more commercial things to be done by the Department of Trade and Industry? When does my right hon. Friend believe that we shall catch up not only with the Community average on energy saving and anti-pollution measures, but with the best examples in Germany and elsewhere?

Mr. Morrison: I agree with my hon. Friend that energy saving and anti-pollution measures are not just Community matters, but worldwide ones. Therefore, it is important that Community members agree among themselves the best and most effective way ahead. I hope that my hon. Friend agrees that the lead we take on the Intergovernmental Panel on Climate Change, which is all to this end, is the proper way to go about things because of their global nature.

Blaenant Colliery

12. **Mr. Coleman:** To ask the Secretary of State for Energy what representations he has received on the impact of the proposed closure of Blaenant colliery on the coal industry.

Mr. Baldry: I have received no representations on this matter.

Mr. Coleman: Now that the closure is inevitable, which does not seem to worry the Prime Minister as she regards Welsh people as "a load of old tripe"—her words, not mine—will the hon. Gentleman say what future the coal industry has in south Wales? What is the future of the Aberthaw power station, since the industry and the power station are dependent upon coal from Blaenant for blending?

Mr. Baldry: It is for the coal industry to decide its manpower requirements in the light of the tonnage that it can properly produce and sell in competition with other fuels. Decisions on the future of individual pits are taken by British Coal only after exhaustive review with the work force and the unions. I understand that Blaenant coal has a low volatile content and needs blending with coal from other sources to bring it to the required specification. The power station at Aberthaw can be supplied with such coal from other mines in south Wales.

ATTORNEY-GENERAL

Crown Courts

43. **Mr. Alex Carlile:** To ask the Attorney-General if he will make a statement on staffing levels in the Crown courts.

The Solicitor-General (Sir Nicholas Lyell): Staffing levels in the Crown court are kept under review in the light of workload trends.

Mr. Carlile: Does the Solicitor-General agree that the heavy turnover of staff in Crown court offices is unacceptable? Does not he recognise that that is partly due to the reduction in the more senior management posts which have made a career in the Crown court unattractive?

The Solicitor-General: I recognise the problem, particularly in London and parts of the south-east. I am not sure that I agree with the hon. and learned Gentleman about the cause, and it is worth remembering that the burden on the Crown court is down, with the number of cases committed for trial decreasing from 104,000 last year to 100,000 in the year just ended. Furthermore, the Crown prosecution service has taken on the job of drafting indictments. Obviously the career structure as a whole within the Government legal service is important.

Mr. Lawrence: Of course, this is not the easiest time for the Treasury, but will my right hon. and learned Friend make it absolutely clear to the Chancellor of the Exchequer that the excellent reforms, transferring work from the High Court to the county court, which the Government are proposing will have important ramifications for staffing and cannot take place if the resources are not available?

The Solicitor-General: My hon. and learned Friend makes a good point. He should bear it in mind that over the past five years expenditure on the court services has increased from £145 million in 1984-85 to £261 million in 1989-90, and that there is an extra £70 million in the current year for the Lord Chancellor's Department although not all of it is for the court service.

Mr. Madden: Will the Solicitor-General give an assurance that however much the Government want to save public expenditure on the courts they will in no way assist the National Front to become a limited liability company and possibly a charity, thereby enabling it to continue to publish material that incites racism behind a legal smokescreen which the Secretary of State for Trade and Industry seems to be anxious to assist?

The Solicitor-General: The National Front does not arise from this question. As for saving money on the courts, if an increase in expenditure of about 80 per cent. in five years, with further increases this year, is thought to be saving money, I should be interested to scrutinise the Opposition's proposed budget.

Legal Aid

44. **Mr. Harry Greenway:** To ask the Attorney-General how many individuals were given legal aid costing £1,000 or less in the past year; and if he will make a statement.

The Solicitor-General: The great majority of legal aid payments for criminal cases in the magistrates court in 1988-90 were less than £1,000. The average bill for civil legal aid in 1988-89 was £1,153, and my hon. Friend will find fuller details in the Legal Aid Board's annul report, a copy of which is in the Library.

Mr. Greenway: Does my right hon. and learned Friend agree that the Kray brothers should repay any legal aid that they may have received, plus interest, out of the £266,000 so disgracefully paid to them for the film rights of their evil crimes? Will he see whether more can be done for people in need of small sums in legal aid, as he has said is already happening?

The Solicitor-General: In so far as any criminal has resources from any source, including the sort of source mentioned, they would be taken into account in estimating legal aid entitlement. My hon. Friend was right to suggest that there has been an increase in the amount available for legal aid. During the past 11 years it has increased from £100 million to £607 million.

Mr. Fraser: Does the Solicitor-General acknowledge that one reason why legal aid payments have increased is that the number of criminals has increased under a Tory Government? Does he further acknowledge that there is a crisis in the legal aid service because settlement for legal aid practitioners has been below the combination of the earnings index and the retail prices index? Will he and the Lord Chancelor ensure that, in the next legal aid settlement, the rate of remuneration for those carrying out legal aid work will not be lower than the rate of inflation which is chosen for those purposes?

The Solicitor-General: On the first point, the amount being spent on legal aid has risen rapidly during our time in office. On the second point about individual annual legal aid settlements, I am not sure that I accept that the settlement for the current year was below what was reasonably to be expected.

Mr. Dickens: Does my right hon. and learned Friend agree that although we want everyone to obtain justice, because of the legal aid system many people are opting for legal remedy who might otherwise settle their differences amicably? Has not it suddenly become a bottomless pit of

taxpayers' money that is for ever expanding? Should not there be more careful scrutiny of applicants and the money that they repay afterwards?

The Solicitor-General: There should certainly be careful scrutiny. The growth in the small claims court has encouraged many more rapid and less expensive settlements. It has provided effective access to justice for cases involving below £500 and, from early next year, cases below £1,000. My hon. Friend touched on the point made by the hon. Member for Norwood (Mr. Fraser) about the increased amount of legal aid. It is not simply that additional money is being spent—it is the number of criminals who are being brought to trial under this Government as opposed to the level of crime.

Appeals

Mr. Simon Hughes: To ask the Attorney-General how many appeals against conviction and/or sentence were heard by the Court of Appeal during 1988-89, and so far during 1990, in which the appellant had been released from prison before the hearing of the appeal; and if he will make a statement.

The Solicitor-General: In 1989, of 2,951 appeals, 23 appellants were released from prison and a further 43 were released on parole before the hearing of their appeals. The figures for 1990 to date are that, of 1,006 cases, two appellants were released from prison and 12 were released on parole before the hearing of their appeals.

Mr. Hughes: Is the Solicitor-General aware that it is unacceptable that someone should have his appeal heard after he has finished serving his sentence? That does the law no credit. Is not the legal system brought into disrepute every time an appeal is so long delayed that it is of little value to the prisoner and reduces his sentence not a jot?

The Solicitor-General: I agree with the hon. Gentleman in principle, but it must be realised that, for example, an 18-month sentence can lead to someone being released on parole in only just over six months. Of the cases coming forward, one third are ready within six months and 80 per cent. are ready within 12 months. The aim is always to bring on first those that are most urgent.

Al Fayed Brothers

46. **Mr. Dalyell:** To ask the Attorney-General what contacts have taken place between Kleinwort Benson, bankers, and his Department in relation to the financing of the Al Fayed brothers over Harrods.

The Attorney-General (Sir Patrick Mayhew): None, Sir.

Mr. Dalyell: May we have the Attorney-General's assurance that if one is rich enough, powerful enough and can get away with it, in such circumstances lying is now all right?

The Attorney-General: No, Sir.

Mr. Dykes: Does my right hon. and learned Friend realise that this unsatisfactory matter will not go away without further statements from the Government? Will he at least say today whether he has had contacts and discussions with Treasury Ministers about the position of Harrods Bank Ltd?

The Attorney-General: I refer my hon. Friend to the statement made by the director of the Serious Fraud Office and the Director of Public Prosecutions on 1 March. They said that they were satisfied that every line of inquiry by the police had been properly followed through and that at the end of it there was insufficient evidence of an admissible nature in criminal proceedings to warrant bringing a prosecution in respect of any matter raised in the Department of Trade and Industry inspectors' report. That is the area for which I carry ministerial responsibility. If my hon. Friend wishes to raise further matters with my right hon. Friend the Secretary of State for Trade and Industry, he may do so.

Director of Public Prosecutions

47. **Mr. Skinner:** To ask the Attorney-General when he last met the Director of Public Prosecutions; and what matters were discussed.

The Attorney-General: I last met the Director of Public Prosecutions on 5 April, when we discussed matters of departmental interest. My right hon. and learned Friend the Solicitor-General met the Director on 25 April, in my absence abroad on departmental business.

Mr. Skinner: Next time, why does not the Attorney-General have a word with the Director of Public Prosecutions about Harrods? Why do not they examine that matter in detail? Is not the truth of the matter that there are people connected with Harrods, such as the Sultan of Brunei, who are very close to No. 10 and to the present Government generally? That is why they are getting away with it. Is not it the case that the Sultan of Brunei—whose surrogates, the Al Fayed brothers, run Harrods—is the same man who handed over £5 billion when the pound was in trouble against the dollar in 1986, and when the Prime Minister asked him to bail out the Government? Is not that at the bottom of it all?

The Attorney-General: I shall next see the Director of Public Prosecutions at half past four, but I shall not be raising any of those matters. The House, and possibly even the hon. Gentleman, may recall that publication of the report of the DTI inspectors into the Harrods affair was delayed for about 18 months. I dare say that, at the time, the hon. Gentleman was one of those who said that it was a cover-up, but in fact it was so that there should be no possible prejudice of any future prosecution by reason of the report's premature publication. It is a measure of the seriousness with which the two DTI inspectors viewed the possible criminality and the possibility of bringing proceedings in a criminal court that the report's publication was delayed for as long as it was.

OVERSEAS DEVELOPMENT

Mozambique

54. **Mr. Eadie:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the United Kingdom's response to the emergency appeal of the United Nations and Mozambiquan Government.

The Minister for Overseas Development (Mrs. Lynda Chalker): As I told the House on 26 April, the

Government have just pledged a further £3·5 million in emergency relief and 10,000 tonnes of food aid in response to the 1990 Mozambique emergency appeal.

Mr. Eadie: Although I appreciate the right hon. Lady's reply, is she aware that 4 million people were displaced in Mozambique and that one in three children there aged under five die? The Minister will be aware that the Mozambique Government's $136 million appeal has been underfunded. In view of her reply, and as the matter is becoming more urgent, will she re-examine that very serious problem?

Mrs. Chalker: Since 1987, we have pledged more than £55 million in emergency assistance, comprising emergency relief and food aid, and some £10 million last year —which included aid to Mozambique refugees. Particular attention was paid to the children among them. I will consider the hon. Gentleman's comments. Certainly we keep in regular contact, to ensure that we can help by every means available—including Operation Hunger, a non-governmental organisation which is very active in the area, particularly in relation to children.

Mr. Burns: In view of the importance to Mozambique of prawn exports, what action are the Government taking to assist that important sector of the country's economy?

Mrs. Chalker: Forty per cent. of Mozambique's export earnings come from the prawn industry. We are providing over £3·5 million to rehabilitate the prawn fishing fleet, modernise its processing facilities and build a jetty. Mozambique's prawns are fished by European Community fishing vessels which land the prawns as EC products. Therefore the hon. Member for Cynon Valley (Mrs. Clwyd) need have no fear that the prawns from Mozambique do not meet EC standards. The onus is already on those who contribute to the Mozambique economy through their fishing licences to reach the necessary standards. They do so. We hope that the industry will continue to be viable and to thrive.

Mrs. Clwyd: As Mozambique has the second highest death rate in the world, will the Minister condemn a new health threat facing Mozambique and other Third world countries? The vigorous promotion of very cheap and strong cigarettes by British American Tobacco will put an even greater strain on countries that are still fighting diseases such as malaria and tetanus. Will the Minister admit that the absence of international rules enables British American Tobacco to tell blatant lies about the safety of smoking? Is she prepared to join me in calling on BAT's shareholders to object at the annual general meeting on 31 May to BAT's making money by wilfully damaging the lungs of people in the Third world?

Mrs. Chalker: I am not sure that the hon. Lady's question has anything to do with the emergency appeal of the United Nations and Mozambiquan Government, but never mind. The hon. Lady knows that I share her concern about smoking. I shall look into what she said. In a free world it will always be up to the individual, but I understand her concern.

Mr. Teddy Taylor: How can the Minister say that she will look into this matter when she is well aware that every year at European Community meetings she and her colleagues have approved the spending of £600 million solely to subsidise the growing and dumping of high-tar tobacco in Third world countries? Would not it be a good idea if the Minister tried to do something about such a scandalous abuse of public money—the spending of £600 million of British and European taxpayers' money solely for the purpose of producing tobacco that no one in Europe wants, which we then dump at crazy, low prices in Mozambique and other Third world countries?

Mrs. Chalker: I note what my hon. Friend says, but he knows full well that this country does not support that sort of dumping. The matter is of considerable concern and is being dealt with.

Global Environmental Fund

55. **Mr. Cummings:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he supports the French proposal to establish a global environmental fund at the World bank.

Mrs. Chalker: We warmly welcome the World bank's recent initiative in outlining a possible framework of international collaboration on global environmental issues. At the recent meeting of the development committee in Washington, we supported the proposal that the bank should carry out further work to elaborate its proposals, in consultation with interested parties.

Mr. Cummings: Does the Minister agree that the industrialised nations should not expect the developing nations to stall, postpone or cancel their development plans to protect the global environment unless they are compensated for doing so? Does she also agree that the British Government's stance at the Bergen conference in opposing a new mechanism, whereby the industrialised countries of the north would compensate Third world countries, is a disgrace and a shame?

Mrs. Chalker: A great deal more work is going on, initiated by us and other Ministers in the development committee, to explore the sort of help that developing countries will need when dealing with global environmental problems. The hon. Gentleman referred to the Bergen conference. I do not believe that we shall oppose anything at that conference that would help the developing countries.

Dame Peggy Fenner: I know that my right hon. Friend will share my pleasure that Britain is supporting the tropical forest action plan, which is just one aspect of our care for the environment. But has she seen the Friends of the Earth comment that casts doubt on the efficacy of the plan? Will my right hon. Friend look into that matter and reassure me that we are putting our money in the right place?

Mrs. Chalker: I assure my hon. Friend that the tropical forest action plan is a mechanism—it is no more than that. Each country that applies for action under it must have a worked-out national plan. In November I called at the Food and Agriculture Organisation conference for a total review. That review has been set up because we are not satisfied with the mechanism; we are determined to ensure that every national forestry action plan is a worthy one, and we shall support it only if it is.

Vietnam

56. **Mr. Orme:** To ask the Secretary of State for Foreign and Commonwealth Affairs when Government Ministers last discussed Vietnam with the United States Government.

Mrs. Chalker: The Government keep in regular touch, both at ministerial and official level, with the United States Government on the problem of the Vietnamese boat people. I last discussed matters in Washington on 23 April.

Mr. Orme: Did the right hon. Lady raise with the United States Government their opposition to the International Monetary Fund assisting Vietnam? Does she agree that Vietnam's economy must be put right? If it is put right, that will resolve some of the boat people's problems, so it is urgent that action be taken now.

Mrs. Chalker: I agree with the right hon. Gentleman that it is urgent that the economy of Vietnam is put right. I have urged a positive response by the United States to the international financial institutions, and the general issue of arrears owed to the IMF, including those of Vietnam, is being considered by the fund and bank in Washington.

Mr. Butler: Did my right hon. Friend impress upon our American allies the necessity for them to open their doors to more Vietnamese boat people instead of berating us and the Hong Kong Government?

Mrs. Chalker: I discussed with the United States people whom I saw the need for repatriation and the need to carry through the comprehensive plan of action, because without it there is no prospect of solving the problem of the boat people in Hong Kong. I hope that the United States will see the wisdom of the total programme that was agreed under the comprehensive plan of action.

Renewable Energy Sources

58. **Mr. Jack Thompson:** To ask the Secretary of State for Foreign and Commonwealth Affairs what aid Her Majesty's Government are giving to assist developing countries in developing renewable energy sources.

Mrs. Chalker: In 1988 expenditure from the bilateral aid programme on the development of renewable energy sources was some £15 million. In addition renewable energy components such as solar and wind-powered pumps, solar-powered refrigerators, solar water distillation and solar water heating have been incorporated in projects which are not primarily energy focused.

Mr. Thompson: Will the Minister take into account the fact that in developing countries there is a temptation to use fossil fuels with all the associated environmental problems when crude methods of burning them are used? Can greater emphasis be put on the better use of fossil fuels and of renewable sources?

Mrs. Chalker: The hon. Gentleman is right: fossil fuels create problems not only of ash disposal but of what they emit into the atmosphere. That is why we are looking with each country at power efficiency, linked closely to the environmental concern to which the burning of fossil fuels can give rise. But we shall also continue our research with the intermediate technology development group to ensure that we have more effective equipment that can use the renewable sources of energy.

Mr. D. N. Campbell-Savours (Workington): On a point of order, Mr. Speaker.

Mr. Speaker: Order. Mr. Tam Dalyell.

Mr. Tam Dalyell (Linlithgow): On a point of order, Mr. Speaker. In conjunction with my right hon. Friend——

Mr. Speaker: Order. I called the hon. Gentleman to move his application under Standing Order No. 20, not to raise a point of order.

Atlas Steel Foundry

3.33 pm

Mr. Tam Dalyell (Linlithgow): Under Standing Order No. 20, and in conjunction with my right hon. Friend the Member for Salford, East (Mr. Orme) and my hon. Friend the Member for Manchester, Blackley (Mr. Eastham), chairman and secretary respectively of the Amalgamated Engineering Union group, I seek leave to raise an issue which I believe should have urgent consideration, namely,

"the action of the Department of Trade and Industry on the Atlas steel foundry in my constituency and on its referral to the Monopolies and Mergers Commission, in the light of the verdict in the Court of Session in Edinburgh on Friday afternoon giving an interdict."

I should like to acknowledge the presence of the hon. Member for Mid-Worcestershire (Mr. Forth), the Under-Secretary of State for Trade and Industry.

That matter is important because it concerns the future of basic heavy manufacturing industry in Britain. It is definite because it was the subject of court proceedings on Friday. I can put the matter no better in terms of urgency than the letter from the solicitors concerned to Nigel Harris of the AEU. Mrs. Laura Walker says:

"May I stress that, although the Interim Interdict stands until it is recalled, we anticipate that Cooks will now attempt to recall it. It is therefore imperative that the Union ascertains from the Secretary of State for Trade and Industry and from the Office of Fair Trading what they are going to do about the breach of the undertaking so that they can take appropriate action, as they are the bodies who, in the eyes of the Court, have both title and interest to sue."

The debate is urgent because of the need to ascertain what the Department of Trade and Industry will do in relation to section 74(1) of the Fair Trading Act 1973, under which a Secretary of State may, by order made by statutory instrument,

"(a) prohibit or restrict the doing of things which in his opinion would constitute action to which this subsection applies, or

(b) impose on any person concerned obligations as to the carrying on of any activities or the safeguarding of any assets".

It is the Armadale assets that are vital to continue the heavy industry, which this country would not have if Armadale ceased to exist.

The Act continues:

"(c) provide for the carrying on of any activities or the safeguarding of any assets either by the appointment of a person to conduct or supervise the conduct of any activities (on such terms and with such powers as may be specified or described in the order) or in any other manner, or

(d) exercise any of the powers which, by virtue of paragraph 12 of Schedule 8"——

Mr. Speaker: Order. The hon. Gentleman has had his time.

The hon. Member for Linlithgow (Mr. Dalyell) asks leave to move the Adjournment of the House under Standing Order No. 20, for the purpose of discussing a specific and important matter that he believes should have urgent consideration, namely:

"The Department of Trade and Industry action in the light of Lord Milligan's granting interdict in the Atlas case."

As the House knows, I have to announce my decision without giving reasons to the House. As the hon. Gentleman equally knows, I have listened with care to what he has said, but I must determine whether his application comes within the scope of the Standing Order. I regret that in this case the matter does not meet those requirements, and I therefore cannot submit his application to the House.

Points of Order

3.37 pm

Mr. Alfred Morris (Manchester, Wythenshawe): On a point of order, Mr. Speaker. I would be grateful to know if you have had any indication from the Home Secretary or the Secretary of State for Health that there will be a statement later today, or tomorrow, about the many recently reported cases of people posing as health visitors or social workers on visits to the homes of families with young children in Manchester and many other parts of the country. There is now deep and widespread public concern about these visits and a statement is urgently necessary. It would be especially helpful to the House to have a statement from the Home Secretary about the outcome of today's meeting in Sheffield on the co-ordination of police activity in this important matter.

Mr. Speaker: I have had no request for a statement, but if a meeting is taking place today, there may be a statement tomorrow. I am sure that what the right hon. Gentleman has said will have been heard by the Leader of the House and by the Patronage Secretary.

Mr. Ray Powell (Ogmore): On a point of order, Mr. Speaker. I trust that your attention has been drawn to an article in today's "Londoner's Diary" of the *Evening Standard*, which suggests that you, Mr. Speaker, would open the pigeon loft to hon. Members. I discussed the matter with a reporter from "Londoner's Diary", as the elected Chairman of the New Building Sub-Committee. When we discussed the allocation of rooms that could become available above Speaker's House, I gave him no indication that I or any members of the Sub-Committee had barged into Speaker's House. It was on your invitation, Mr. Speaker.

Knowing full well that there were available rooms there, you asked the Sub-Committee to investigate to see if those rooms would be acceptable to hon. Members. The reporter might have suggested that he had written a light-hearted article, but earlier this afternoon I reminded him on the telephone that it is not a light-hearted matter for Members of Parliament who have been waiting five or six years for suitable accommodation in which to undertake their work.

To ensure that the record is set straight, I should like to make it clear that the members of the Committee came to Speaker's House at your invitation, Mr. Speaker, and examined the rooms. I hope that, in the not-too-distant future, these rooms will be made available for allocation to Members. I thought that I should make the position clear to ensure that you, Sir, are not implicated.

Mr. Speaker: The hon. Member for Ogmore (Mr. Powell) mentioned an article in today's *Evening Standard*. I have not seen today's article, but I saw last Friday's. I am grateful to the hon. Member for having put the record straight.

Mr. Dennis Skinner (Bolsover): Mind the stool pigeons!

Mr. Speaker: Order. This is an important matter for Members. It was mentioned to me by several Members and by several people this weekend.

It might be for the benefit of all concerned if I were to add that it has always been the intention to implement plans to make these rooms available for the benefit of Members, subject to the necessary financial provisions being made available and to provision of a means of access, without which the rooms could not be used at all.

As the completion of phase 1 is now in prospect, I thought that it would facilitate planning for members of the New Building Sub-Committee to see for themselves what these rooms were like. Accordingly, as the hon. Member said, it was at my invitation that the members of the Sub-Committee came to Speaker's House last week. I thank the hon. Member for putting that matter right.

Mr. D. N. Campbell-Savours (Workington): On a point of order, Mr. Speaker. I do not know whether you have seen the excellent 250-page report on low flying which was produced this morning by the Select Committee on Defence. There is a hole in the report, which raises an important procedural question and which shows the perverse effects of our rules. The report criticises the Royal Air Force's resistance to the use of simulators, yet the public expected the report to deal at some length with simulators for the training of pilots.

The Committee asked a firm called Link-Miles to write a letter setting out its position but, contrary to what the public would want, the Committee failed to take evidence from that firm. I put it to you, Sir, that it did not take evidence from Link-Miles because the Chairman of the Select Committee on Defence is a consultant to that company——

Mr. Speaker: Order.

Mr. Campbell-Savours: The Committee was plainly compromised—*[Interruption.]* It is quite unacceptable.

Mr. Speaker: Order. The hon. Member is making very serious allegations about an hon. Member of this House. If he wishes to make those allegations, he knows that he must not do so under the guise of a point of order, but should do so by a motion on the Order Paper. This is not a matter for me.

Mr. Campbell-Savours: It is not a matter of allegation, Sir. The hon. Member for Hampshire, East (Mr. Mates) has declared his interests in the Register of Members' Interests and——

Mr. Speaker: Order.

Mr. Campbell-Savours: —and—*[Interruption.]*—compromises the work of the Committee.

Mr. Speaker: Order. I am not prepared to have allegations of this kind made about an hon. Member under the guise of a point of order.

Mr. Campbell-Savours: Well, why——

Mr. Speaker: Order. The hon. Member must take up the matter in the proper way and make his allegations to the Select Committee concerned. I will not have such allegations made in the Chamber. That is reprehensible.

Mr. Tony Banks (Newham, North-West): Returning to the previous point of order about those spare rooms you seem to have, Mr. Speaker. I find myself in rather straitened circumstances, as I have to share a room. As you obviously carry some clout in this place, Sir, I wonder whether, if I volunteered to powder your wig and polish your buckles, I might stand a chance of having one of those rooms.

Mr. Speaker: It may take a little while for the rooms to become available, but if the hon. Gentleman sets about procuring some powder and some polish, they may stand him in good stead with my successor.

Mr. Richard Holt (Langbaurgh): On a point of order, Mr. Speaker. I am sure that you are aware that, with the new polished-up image of the Labour party, no Labour Member is allowed to appear on television unless he is wearing a collar and tie, and also that no Member of the Italian Parliament is allowed to enter the parliamentary building unless he is wearing a collar and tie. Given that we are trying to set examples to deter would-be football hooligans, is it not time that you exercised your authority to ensure that no Member of Parliament disports himself here in a manner that would prevent him from being admitted to the Italian parliamentary building?

Mr. Speaker: I am responsible for a great many things, but the way in which hon. Members dress is not one of them.

Mr. Holt: It is in "Erskine May".

Mr. Speaker: It may be in "Erskine May". The hon. Gentleman must not press me to give reasons why I call or do not call hon. Members, although I must say that those who appear in what I would call casual dress do not stand quite as good a chance as some other hon. Members.

Mr. Jeremy Corbyn (Islington, North): Further to the point of order, Mr. Speaker. May I seek your guidance on this matter? I am sure that you will agree that being a Member of Parliament is an important job but that what is most important is that a Member of Parliament should represent the interests of the constituents who elect him or her, rather than those of commercial pressure groups or similar organisations. Will you confirm that it is most important that Members of Parliament should do that? Will you also confirm that at least three hon. Members in the Chamber are not wearing ties—including yourself? I should not dream of saying that you or any of my female comrades were improperly dressed.

Mr. Speaker: Perhaps I should declare an interest. I suppose that I could be said to have a commercial interest in the way in which hon. Members dress, so I am not prepared to give a judgment on the matter.

Mr. Campbell-Savours: On a point of order, Mr. Speaker.

Mr. Speaker: No, I am not taking a point of order——

Mr. Campbell-Savours: On a point of order, Mr. Speaker.

Mr. Speaker: I say to the hon. Gentleman that I do not propose to take a point of order——

Mr. Campbell-Savours: On a point of order——

Mr. Speaker: Order. The hon. Member must sit down when I am on my feet. I am not prepared to take a point of order on the matter that he has just raised. He must deal with it through the proper channels.

Mr. Campbell-Savours: Mr. Speaker——

Mr. Speaker: Order. The hon. Gentleman must deal with the matter in the proper way, through the Select Committee on Members' Interests. It is not a matter that he can raise in the Chamber. I am saying that to him straight, and I do not expect him to raise the matter again if I call him.

Mr. Campbell-Savours: This is the question that I want to raise with you, Mr. Speaker. What is the Speaker of the House of Commons responsible for? If he is responsible for preserving the integrity of Parliament, he should surely wish to concern himself with the matter that I have raised, which goes to the heart of what Parliament is all about. If a Select Committee report has a hole in it because of the commercial interests of the Chairman of that Committee, Mr. Speaker surely has a responsibility in relation to the matter. It cannot be left to other Committees, which are often a little reticent about making decisions.

Mr. Speaker: The hon. Gentleman sought to speculate on the motives of a Committee in failing to take evidence from a certain company. That is certainly not a point of order, and it is not a matter for me. The companies from which the Select Committee takes evidence are a matter for that Committee and not for me.

EUROPEAN COMMUNITY DOCUMENTS

Ordered,

That European Community Document No. 4704/90 relating to motor vehicle emissions be referred to a Standing Committee on European Community Documents.—*[Mr. Lightbown.]*

Taxation (Opposition Policies)

3.49 pm

Mr. Bowen Wells (Hertford and Stortford): I beg to move,

That this House notes the Labour Party's continued commitment to massive increases in public expenditure funded by the imposition of new taxes on savings, jobs and property and increases in rates of income tax and national insurance; contrasts the Labour Party's refusal to reveal its plans for the basic rate of income tax with the Government's goal for the basic rate of just 20p; believes that Labour will be forced substantially to increase the burden of tax on many lower and middle income earners to realise their public expenditure plans; notes that Labour plans run counter to the growing international consensus on the case for low taxes; and believes that the imposition of higher taxes and new taxes would stifle enterprise, drive firms and individuals abroad and gravely weaken the wealth-creating capacity of the United Kingdom economy and create unemployment.

I hunted around for a text from which I might take the keynote of my speech today, and I thought that it would be appropriate to quote a little bit of Lewis Carroll. The quotation begins "The time has come", and indeed the time has come. The quotation also reflects the way in which the Labour party is trying to delude the public about the way in which it might take decisions if it was in office.

My quotation begins:

"'The time has come . . .'
'To talk of many things:
Of shoes—and ships—and sealing wax—
Of cabbages—and kings—
And why the sea is boiling hot—
And whether pigs have wings.'"

Hon. Members may recall that that little piece ended after the conversation between the Walrus and the Carpenter and there was no reply from the oysters which had been carrying on a conversation on the beach. There was no reply, because the oysters had all been eaten.

I suggest that the result of the Labour party's tax policy would be that incomes in this country were reduced to a very low level. Indeed, taxpayers would not be able to pay for the expensive policies instituted by the Labour party.

The time has come to speak of these things because many people, misguidedly, have elected to vote Labour in recent elections. The Labour party increased its number of seats in the local government elections and it is essential that we should warn the electorate and make them clear about the consequences for taxation policy of electing a Labour Government. When we talk about tax policies, we are talking about a reflection of the Labour party's priorities and philosophy in its approach to government.

Labour's dilemma is that it seeks to spend more and more money on social services, health services, and education and local government services. The Labour party promises the electorate that that spending can be achieved without an increase in taxation. Where taxation will be increased, the Labour party tries to suggest that that will be met by taxing the rich. However, we have yet to define "rich". I am sure that the right hon. and learned Member for Monklands, East (Mr. Smith) would not like me to remind the electorate that he thinks that anyone earning more than £17,000 a year is rich. The Labour party believes that by taxing the rich it can somehow pay for excessively expensive social and public services.

Income tax is now reaching down the income levels, and is continuing to do so, down to those who are on very humble incomes, which may be little more than the basic state pension. Labour will tax the vast majority of people who earn humble incomes. It will take money from those people and redistribute it to those whom the Labour party in its arrogance believes should receive more. That is the problem that has faced Labour parties in this country, in eastern Europe, in the Soviet Union or in the Third world.

Mr. Dennis Skinner (Bolsover) *rose*——

Mr. Wells: The Labour party cannot carry out its very expensive programmes unless tax is raised. Only then can it carry out the demands of clause 4 of its constitution.

Mr. Skinner: Will the hon. Gentleman give way?

Mr. Wells: In a moment.

Before the hon. Member for Bolsover (Mr. Skinner) intervenes, I should like to remind him exactly what clause IV of the Labour party's constitution states, because it illustrates what the Labour party intends. The party has never been able to abolish clause IV of its constitution, paragraph (iv) of which states:

"To secure for the workers, by hand or by brain, the full fruits of their industry and the most equitable distribution thereof that may be upon the basis of the common ownership of the means of production, distribution and exchange and the best attainable system of popular administration and control of each industry or service."

Mr. Skinner: The hon. Gentleman has said that the Labour party would have some difficulty financing its programme. I read the other day in a Tory newspaper that the Government are also in a serious predicament because they have to find £15 billion in this current year—not after an election—to finance their programmes. The problem for the Treasury is where to find that money. Before the hon. Gentleman goes any further, I should like to know where he would get that £15 billion from to balance the books this year. He would give us a bit of direction if he could tell us whether he has any ideas about where to get that money from, so that he can tell his right hon. and hon. Friends on the Treasury Bench. Remember the figure—it is £15 billion.

Mr. Wells: It is our very good fortune that, after 11 years of Conservative government, the Government are running a surplus on their current account. Although we cannot predict what that surplus may be in the coming year, the Treasury will have little difficulty in financing that extra £15 billion. The question is whether it would be wise to do so and whether my right hon. and hon. Friends should insist on a reduction in public spending.

Mr. Skinner: What is the hon. Gentleman's answer?

Mr. Wells: My answer is that the money is already there. We do not have to raise it from anywhere.

Mr. Ian Taylor (Esher): Given that the Labour party's programme involves nationalisation on a mammoth scale, which my hon. Friend has just mentioned, does he agree that not only would the Labour party be incapable of running a public sector debt repayment, but that it would be massively in debt on the public sector, which would hamper the social programmes that it wanted to put into practice? Indeed, it was because the Labour party was in such massive state debt last time it was in power that it had to cut social services and investment in public facilities in real terms.

Mr. Wells: My hon. Friend is absolutely right. Indeed, he has anticipated me, because, while discussing this point, I had wanted to highlight exactly the mess into which the Labour party got this country in 1976 when some of its friends began to realise what it was doing.

I should like to quote from the beginning of the "Public Expenditure—General Review" of 1976, the author of which was the right hon. Member for Leeds, East (Mr. Healey). The Labour Government were in serious difficulties at the time. The second paragraph of the introduction states:

"In the last three years, public expenditure has grown by nearly 20 per cent. in volume, while output has risen by less than 2 per cent. The ratio of public expenditure to gross domestic product has risen from 50 per cent. to 60 per cent. Fifteen years ago, it was 42 per cent. The tax burden has also greatly increased. In 1975-76, a married man on average earnings was paying about a quarter of his earnings in income tax".

We are talking about low-paid people—about people on average or lower than average earnings who were paying about a quarter of their earnings in income tax, compared with one tenth in 1960-61.

The paragraph continues:

"On two thirds average earnings a man is paying more than one fifth, compared with less than one twentieth. Tax thresholds have fallen sharply in relation to average earnings. In other words, more poor people are paying tax and people are being drawn into tax on income levels which are below social security and benefit levels. The increase in the tax burden has fallen heavily on low wage earners, those earning less than the average contribute over a quarter of the income tax yield. This cannot be made good simply by increasing the burden at the top. If no taxpayer were left with more than £5,000 per annum after tax"—

swingeing taxes on the rich—

"this would increase the yield by only about 6 per cent."

There it is—the right hon. Member for Leeds, East spelled out from experience exactly what happens under Labour Governments. They have to tax their own people, poor people, at the lower end of the income tax levels, in order to achieve the objectives of clause IV—to redistribute the income to those they want, engineer our country's social life and achieve their egalitarian aims, which have not altered.

Mr. Ian Gow (Eastbourne): Why has not my hon. Friend brought with him copies of the letters sent by the then Chancellor, to whom he referred, to Dr. Johannes Witteveen? Those letters were the consequence of policies consistently followed by the Labour party, which borrowed where it dared not tax and printed what it could not borrow.

Mr. Wells: If my right hon. Friend had had time to communicate with me during the weekend and had known the line of argument that I was going to take in this debate, I have no doubt that he would have sent me copies of those excellent letters that illustrate so well the point that I was making.

Mr. David Winnick (Walsall North): Instead of dwelling 14 years in the past—perhaps he may want to go back 24 years—would it not be more advisable for the hon. Gentleman to spend part of his speech on the crippling mortgage interest rates being paid by so many of his constituents and the poll tax being levied on many people who are paying double or treble what they were previously paying? Would it not be appropriate to find time to dwell on some of the remarks by the Chief Secretary to the Treasury during the weekend, when he drew a pessimistic picture of the economy? Will not people come to the conclusion that the hon. Gentleman is devoting all his speech today to what happened 14 or 20 years ago because he is frightened of dealing with the problems caused by a Conservative Government?

Mr. Wells: The hon. Gentleman's intervention leads me nicely to my next point. It also allows me to say that, if the hon. Gentleman thinks that interest rates are too high under this Government, he should imagine what they would be under a Labour Government. They would be a great deal higher. A major problem, and one of the reasons for this debate, is to try to find out exactly what the Labour party's policies will be. The Labour party is inclined to be excessively coy with the public because it does not want the facts and its long-term aim to be known and understood, because once the electorate do so, they will not vote for the Labour party. The job of the House is to point out those facts.

The hon. Gentleman's intervention leads me to the fact that inflation is undoubtedly too high in this country; the Government, whom I support, have made a mistake. It is not, and has never been, the Government's objective to let inflation increase to this extent, but I am equally responsible, together with all Labour party members, for that dilemma. In 1987, when the stock exchange fell dramatically, many of us thought that we were in for a catastrophic slump. I was one of those who urged the then Chancellor to stoke up demand and——

Mr. Skinner: The hon. Gentleman caused it.

Mr. Wells: I was one of them. I never heard a dissenting voice from the Opposition, and the then Shadow Chancellor of the Exchequer urged the then Chancellor to increase demand and lower interest rates. That is what happened and I have told the House what we did. We did that because we are just as anxious as Labour about the unemployment rate and Britain's productive ability, and we certainly did not wish to see a slump. We were in good company, because most of the world's central bankers, who were at that time conversing with each other on the telephone, were following that counter-cyclical policy. There is no doubt that that fed into the economy more demand than there should have been, and we are now seeing the result.

Labour's policy is to increase demand to even higher levels than those that we have at present, so that, as it continually said for eight years while unemployment was high, unemployment can be reduced. Labour certainly adopted those tactics when in office. The country should not believe that Labour's policies will be anything other than grossly inflationary, with the result that the same conditions will prevail as prevailed in 1976, when the Labour Government had to introduce a public expenditure paper.

After we have looked at what Labour proposes to spend, we shall look at what it says about how it will raise taxes to meet that expenditure. So that I am not seen to be negative or carping or over-critical of the Labour party, I shall suggest some ways in which the Conservative party can put forward constructive suggestions. After that, I hope that people who were tempted to vote Labour will never do so again.

I am deeply indebted to the shadow Chancellor, the right hon. and learned Member for Monklands, East, for his recent interview in *The Independent on Sunday*, because

it is difficult to find out from what he says in the House exactly what he expects to spend money on. He ducks that question. The interview was helpful, because in it the shadow Chancellor explained that what he described as welfare expenditure should be funded from taxes. So far, Labour commitments in that area include £5 billion extra for the National Health Service; £5 billion more on child benefit and pensions; and £1·7 billion for overseas aid.

I would not decry an extra £1·7 billion for overseas aid, but we have to see how and when we could afford that money. We should look much more at the ways in which we can help people overseas to help themselves. We should not simply press large quantities of money on them which they are not able to use and which distract them from building up their own economy. More should be spent on overseas aid, but trade is more important than aid, and a prosperous Britain which can import goods from Third-world countries and export good-quality and low-priced goods to those countries is more beneficial than aid.

That is not the end of the Labour party's expenditure plans.

Mr. Tony Banks (Newham, North-West): The hon. Gentleman is quoting the shadow Chancellor, my right hon. and learned Friend the Member for Monklands, East (Mr. Smith). Did he read the excellent recent speech by the shadow Chancellor in New York, when he said:

"We are also determined to maintain a responsible fiscal policy with prudent control over public finances, spending only as resources allow and as the economy can afford."

Is that not the sort of well-received speech that goes down well throughout the country and internationally? Does the hon. Gentleman agree with what my right hon. and learned Friend said on that occasion?

Mr. Wells: I have no difficulty in endorsing that statement. If we could believe that that policy will be pursued by the Labour party in its general election campaign and, if successful, in office, I am certain that that kind of bromide would result in many people wanting to vote Labour. It is such bromide and argument that needs exposition today. A Conservative or Labour Chancellor could make a similar statement to that of the right hon. and learned Member for Monklands, East.

Mr. Norman Tebbit (Chingford): My hon. Friend should be careful, as he may be getting himself into a trap. He will have noticed that the words of the shadow Chancellor were spoken to bankers in New York and they are different from those that he speaks to representatives of the Health Service unions and those seeking more expenditure in this country. My hon. Friend could fall into a trap, because one could use a very unparliamentary word about someone who says different things in different places to try to con the voters.

Mr. Wells: I am grateful to my right hon. Friend for pointing out the issue about which I want to talk.

Mr. Tom Clarke (Monklands, West): On a point of order, Mr. Deputy Speaker. The right hon. Member for Chingford (Mr. Tebbit) has just accused my right hon. and learned Friend the Member for Monklands, East (Mr. Smith), who happens to be my next-door neighbour, of saying different things to bankers in New York from what he has said to representatives of the Health Service unions. I have been to numerous meetings with my right hon. and learned Friend and I know that he has said exactly the same thing as he said to those bankers. It is ignoble for the right hon. Member for Chingford to make such a statement, especially in the absence of my right hon. and learned Friend, and he should withdraw it.

Mr. Deputy Speaker (Sir Paul Dean): That is not a point of order for me. I know that the hon. Gentleman hopes to catch the eye of the Chair and, if he does so, he can return to the matter.

Mr. Wells: Perhaps I can answer for you, Mr. Deputy Speaker. The plain fact is that the Labour party is trying to obscure, and in that it is led by the right hon. and learned Member for Monklands, East.

Mr. Skinner: Led?

Mr. Wells: Yes, the right hon. and learned Gentleman is leading the Labour party in obscuring what will happen under a Labour Government, but that is exactly what we must try to examine sensibly, carefully and logically, without rancour and without unnecessary political bickering.

My right hon. Friend the Member for Chingford (Mr. Tebbit) is right to point out the difficulties we get into when we listen to the right hon. and learned Member for Monklands, East. He will not tell us the truth, because no one knows the pressure to which he will be subject should he become Chancellor. The pressure will be great, because the Labour party has not said no to anyone who wants to increase expenditure. In the past 11 years, I have never noticed the Labour party going against a strike—the ambulance workers' strike, the miners' strike or the steel workers' strike—for extra pay and remuneration.

I have never heard Labour Members applauding cuts in the Health Service, the education service or local government. They have always wanted more and more expenditure. The people believe that the Labour party stands for such expenditure and that it will spend money on them and all the desirable things upon which we also want to spend money, but we know that that money must be earned first. The Labour party has no idea how to earn it.

Mr. John Battle (Leeds, West): The hon. Gentleman referred earlier to the Health Service and to the amount of expenditure needed for it. This morning's edition of *The Daily Telegraph* contains a report of all-out war between some Secretaries of State and the Treasury. It is reported that the Secretary of State for Health is demanding £3 billion so that he can introduce the new health reforms and cover wages within his Department. Whose side is the hon. Gentleman on in the war between the Secretary of State for Health and the Treasury?

Mr. Wells: I am in favour of additional expenditure on the Health Service, if it is wisely spent and properly distributed. We have to earn the necessary money before it can be spent. The Labour party's policy is to spend first and to find a way to meet the expenditure later.

After that series of interventions, I shall remind the House what the right hon. and learned Member for Monklands, East said. He wants to spend £5 billion extra on the National Health Service, £5 billion more on child benefits and £1·7 billion more on overseas aid. That would add up to 6p on the basic rate of income tax—but that is only for starters. Labour has made numerous spending

[Mr. Wells]

promises on education, employment and wages. All the trade unions have to be paid off with extra wages and extra remuneration—that is why they support the Labour party.

Mr. Skinner: The hon. Gentleman referred to the £1·7 billion which needs to be spent on overseas aid. I think that he said earlier that he would support spending that sort of money. I remind him that there is a relatively easy way to get the money. He knows that, in the past three years, the Government, by using various taxation measures, have allowed the top four clearing banks—Lloyds, Barclays, National Westminster and Midland—a sum of £1·9 billion to offset against other taxation liabilities because of Third-world debts. If a Labour Government decide—I hope they will—to give money equivalent to that £1·9 billion to the Third world to write off its debts, and not to bail out the top clearing banks, they will be taking a sensible and socialist step.

Mr. Wells: We are talking about two different sums of money—one that has been spent and is therefore a debt, and one that might be spent if the Labour party came to office. I correct the hon. Member for Bolsover on his statement that I am in favour of spending another £1·7 billion. I am not. I believe that we should aim to spend that sort of money if and where necessary. I have no idea whether £1·7 billion is needed or whether it is a larger or a smaller sum.

There has to be a way to write off Third-world debts. One way, as the hon. Gentleman just described, is to permit the banks to write off such debts against tax. That is a sensible way to do it, provided that we write off only sums that cannot be repaid. If we permitted Third-world countries not to repay, no one would invest in those countries, and what they need most is additional private investment—that is the engine of development in the Third world.

I shall return to the subject of Labour's tax policies, as some Opposition Members want me to do. Labour is firmly committed to increases in taxes and spending; there can be no doubt about that. That is an unpopular combination, and Labour knows it.

Mr. Tony Banks: Squeeze the rich.

Mr. Wells: We have just dealt with squeezing the rich, but it would not produce the money that the hon. Gentleman wishes to spend. As increases in taxes and spending are an unpopular combination, Labour spokesmen no longer talk about high taxes. That is one of the other circumlocutions. They prefer the phrase "fair taxes". To describe the swingeing new taxes on savings—which we shall come to later—jobs and homes and the imposition of higher taxes on millions of people on middle and lower incomes as fair must count as one of the most breathtakingly cheeky fibs of the century.

At least the last Labour Chancellor had the gall to get up and tell us that he wanted to clobber us with high taxes, that he wanted to make the pips squeak and that it was jolly well going to hurt. Now, apparently, we can spend all that extra money without his help. The new model Labour party has a different tactic. It says nothing and it hopes that the voters will not ask about tax. That strategy received its baptism of fire when the Labour party gave a pledge to keep details of the roof tax under wraps until the local elections were safely out of the way. I hope that the electorate will not expect the Labour party to keep its policy on taxation under wraps until after the next general election.

On a number of occasions, when trying to discover the detail of the Labour party's plans, the shadow Chief Secretary—the hon. Member for Derby, South (Mrs. Beckett)—has urged those of us in search of a deeper understanding to spend £2·50 on her party's policy review document. I did, and I felt cheated. I want my £2·50 back. I felt entitled to read in that document something about the Labour party's new tax policy. I was astonished to find that its tax policy for the 1990s is much the same as that on which it fought and lost the last election. The review trumpets Labour's plans to abolish the ceiling on national insurance contributions, to do away with the married man's allowance, substantially to increase the burden of tax for higher earners—and to raise tax rates for many on basic rates of income tax.

That the review had merely dished up exactly the same tax policy as that which contributed so much to Labour's defeat prompts the question, what on earth did the policy group on tax do for two years? I was amazed to find that the Labour party still believes that the best way to make the poor rich is to make everyone poorer. It has learnt nothing from the 1970s, which is why we must concentrate on what it did when it was in office.

Despite the astonishingly penal tax rates, the great socialist nirvana failed to materialise in the 1970s. Living standards stagnated and, for many people, actually fell. That cannot be said about living standards under a Conservative Government. The recent report by the Select Committee on Social Services showed that, even with the recalculation of figures, the poorest of the poor had increased their income in real terms. Admittedly, it was not by as much as we had originally thought, but it was an increase. That is what is so important about Conservative policies—everybody, including the poorest in the land, benefits.

Under the previous Labour Government, an individual on just half average earnings—perhaps a shop assistant or cleaner—had a fall in real take-home pay of 0·5 per cent. Many people in the Labour party underestimate the importance of that. The person in ordinary employment paying PAYE thinks of his wage as what he takes home, not as the gross amount. He is not that interested in his tax; he is interested in his take-home pay. If the tax is so high that he takes home less money, the Labour party will find itself in trouble, and rightly so, with its trade union friends. What a disgrace—what a triumph for the Labour party—that a shop assistant should suffer a fall in his real take-home pay of 0·5 per cent.

Under the previous Labour Government, the average family man's take-home pay rose only a paltry 0·5 per cent. At the same time, the Labour Government managed to add about £170 billion, in today's terms, to the national debt. Under a Conservative Government, the national debt has been hugely reduced, so we are paying far less in interest rates. That has released money to spend on just the sort of services on which the Labour party says it wants to spend money—the NHS, education and social services. The previous Labour Government slashed capital investment in essential services such as schools, the NHS, the water industry and roads. I am sure that the electorate do not want that performance repeated.

Penal taxation erodes the wealth-creating capacity of an economy, and it is that factor that the Labour party simply does not understand. Nor does it acknowledge that wealth must be created if money is to be spent on social services.

Mr. Battle: Will the hon. Gentleman give way?

Mr. Wells: No, I think not. The hon. Gentleman may make his points in his own speech, if he is called.

High levels of taxation will do nothing to raise the living standards of people on low incomes. Over the past 40 years, real changes in income distribution have largely come about as a result of Conservative policies.

Mr. Battle: What?

Mr. Wells: Yes—through the increased ownership of homes, shares and pension rights. The driving force behind the spread of wealth in the 1980s was the extension of home ownership and the growth of financial assets among those who just 20 years ago would never have dreamed of owning their own homes or of buying shares. Conservative policies have given independence and personal wealth to individuals, rather than have the state take it from them.

The history of the past 20 years has proved that the only way to raise living standards for all is to spread opportunity and wealth. The ideology of helping the poor at the expense of those on middle or higher incomes has a long socialist pedigree, but it has never worked—and it never will. A free-market, low-tax economy provides the best guarantee of increasing prosperity and opportunity for all the people of this country. That is the policy of only one party—the Conservative party. It is an infinitely fairer system than the regulated, high-tax model that Labour wants to impose.

As we all know, economic forecasting is a notoriously difficult business. Labour and Conservative Chancellors alike have found it difficult. However, there is one economic prediction on which I would be prepared to put my money. It is that, between now and the next general election, Labour will go to any lengths to conceal the full impact of its tax policies from the electorate.

What a vote for Labour will cost very much depends on which Labour spokesman one believes. Interviewed on Sky Television, Labour's shadow Treasury team claimed that taxes will not rise under Labour. The hon. Member for Brent, South (Mr. Boateng) told Mr. Frank Bough:

"We don't want to put taxes up."

The following week, Sky Television viewers were relieved to hear it from the horse's mouth, when the shadow Chief Secretary to the Treasury said quite emphatically:

"No, we are not going to put taxes up."

Sadly, the leader of the Labour party is not quite so sure. He has said that some taxes will rise but that

"the great middle band, the huge majority, let's call them the 25p people . . . would be no worse off."

In a later interview, the right hon. Member for Islwyn (Mr. Kinnock) spelled it out in typically forthright fashion. He said that Labour is not "intending to belt" the great majority of people.

Enter the shadow Chancellor of the Exchequer, to help clear up the mystery of who precisely will be in for a belting under a Labour Government. About a year ago, the right hon. and learned Member for Monklands, East let on that some people currently paying tax at the basic rate will pay more tax under Labour. That statement exactly contradicts the Labour leader, who has promised that those to whom he referred as "the 25p people" would be no worse off.

Labour's latest position was set out by the shadow Chancellor last March, in the *Sunday Mirror:*

"There would be more gainers than losers"

under Labour's plans, and that in effect, anything up to 13 million taxpayers could end up with higher tax bills if Labour came to power. In just four months, the shadow Treasury team has gone from saying that taxes will not increase to saying that 13 million taxpayers could lose out. Ask a Labour spokesman whether he wants to increase taxes and one will get any of four answers—no, yes, just a little, quite a lot.

The confusion in which the Labour party finds itself is understandable when one examines what its tax plans will mean for ordinary earners. The most comprehensive and thorough analysis of them was undertaken by the City firm CSFB earlier this year. It concluded that, under a Labour Government:

"Many taxpayers earning between £10,000 and £30,000 would be a lot worse off."

By doing away with the married man's allowance and the ceiling for National Insurance contributions, the report notes that Labour would inevitably hit many low and middle-income earners hard. It would be a hard, not a soft belting. According to the CSFB report, a married man on just £6,000 a year would be over £4 a week worse off. A married man with two children on one and a half times average earnings would lose to the tune of £25 a week. The report concludes that, for those earning more than £17,000 a year, there will be "dramatic increases" in marginal rates.

Mr. Battle: Will the hon. Gentleman give way?

Mr. Wells: The hon. Gentleman will have a chance to speak later. I should prefer to press on with my speech.

This is a serious study, produced by respected and independent economists. When pressed about the findings all that the shadow Chancellor could do was bluster and carp. Curiously, he did not even challenge the report's broad conclusions on the scale of losses likely to be suffered by many taxpayers on modest incomes. Unfortunately, Labour's ambition is to spend more and more taxpayers' money.

Mr. Nicholas Brown (Newcastle upon Tyne, East): I should like to challenge the report's conclusions. As he has laid his charges before the House, will the hon. Gentleman explain what assumptions underlie the calculations?

Mr. Wells: The assumptions, which can be read in the report which I commend to the hon. Gentleman, have to be based on what Labour party spokesmen have said. They have been very cautious and limited in what they have said and in what guidance they have given. However, we can read Fabian pamphlets; one was published in March. We have to take seriously what the shadow Chancellor of the Exchequer and the shadow Chief Secretary to the Treasury have said. The figures are based on those assumptions.

Unfortunately, Labour's ambitions extend far further than merely raising existing taxes: they plan to introduce a new raft of taxes. It is curious that the Labour party affected such support for the Chancellor of the Exchequer's recent Budget measures to encourage saving. The Labour party does not intend to encourage saving.

[Mr. Wells]

Given half a chance, the right hon. and learned Member for Monklands, East would introduce a Budget full of new taxes on savers.

Under Labour, a new tax on savings, probably set at 9 per cent., would be payable on top of the existing marginal income tax rates. For basic rate taxpayers, many of them pensioners who have built up an investment after a lifetime of saving, that would mean a tax on savings of about 34p in the pound. In addition, the existing allowance for capital gains tax would be abolished, or at least substantially reduced. There would be far heavier taxation of wealth, and personal equity plans would lose their favourable tax status.

Just as the Labour party does not trust the taxpayer with his own money, so it is deeply reluctant to let firms spend their profits. According to the so-called policy review, the fruits of cuts in corporation tax have been squandered on dividends and takeovers when they should have been invested. In reality, the 1980s witnessed an extraordinary investment boom, with firms expanding and improving capacity on a massive scale.

Investment rose faster throughout the 1980s in this country than in any other European country. In the eight years to 1989, total investment rose twice as fast as total consumption. That was an objective that the right hon. Member for Leeds, East was desperately seeking when he was Chancellor of the Exchequer. He was constantly urging more investment, but companies could not invest because there were no profits, and any profits that they made were taxed. We could expect that to happen again under a Labour Government.

Moreover, the share of gross domestic product spent on industry-funded research and development—a constant carp and a constant worry, and rightly so—rose from 0·9 per cent. before the reform of corporation tax to 1·1 per cent. in 1987. That, incidentally, is a higher proportion of the national income than in either Italy or France. So Conservative policies are working in this respect, too. Lower taxes have given firms the means and the opportunity to increase investment.

Labour's policy in these areas is consistent with its previous policies. Labour persists with the extraordinary idea that, if it were deciding how company profits were spent, the economy would be in far better shape. That is to say that politicians and civil servants will spend company's profits better than their directors and shareholders. Labour's shadow Cabinet is probably the last institution in the world, I am sure my hon. Friends would agree, that one would ask for investment advice, yet it plans to use the tax system to redirect company profits to what it regards as important areas.

Higher rates of tax would have to be introduced to pay for Labour's obsessive follies. Moreover, the tax system will be used to clobber firms that do not meet the criteria for research and development and training set by Labour. So much has been promised by the shadow spokesman on employment, who wants a compulsory levy for training on every company in the country. Labour will then spend the money as it sees fit.

To cap it all, the policy review contains heavy hints about the need to remove the £43-a-week threshold for employers' national insurance contributions, and I have assumed when making these remarks that that is what the Labour party would do.

We can see from the Fabian Society's tax reform pamphlet issued in March 1990—it must be a gravel pit from which the Opposition mine many of their intellectual ideas—what the Labour party's tax policies might be. We see the introduction of either four rates of income tax or six. The first recommendation in the pamphlet reads as follows:

"The present 25 per cent./40 per cent. rate structure for income tax should be replaced by a sequence of rates, which would start below the basic rate inherited from the Conservatives and rise to 50 per cent. by a series of steps. The initial rate of tax in this graduated structure should cover a relatively wide band."

What that does not say is that on top of that rise would be included national insurance contributions, so to any of these figures we must add at least a further nine per cent. to produce the real rate of income tax——

Mr. A. J. Beith (Berwick-upon-Tweed): The same goes for yours.

Mr. Wells: Indeed. To our 25 per cent. rate, and to obtain the proper rate of tax on most incomes, one must add 9 per cent., producing a total of 34 per cent. as the current rate of income tax. I can see no difference between income tax and national insurance contributions at this level of income. Seen in this way, 34 per cent. is a high rate and it needs to be reduced, but the Labour party's plan will increase it, for the vast majority of people.

The second recommendation in the Fabian pamphlet is:

"The structure of employee National Insurance contributions should be made fully progressive by abolishing the upper earnings limit, by charging a zero rate on earnings below the threshold. In the case of the self-employed, Class 2 contributions should be abolished and the lower thresholds for Class 4 aligned with that of Class 1."

So self-employed people had also better look out—they will have to pay a great deal more under Labour's plan.

This is as much as we can find out about what Labour's plans involve. They involve a very high level of tax and of spending. The Opposition cannot avoid taxing people on lower incomes—as well as those on higher incomes—to meet the demands that they have led their own people to believe they could meet if they were returned to office. But the Conservative party can meet these demands.

Among other things, the Labour party says that it would stop inflation—so far as I can see, this is its only policy to fight it—by joining the exchange rate mechanism. The mechanism has many merits, but it does not have the merit of being able to reduce Labour's profligate spending plans and prevent them from creating inflation. Under the ERM as it is now constructed, the Labour Government would hand over the country's policy on exchange and interest rates, in its entirety, to the president of the Bundesbank in the Federal Republic of Germany—which, by that time, would presumably be reunited with East Germany.

I believe that we should join the ERM, and, indeed, my party is committed to doing so; before that happens, however, we should renegotiate the arrangements with our European partners so that a policy-controlling body can be set up and Britain can be represented on it. That proposal would, I think, be popular with the Spanish, the French and the Italians: they too have said that they bitterly resent the setting of the exchange rate system and the policies involved in it by a single "central" banker

sitting in Frankfurt, with no legal responsibility to anyone other than the Chancellor of the Federal German Republic. I do not think that we should join the European monetary system until we have sorted out who controls it.

I also believe that we should do the opposite of what the Labour party proposes, and abolish capital gains tax altogether. It is inconsistent with the operation of an "enterprise culture", and with the aims of those who advocate investment in new industries and the taking of risks, to ask people to give the Treasury 40 per cent. of what they have earned over the years in which they have run a business when they sell that business.

Capital gains tax also impacts on many other forms of savings and earnings. It is a pernicious tax, but the Labour party intends to concentrate on—and, indeed, increase —such taxes of which most PAYE taxpayers know nothing. The Fabian Society pamphlet recommends a Labour Government to raise CGT and abolish inheritance tax. In effect, the Labour party intends to introduce a wealth tax, which will have an impact on anyone who owns anything—pictures, motor cars or shares.

There are many ways in which we should try to control inflation, and I am not sure that we should not begin to try some of Labour's proposals. I am appalled, for instance, by the way in which banks have pressed credit on everyone. They have a strange, lemming-like policy: they got themselves into a mess by lending huge sums to Third-world countries, for example, and they are doing the same kind of thing now.

Times of inflation are times of national difficulty, when it behoves the banks to cut down on credit as part of a national policy. It also behoves trade union leaders and members to hold back on wage claims. I think that a person taking out a mortgage should put down a 10 per cent. deposit from his savings, and that down payments should be made on nearly every hire-purchase transaction in the high street. This week's retail sales figures suggest that we cannot avoid considering such measures if we are to defeat the current inflation rates. Surely is it prudent and sensible Conservative policy to tell people, "First you must save, and then you must have the income against which to borrow." Otherwise, there will be inflation in the home as well as in the nation.

I believe that the next Conservative Government should again examine the possibility of merging the social security and tax systems. That, in my view, would bring about a fairer structure, which would be clear to everyone. It could be done without a vast increase in public expenditure, as was revealed by our late colleague, Sir Brandon Rhys Williams, in pamphlets issued after his death. I also think that a new Conservative Government should abolish the distinction between earned and unearned income.

In times of inflation, we should consider the enforceable bank deposit. The right hon. and learned Member for Monklands, East agrees with that, but my right hon. Friends in the Treasury reject it, on the grounds that it cannot be put into effect without a system of exchange controls. Let me point out that the Dutch Government are taking such action, and that it dries up the credit available in the high street very quickly.

I should like to see those programmes in the Conservative manifesto for the next election. Let us contrast them with Labour's promises of higher income tax, corporation tax, taxes on savings, taxes on wealth and increased capital gains tax. Value added tax would probably reach huge proportions under Labour, which has never spoken of lowering the current rate of 15 per cent.

Mr. Battle: The Conservatives doubled it.

Mr. Wells: Yes, we doubled it, but Labour has not talked about lowering it.

Labour would undoubtedly be forced by its followers, and by its promises, to spend more on health, education and social services. Let me remind hon. Members, however, how much the present Government are spending on those items: because of the wealth that Conservative policies have produced, the amount represents well over half our total expenditure. That would not be possible under a Labour Government, who would be forced to spend more and more money that they did not have.

Unemployment will rise under Labour with the decline of productivity and our ability to compete. The trade gap will widen. It is, of course, much too wide now—that is one of our major problems—but under Labour matters would become far worse. If it narrowed at all—as it did under a past Labour Government—that would be because of a fall in production, which would lead to a reduction in imports because no one would have the money to buy them. That is the sort of equilibrium that Labour would introduce.

As I said at the beginning of my speech, the Labour Government would find themselves in the same position as the Walrus and the Carpenter: with no oysters—no taxpayers—left on the beach.

4.47 pm

Mr. Tom Clarke (Monklands, West): I have often had the opportunity to listen to speeches by the hon. Member for Hertford and Stortford (Mr. Wells) in debates on overseas development and aid. I must say that I enjoyed those speeches much more than I enjoyed today's. The hon. Gentleman sounds all the better for not being given a bit of encouragement by the Whips.

It is not surprising that we should debate this subject today, given the hammering that the Conservative party received in the local elections.

Mr. Nicholas Bennett (Pembroke): What about Wandsworth and Westminster?

Mr. Clarke: Despite what the hon. Member for Hertford and Stortford said, public expenditure there was used to subsidise the poll tax. That represents no victory for Thatcherism, so let us not pretend that it does.

The debate constitutes an attempt to deflect public attention from the poll tax and from inflation. Having seen the latest huge inflation figure, people are asking what on earth this 11-year experiment has been about, for we are worse off than when we started. High interest rates have also come as a great blow, not only to house owners—important though they are; we have seen the effect on their voting habits in mid-Staffordshire and elsewhere—but to those who run small and medium-sized businesses. They have derived no comfort from the hon. Gentleman's speech, or from the comments of some of his right hon. Friends when they visited Scotland recently.

The hon. Member for Hertford and Stortford talked about the problem of debt but did not deal as long as I would have liked with the problem of multiple debt and poverty for many people in many parts of Great Britain. My aim in seeking to catch your eye in this debate, Mr.

[Mr. Clarke]

Deputy Speaker, was to submit that any taxation policy that does not take on board the issue of poverty in society will not work and will not carry with it the moral conviction that the British people would expect of any fair taxation system. I do not believe that the Government's approach to taxation is fair, so I am not surprised that the hon. Member for Hertford and Stortford did not deal with it. It is not simply a matter of broken promises, although broken they were, or the fact that the average family pays more taxation.

Mr. Nicholas Bennett: Will the hon. Gentleman give way?

Mr. Clarke: I shall give way only once because many hon. Members wish to speak and I do not want to dominate the debate.

Mr. Bennett: I am grateful to the hon. Gentleman. He claims that people pay more income tax. Is he aware that, if income tax rates had remained at their level on 3 May 1979 under the last Labour Government, at 33p in the pound, a man on average earnings with two children would pay £1,000 a year more now?

Mr. Clarke: Such a man would be fully aware that to concentrate on income tax alone—as the hon. Gentleman suggests—ignoring indirect taxes, VAT, prescription charges and the poll tax would be to turn on its head the reality of the past 11 years.

I am happy to respond to the point made by the hon. Member for Pembroke (Mr. Bennett) about comparing. What has happened since 3 May 1979? I shall add to the hon. Gentleman's examples. The average gain for a taxpayer earning less than £5,000 a year is £110 a year, whereas for a taxpayer on an income of more than £70,000 a year it is £36,060 a year, or £693 a week. Where is the fairness in that? Given the unfairness of the Government's policy, it is no wonder that the hon. Member for Hertford and Stortford and his hon. Friends have said hardly a word in defence of that policy. How could they? Where is the support for it? How can one defend a taxation policy that has meant that the nation's wealth has not been fairly shared?

Because incentives matter, investment in the manufacturing sector has declined, and we are paying for it.

Mr. Jeremy Hanley (Richmond and Barnes): Will the hon. Gentleman give way?

Mr. Clarke: I said that I would give way once and I have done that. I hope that the hon. Gentleman will catch your eye later, Mr. Deputy Speaker.

Because of the Government's unfair taxation policy and the lack of investment in essential industries, unemployment is growing. I shall talk mainly about the problems in my region of Strathclyde. I do not complain about the fact that the hon. Member for Hertford and Stortford did not refer to Strathclyde, although he might have chosen other examples that showed the poverty among the unemployed, pensioners and single-parent families. The comments the other day of the chairman of the Conservative party about single parents did not sound fair to me.

The disabled and those who earn low pay under the Government also have problems. Many of them, especially young people, do not now receive the protection that they had under the wages council system. Because we do not have a fair taxation policy, because social services are not properly supported and because we are hitting at social security, great problems are created for carers, ethnic minorities and young homeless people in Strathclyde and elsewhere. Many young homeless people who leave care cannot find homes or jobs or are earning low wages. It is unacceptable that the Government's taxation policy does not address their problem.

I thought that it was right in our debate on taxation to draw the attention of the House to the poverty theory, which has been exposed as a fraud but nevertheless is still perpetrated by the Government. They tell us about the "trickle down" effect. We saw in the recent, devastating report by the Select Committee on Social Services—which the hon. Member for Hertford and Stortford did not mention—that the poorest people are worse off since the 1988 social security reforms.

Far from a "trickle down" effect, we have heard of an important statistical error, which was acknowledged a day or two before the Easter recess in a written reply, as though it did not matter. It does matter, because that "statistical error" has had a considerable bearing on the Government's taxation policy and social security policy, in the absence of a strategy to deal with poverty in Strathclyde and elsewhere. In taxation, as elsewhere, the Government ignore the views of not only the Opposition parties but voluntary organisations, churches and others who are at the receiving end, who know what this hardship means, who see poverty as a reality day after day and who rightly object to a "statistical error" being treated in such a flimsy way.

The "statistical error" meant that the poorest 10 per cent., instead of enjoying an increase of 8·4 per cent. compared with an average increase of 4·8 per cent.—according to the Prime Minister and her Ministers—received a miserable 2·6 per cent. compared with 5·4 per cent. for the rest of us. We cannot sweep that under the carpet. Those figures and the Prime Minister's attitude to taxation influenced matters such as child benefit, which has been frozen year after year, and single payments, which have been abolished, the introduction of the notorious social fund and its loans instead of grants, and "cash limits" at local offices which have no regard for the poverty of applicants seeking succour.

Housing benefits were slashed. Hon. Members will know from their surgeries that elderly people and disabled people came to us in tears complaining not only about the Government's taxation policy, but the Government using the taxation system to subsidise the rich and ignore the poverty of the poor. On top of that, there was the poll tax, without reasonable rebates. The hon. Member for Hertford and Stortford is mistaken if he suggests that people did not pay attention to that in local and other elections. The "statistical error" was crucial in terms of poverty. I would have expected to hear about it in the hon. Gentleman's lengthy speech. Imagine what would have happened if a similar error had been made and there had been a miscalculation over mortgage tax relief. That would have been regarded as completely unacceptable.

Although it was perhaps not what Conservative Members intended, the House should take this opportunity to analyse what is happening in society and the reasons why poverty is being allowed to continue. In Strathclyde, 42 per cent. of unemployed people have been unemployed

for more than a year and 27 per cent. for more than two years. I regret to say that the anti-poverty strategy of my colleagues in Strathclyde regional council, to which Labour was re-elected with an overwhelming majority, is not reflected in any of the Government's priorities. The number of people defined as being in poverty in Strathclyde has doubled in the past 10 years. About 22 per cent.—nearly one quarter—of the Strathclyde population receive income support or are partners or dependants of income support claimants.

The problems of individuals, families and communities have not been addressed in the debate so far. Why are we not listening to organisations such as the Child Poverty Action Group which, incidentally, pointed out the error in the statistics long before the Government got round to announcing it themselves? Why are we not crying out for a solution to the debt problem—not the debt problem of 14 or 16 years ago but the debt problem that families in Britain are experiencing today? Nothing in the Government's taxation or social policies is aimed at helping them.

At the weekend, the Prime Minister made a speech in Aberdeen.

Mr. Tony Banks: "We in Scotland".

Mr. Clarke: This time she did not say, "We in Scotland," nor did she move a vote of thanks to the Scottish electorate. She could not have been expected to do that, given the hammering that the Conservative party received when the people of Scotland exercised their right to vote. Mr. Ewen Macaskill, a distinguished commentator in *The Scotsman*, said this of the Prime Minister's speech in Aberdeen:

> "There was one telling moment when she reflected once again the view held by an alarmingly large number of English Conservative MPs—namely, that England is subsidising Scotland."

Does not that tell us everything? Not only do we have a policy of unfair taxation under this Government; we have a Government led by a Prime Minister who is determined to create divisions in our society. I must tell her that such divisions are no more acceptable in Scotland than they are elsewhere. We take no solace in the fact that, so far from trickling down, the wealth of Great Britain is trickling up. The poor are suffering and there is poverty in every part of Britain. Poverty remains the blight on our society.

It is because I have every confidence in the policy of the next Labour Government on taxation, as on other matters, that I look forward to the British people having an opportunity to offer their indictment of the Government's policies. I am sure that they will do just that.

5.2 pm

Mr. Jeremy Hanley (Richmond and Barnes): The previous speech was fascinating, in a debate in which Opposition Members have been invited to set out their taxation policies. The hon. Member for Monklands, West (Mr. Clarke) did not mention Labour's policies at all. He gave us the history of the past 10 or 11 years in a speech that was half baked and inaccurate. The hon. Gentleman refused to allow interventions—perhaps because they might have drawn him on the subject of the debate.

I should like to refer to some research that has been carried out into Labour's taxation policies. The research has not been easy, because it is well known that the Labour party is trying as hard as possible not to mention its policies in case they get shot down. In the case of those of their policies that do not deserve to be shot down, Opposition Members are trying hard not to let us know what they are in case we happen to pick them up and run with them over the next 18 months. Believe it or not, on issues such as environmental protection, energy conservation and the promotion of better recycling, the Labour party has some sensible policies. But being fit to be wombles does not make Labour fit to govern.

Let us examine the policies that we have been able to discover. The first is the phasing out of what was the married man's allowance. I do not know whether Labour Members are up to date on that. It is no longer the married man's allowance; it is the married couple's allowance. Because the Government have been forthright enough in their taxation policies to introduce almost complete equality between men and women through separate taxation for women, the married couple's allowance can now be allocated between a man and a woman if the income of the two suggests that that would be the best thing for them. Perhaps the Labour party has missed that fact.

Mr. Alice Mahon (Halifax): Would the hon. Gentleman care to comment on the poll tax and the several and joint liability clause, which is most unfair, as many married women have no income whatever?

Mr. Hanley: The hon. Lady seeks to draw me into a debate whose subject does not appear on the Order Paper. The motion refers to the Labour party's taxation policies. I should willingly argue the case for a community charge that is more broadly based than the old rating system any day of the week, but today we must address ourselves to the Labour party's taxation policies.

As I was saying before I was gracefully interrupted, many married women with husbands on lower incomes than themselves will lose if the married couple's allowance is abolished. That surely cannot be right. If the Labour party looks at the matter again, it will realise how unpopular such a measure would be. But given the policies of some Labour-controlled authorities, I suppose that the Labour party could be accused of being anti-family. Perhaps Labour Members do not want people to be married. Perhaps they do not want to introduce legislation that encourages the family unit.

The second of the Labour party's taxation plans involves the abolition of the upper earnings limit on national insurance contributions and the conversion of the lower earnings limit into one allowance. My hon. Friend the Member for Hertford and Stortford (Mr. Wells), who so brilliantly introduced the debate and so thoroughly covered the subject, referred to that policy. Let us assume that Labour kept national insurance at 9 per cent. Although there is no basis whatever for such an assumption, because it would be consistent with Labour's announcement of what it intends to spend on the National Health Service for it to increase national insurance to 11 or even 15 per cent. The present upper limit of £16,900 is quite low, given the salaries that are common in industry today—especially with productivity bonuses added into pay. Many people would face a very large increase even if national insurance were kept at 9 per cent.

The third of the Labour party's personal taxation plans involves the introduction of a supplementary tax on

[Mr. Hanley]

investment income. Greatly to their credit, the Conservative Government have stopped calling unearned income unearned income. It is now called investment income and it is considered perfectly honourable to receive income from saving money. There are differences of opinion on both sides of the House about speculation and hon. Members have differing attitudes to the making of capital gains through investment. No one would deny, however, that from the point of view of the national economy, it is better to save money than to spend it.

As far as we can tell, the Labour party would not distinguish between income from forms of speculation and income from deposits. Yet again we could have an investment income surcharge. It might be introduced for sums of more than £2,000 with a surcharge of 15 per cent. We might have figures similar to those which we had before—perhaps on a sliding scale, at 15, 20, 25 or perhaps even 40 per cent. I can well remember the giddy heights that investment income surcharge reached. On top of the 98 per cent.—the top rate of taxation on investment income under the Labour Government—a further surcharge of 5 per cent. was added, making taxation of 103 per cent. on those with high investment incomes.

Nevertheless, on the more modest level of investment income, such as that represented by pensioners, children with savings, inherited sums of money, or those receiving interest payments through banks or building societies, Labour would introduce an investment income surcharge and try to treat all investment as dirty money once again. Part of this Government's success has been in attracting investment to the United Kingdom from abroad. We have tried to attract people to invest during periods of high interest rates. There are now twice as many depositors as borrowers. The high interest rates do as much to encourage saving as to penalise debt.

The fourth aspect of the personal taxation plan that can be gleaned from the Labour party is to increase the top rate of tax from 40 per cent. to 50 per cent—and once national insurance is included, the top rate will be 59 per cent. I am told that that would raise £3 billion, so it seems most attractive. However, if that is meant to be an attempt to raise money to pay for Labour's highly inflated programmes, Labour must be mistaken.

The Labour party tries to claim that, under this Government's taxation policies, all the benefits have been given to the rich instead of to the poor. However, that is not right. For example, if we analyse the top 5 per cent. of taxpayers, under the last year of the previous Labour Government, that top 5 per cent. contributed 24 per cent. of income tax revenue. At the moment, the top 5 per cent. contributes 29 per cent. I believe that the figure will soon be 30 per cent. In other words, the wealthiest in our society are contributing more income tax.

Therefore, this Government's income tax policies are fairer and more sensible because they raise more money. The Labour Government taxed revenue away and removed the incentive to work and people's desire to invest in Great Britain plc. If a supermarket manager reduces his prices, he sells more goods. The same applies to tax. As tax rates have been reduced, the yield to taxation has been greater. This Government have been more sensible and fairer than the previous Labour Government. They have also managed to expand expenditure in every area of government. By increasing taxes, the Labour Government had to reduce expenditure and the International Monetary Fund came to bale them out.

Mr. Beith: If that is the case, what is stopping the Government from achieving the 20p standard rate of income tax referred to in the motion?

Mr. Hanley: The 20p level remains the Government's stated policy. However, that level would be wrong in present circumstances. The hon. Member for Berwick-upon-Tweed (Mr. Beith) criticised the Government two years ago when a slump was threatened after black Monday. I believe that he criticised us at the time for not going far enough. Certainly the Labour part said that we had not put enough back into the economy. It was clear that what we put into the economy then, through reductions in interest rates and tax cuts, helped to fuel inflation.

Therefore, if tax rates were reduced to 20 per cent. now, that might encourage another spending spree just when we are trying to restrict retail sales. However, 20p remains a Government priority. Anyone outside the House, even someone with no economic brain, would understand that 20 per cent. income tax is more likely to be achieved by this Government than by a Labour Government.

The fifth part of Labour's personal taxation plan involves the introduction of a new series of income tax bands. As yet, they are unspecified, but it is probably true that they would start below 20 per cent.—perhaps at 19 per cent. It is unlikely that the bands would exceed 50 per cent. to start off with although of course we must add on national insurance to those figures. The Labour party claims that the tax burden would therefore increase only for the highest paid. However, that is most unlikely to be the case, particularly if indexation is stopped at the higher levels. If we add all the various figures together, more people would enter the higher rate bands, particularly with the restriction on mortgate interest tax relief that Labour would introduce.

The Leader of the Opposition said that the mid-£30,000 to £40,000 level would be the first to be hit. However, that is wrong. As I said, if the married couple's allowance is abolished, all married women, who can use that allowance for the first time, will be hit.

Mr. Battle: What about the poll tax?

Mr. Hanley: Rather like a parrot, the hon. Member for. Leeds, West, (Mr. Battle) is trying to divert attention from the Labour party's income tax plans.

With regard to what the hon. Member for Leeds, West chooses to call the poll tax, the nearer we get to a general election, the closer men on average earnings might get to Labour's taxation policies. A consideration of next year's community charge in comparison to this year's charge—when for example the charge for boroughs throughout London will be so much lower, the nearer we get to a general election, the closer we will get to the increase in taxation that Labour is bound to introduce. That could mean £1,000 to £2,000 per person or per family. I believe that in comparison with Labour's income tax policies, the community charge is a welcome relief.

Mr. Battle: The poll tax is a form of taxation. However, many people cannot understand why women who do not work are charged the poll tax because of the regulation that states that husbands are responsible for their partners.

That applies to such an extent that disabled women receiving a disability pension must pay the full whack of the poll tax. How is that a fair tax system?

Mr. Hanley: I am sure that you would bring me to order, Mr. Deputy Speaker, if I tried to explain that. However, for the sake of good order, if all married women were exempt from the poll tax, the rates would have to rise commensurately higher for everyone else. Therefore, the benefit to a couple would be almost wiped out immediately. The hon. Member for Leeds, West is talking nonsense.

Mr. Chris Butler (Warrington, South): Is not the community charge a very interesting indicator of how the Labour party would act in government? The local authority in my consituency of Warrington is Labour-controlled, and Cheshire county council is run on a Labour budget. We have experienced an increase in the community charge, which translates into an increase in the rates—if they still existed—of 52·3 per cent. this year. Is not it true that the Labour party is a high spender locally, just as it would be nationally?

Mr. Hanley: My hon. Friend has made a most effective point. I am sure that the people in west London who have learnt what living under Labour means, are now living under Conservative-controlled authorities for the reasons given by my hon. Friend the Member for Warrington, South (Mr. Butler).

I have gleaned more information about Labour's personal taxation plan. For example, the personal allowance would be converted into a zero rate band so that, when it is uprated for inflation, all taxpayers would gain the same amount. That sounds like a pleasant policy that would benefit those at the bottom rather than those at the top. However, the cost would be about £1·4 billion and it seems that two thirds of the people who would be affected by the change are already on the basic rate of tax. While one third are on the higher rate, two thirds of people on average incomes would be hit.

It seems that Labour would continue mortgage interest relief at the single rate, probably equivalent to the basic rate of relief that it inherited, and that higher rate relief would end. That would probably gain Labour £0·5 billion. However, that would also throw more people into higher rates.

Labour also apparently intends to restrict tax avoidance by high income earners by setting a minimum proportion of income that would have to be paid as tax. That has some attractions, and I do not dispute that it would be an interesting way of continuing this Government's drive to reduce tax avoidance. This Government have been stronger than any Government in trying to catch people who avoid tax. Therefore, I have no argument with that policy.

Labour would apparently also reduce the threshold for capital gains tax. That is yet another savings disincentive. As my hon. Friend the Member for Hertford and Stortford said, Labour's policy is anti-savings. The Labour party seems to be trying to cane those whom, for some reason, it disapproves of for earning money through investments. Reducing the capital gains tax threshold would hit London as a financial market, to the benefit of markets in other countries. There is little doubt that investment into the United Kingdom would begin to dry up. In fact, the existence of a Labour Government would probably encourage that in any event, and I have already mentioned that Labour would introduce investment income surcharges.

As the hon. Member for Leeds, West has mentioned the poll tax with unfailing regularity, let us look at exactly what Labour would put in its place. The Labour party would value properties and houses for its roof tax or would introduce a local income tax and a property tax combined. In either event, it would value properties. Would that be the forerunner of a full-blown wealth tax? I doubt whether a Labour Government could resist introducing a wealth tax, under which occupational pensions would be taxed. A whole range of so-called "wealth" would be taxed in addition to income tax. Gifts and inheritances would be taxed at the point of receipt. People would be hit for saving and then passing on their money. That would be another disincentive to saving.

I have managed to find some of Labour's corporate taxation plans. They include the abolition of the uniform business rate. Labour Members referred to that time and again during the local elections, saying that business rates should be set locally, not centrally. I remind them that the uniform business rate was introduced to try to redistribute wealth throughout the country.

All that I heard from representatives of both Opposition parties during the previous general election campaign was that there was some sort of north-south divide. However, when the Government introduced the uniform business rate, which, I am sure it is true to say, is a form of social engineering, which moves money from the south to the north and encourages employment in the north, they were criticised for doing so.

To an extent, the uniform business rate could be said to discourage employment in the south where unemployment rates are so low——

Mr. Allen McKay (Barnsley, West and Penistone) *rose——*

Mr. Hanley: The hon. Gentleman has not been here for most of my speech. He has just come in, but perhaps he would like to warm up with an intervention.

Mr. McKay: As the hon. Gentleman is talking about the uniform business rate and businesses as a whole, does he agree that it would be far better if industry in the north received the benefits now rather than having them phased in over the next 20 years?

Mr. Hanley: I am glad that the hon. Gentleman admits that there are benefits to the north. Any benefits to the north must be paid for by businesses in the south, which is why it is only right that the scheme should be phased in gradually. Phasing in is not only sensible, but humane. It is wholly sensible to help the small businesses in the south in that way. The hon. Gentleman has let the cat out of the bag by agreeing that the uniform business rate brings benefits to the north.

Mr. McKay *rose——*

Mr. Hanley: I am sorry, but I cannot give way again. I have already given way about seven or eight times——

Mr. McKay *rose——*

Mr. Hanley: Well, this is the last time.

Mr. McKay: I am grateful to the hon. Gentleman for giving way. It is not a case of letting the cat out of the bag,

[Mr. McKay]

because Labour Members have always accepted that some benefits will come to the north. However, although the north benefits in that way, it loses per person on the poll tax. If the hon. Gentleman wants me to go into that, perhaps I shall catch your eye later, Mr. Deputy Speaker.

The leaders of the chambers of commerce and industry in the north are saying that those benefits will not accrue purely and simply because of the time that it will take for the balance to take effect.

Mr. Hanley: The hon. Gentleman has not added much to the argument. He has said merely that chambers of trade and various trade bodies would like the benefits to the north to flow more quickly. The fact remains that it is this Government's policy that has produced those benefits and that they are now coming through. The hon. Gentleman is simply saying that he is impatient to receive those benefits more quickly. That is fine, because I am sure that, if the Government are retained in power, they will bring the benefits forward more quickly than at the moment, but for now they must be cautious in their economic policy.

As part of its corporate taxation plans, the Labour party has stated that it would reinstate capital allowances, which were an absolute nightmare of a system. I concede that certain allowances for the film industry would be welcome and are deserved, but to reinstate capital allowances lock, stock and barrel would be a reversal of progress. The Labour party has also said that it would withdraw the tax breaks that are offered to private landlords through the business expansion scheme. That scheme was introduced to try to help the homeless, by providing an incentive to create the properties that would house the homeless. I am therefore surprised that the Labour party wants to ditch that policy.

The Labour party also states that it would stimulate research and development, education and training, and regional economic development through tax incentives or allowances. That sounds great, but I am afraid that we would also see a jobs tax. I know that the stated 0·5 per cent. payroll tax was conveniently removed from Labour's policy as soon as there was an uproar when it was announced. That statement has now been dropped from public display, but I am absolutely certain that it would be back as soon as the general election was over.

The Labour party seems to be full of ideas that will not be disclosed until Labour is elected. I wonder how much of its policy it can try to keep secret. The list that I have given has been gleaned from a copious amount of work by many people, but the bottom line is found in the one positive statement that we have heard from an Opposition Treasury spokesman, the hon. Member for Islington, South and Finsbury (Mr. Smith). His summary of the major taxation changes that the Labour party would introduce included lower rates of VAT on recycled materials, energy-efficient goods and insulation materials and higher rates on packaging that cannot be recycled. That is great in itself, but it is not a taxation policy for the nation as a whole.

The hon. Gentleman also stated that there would be additional allowances against corporation tax to encourage the reduction of pollution. Great—we all agree with that. He stated that there would be a grading of car tax, with owners of small cars paying less than the present £100 and owners of large cars paying considerably more. That idea has been mooted by Conservative Members as well. Although it would be a nightmare to administer, it is nevertheless part of the great taxation plan of the hon. Member for Islington, South and Finsbury.

The hon. Gentleman also stated that there would be an increase in the leaded-unleaded price differential. Who invented the differential between leaded and unleaded petrol? This party in government created that differential so successfully that the Labour party is now choosing to pick up one of the jewels in our crown——

Mr. Nicholas Brown *indicated assent.*

Mr. Hanley: I note that the hon. Member for Newcastle upon Tyne, East (Mr. Brown), who is sitting on the Opposition Front Bench, is nodding.

The hon. Member for Islington, South and Finsbury also said that there would be zero VAT on catalytic converters and lower taxes on sales of new cars that are fitted with such converters. I am sure that that will be the case when converters are in general use. Indeed, the Government have agreed a policy for changing to catalytic converters. The hon. Gentleman also said that there would be higher duties on company cars to raise an additional £500 million. I remind him that this Government have increased taxation on company cars as a benefit in kind by 350 per cent. in the past four years. Surely the Labour party will give us some credit for trying to remove that perk.

I have set out some of Labour's policies, and as we have seen, the Labour party has three major plans. It plans heavier taxes, higher taxes and more taxes. If one adds up all the spending promises from Labour's Front-Bench team, one realises that there is no way in which they can achieve them other than by those three policies.

The Leader of the Opposition has said that the huge majority of taxpayers will not be any worse off, but that does not stand up to any form of scrutiny. Research by Credit Suisse/First Boston has shown that by the removal of the married man's allowance, which is now called the married couple's allowance and the removal of the national insurance contribution upper limit, a married man without children, earning £6,000 per year, would be £4 a week worse off. The report suggests that those earning more than £17,000 a year would suffer dramatic increases in marginal rates.

As my hon. Friend the Member for Pembroke (Mr. Bennett) said earlier, if the tax rates of the previous Labour Government had been indexed to today's prices, they would mean that a person on average income would be paying £1,000 more per year in taxation than under this Government.

The Government have been fair to all. By reducing the rates of tax at the top, they have provided an income so that people at the bottom end of the social scale, such those in need of improved health and pensioners, can be protected and have the money that they so desperately require. Under Labour Governments, higher taxes drive away investors and the means to be able to support the economy, to build hospitals, housing estates and prisons —a Labour party demand. Therefore, the Labour party's taxation policies are cynical and Labour's silence is shaming. The report, "Labour's new policies: the complete guide", describes the hon. Member for Newcastle upon Tyne, East as a

"good House of Commons type with competent, aggressive style in debate. Up and coming."

Therefore, I hope that the hon. Gentleman will show the House that he is up and coming, that he will stand up, be honest and set out his party's income tax policies.

Mr. Gow: Read it again.

Mr. Hanley: I shall willingly give my hon. Friend the report, which sets out a potted history of some of the leading lights, and then happens to mention that none of them has said anything about taxation. I hope that the hon. Gentleman will prove the truth of the report by coming clean on Labour's policy. If he does, he will remain an Opposition spokesman.

5.30 pm

Mr. A. J. Beith (Berwick-upon-Tweed): One would not think from the remarks of the hon. Member for Richmond and Barnes (Mr. Hanley) that the Government have increased the overall level of taxation above that which they inherited and shown themselves to be a Government of high taxation. The changes that they have made have been in the structure of the tax system, and a number have been seriously to the detriment of the least well-off in our society.

The hon. Gentleman also needs to talk to some of his hon. Friends about the impact of the uniform business rate. Not only are the potential benefits of the uniform business rate for the north delayed to such an extent that they show no likelihood of an early influence on the location of industry, but the system is hedged about in such a way that any firm that considers moving in or from the south will lose protections to such an extent that it is not likely to move. The uniform business rate system is not likely to achieve the claimed benefits of a shift from the south to the north. That message is coming quite clearly, not just from the Opposition, but from Government Members.

I hope that it is not unkind of me to intervene in this exchange between two other parties about taxation policy. Any such exchange is made that much more difficult in the light of President Bush's recent public disclaimer of his earlier, well-known and dramatised pledge that there would be no new taxation. He said:

"Read my lips—no new taxes."

Will anybody ever again believe a politician talking about a tax promise after President Bush so publicly disavowed his?

When talking about tax proposals and promises, as way of introduction we must look a little more closely at the basis of the argument advanced by the hon. Member for Hertford and Stortford (Mr. Wells) on the Government's behalf. To argue about taxation policy without making any reference to the fundamental change involved in the poll tax, or community charge, is misleading. The poll tax has hugely shifted the burden of paying for local government services through a form of taxation that has an extremely severe impact on large numbers of people on modest incomes and some on low incomes. It redistributes money in the direction of the most well-off in our society.

There have been enormous gains under the poll tax system for those who previously paid high rates because they are wealthy and live in large and expensive houses. There are many people on low incomes who face enormous increases in personal taxation because of the impact of the poll tax. They are paying hundreds of pounds a year more than they previously did per family or household in order to meet this frightening new tax. I can genuinely say that I have never seen such extensive distress in my constituency surgeries as that tax introduced—certainly not from any change in the taxation system that has occurred in the 16 or 17 years that I have been a Member. That is a part of the background that Conservative Members cannot deny or disavow.

Conservative Members must also take into account the difficult position in which the Government finds themselves over the pledge of 20p income tax referred to in the motion tabled by the hon. Member for Hertford and Stortford. It was perhaps unfortunate that he tabled his motion last week before the Chief Secretary to the Treasury appeared on television at the weekend to say that, after all, the Government would not be able to manage it, and there was no prospect of the 20p pledge being implemented this side of a general election. He said that, not because the Government have suddenly found that they cannot meet the bill, but for a quite different reason. It may turn out that, if privatisation revenues fall, as they look likely to do in the shambles of electricity privatisation, that the Government cannot make the books balance. But that is not the present reason. It is one of general economic management and the fear of inflation.

At the time of the Budget, the Chancellor made much of the idea that fiscal policy could not involve fine tuning of the tax system and it was inappropriate to try to combat inflation by adjustments in the tax policy. However, that is precisely what the Government are doing. They have a declared objective of reaching 20p in the pound income tax, but they are currently engaged in an adjustment and saying, "Sorry, we cannot do it, because if we do, we think that, just as last time when we cut taxes there was a big increase in demand, so there will be if we do so again, and, as a result, inflation will get worse." I am glad that the Government have got the message at last, and I wish that the previous Chancellor had got the message.

I wonder what the Government would do if they ever attained their objective of 20p in the pound income tax. That is their policy goal and presumably, having reached that point, they do not make any further changes in income tax levels—up or down—so how do they cope with the circumstances in which they now find themselves when they are under threat of severe inflation? How do they make adjustments to cope with inflation when we are in the exchange rate mechanism of the European monetary system if they cannot use the taxation level for that purpose?

In the European monetary system, the interest rate weapon will increasingly be used at the behest of the system as a whole to preserve the exchange rate parities in the system. Therefore, it will be necessary to use other instruments to deal with domestic inflation. The Financial Secretary shakes his head, but it will come to that. He will have to look for other instruments to deal with domestic inflation. The limitations of interest rates for that purpose are already apparent in the difficulties in which the Government find themselves. They cannot put up interest rates any more at present, because it would be so politically unpopular, but sooner or later they may find themselves obliged to do so. However, they are under much greater political restraint than ever before because of the huge burdens borne by many home buyers and small businesses.

Mr. John Butcher (Coventry, South-West): I think that the House would welcome a comment from the hon. Gentleman about whether the Social and Liberal Democrats still believe in supply side economics. If recent evidence shows fairly conclusively that reduction of the top rates of income tax not only increases the total tax take to the Treasury, but the proportion paid by the better-off, surely that is a philosophy very much in line with the old-style Liberal economists of the last century. Bearing in mind the fact that the reduction in interest rates pumps in proportionately more purchasing power than does a reduction in taxation rates and the phenomenon that I described adds to the budget surplus, surely that is also non-inflationary. I am not trying to interrupt the hon. Gentleman's flow, but I think this is a useful opportunity to let us know how the thinking of the Social and Liberal Democrats is going.

Mr. Beith: Part of the hon. Gentleman's thesis was wrong. Reductions in personal taxation at a time of much greater credit liberalisation generated demand and created the severe inflationary pressures that we are now experiencing. The Government, and Chancellors appearing before the Select Committee on the Treasury and Civil Service, have admitted that. However, I agree with the hon. Gentleman that the high levels of personal taxation that existed under previous Governments and the absurd levels of 98 per cent. taxation on investment income were wholly inappropriate, and it was right to get away from that level. I have been talking about the economic judgments that Governments must make. It remains the case that, in deciding to make a cut in standard rate at the time that he did, the previous Chancellor took part in a series of miscalculations that have left us with our present inflationary problems.

I still do not understand why the Government disavow the use of the taxation system as a means of regulating inflation at a time when they are engaged in precisely that. Again and again Conservative Members have told me that it is their intention to reduce the basic rate of income tax to 20p in the pound. They are not doing so, because they believe that they will create more inflation if they do. Let us have a little more clarity on that.

The object of the debate is to try to tease out Labour's taxation policy. We must leave some time for that important task, because not much progress has been made on it so far. If the experience of the local elections is anything to go by, Labour will continue its policy of saying as little as possible. Its alternative to the poll tax was unstated, or at least confused, throughout the election campaign. It was to be some combination of a property tax and banding to take account of income. The combination never became clear.

It seemed to many people—including, I suspect, some Labour Members—to be an unnecessarily expensive as well as a confused tax because it involved two mechanisms—the valuation of property and the assessment of income. That leads me to wonder why Labour does not adopt our proposal for a local income tax, which seems an eminently more sensible procedure. Labour's habits of silence were well illustrated during the local election campaign, when it could not tell us its alternative to the poll tax.

Mr. Battle: Will the hon. Gentleman give way?

Mr. Beith: I will gladly give way to the hon. Gentleman, in the hope that he will tell me something about this matter.

Mr. Battle: I am puzzled by hon. Members who say that there is some difficulty about two concepts being held together. Under the rating system, linked to the benefits system of rebates, two different systems worked and interacted.

Mr. Beith: Yes, but I do not see why, in seeking to assess revenue for local authorities, we should go to the trouble of valuing property all over the country, which is not a particularly good guide to income, while at the same time assessing income and then trying to combine the two assessments. The old system was not particularly good, but the poll tax is infinitely worse. It is possible to have a system that is better than either, and I do not understand why Labour does not want to do so. I suspect that it is part of the policy of not saying what it proposes to do.

The Budget discussions also revealed ample evidence of that. In the immediate prelude to the Budget, the shadow Chancellor produced a two-page typed statement containing the Labour party's alternative to the Budget. On reading that, one would suppose that it might be possible to have lower inflation, a lower trade deficit and no significant increases in taxation for most people. The statement was noted more for its brevity than for anything else, and I suspect that it too was part of a policy of not really saying anything very much.

I have known the right hon. and learned Member for Monklands, East (Mr. Smith) for many years, and I think that that is his line. He may well have ideas about what he wants to do, but he does not propose to tell anybody just now, because people will only disagree with him and make trouble, and it is far easier to take office with no commitments at all. After all, parties have done that before.

Labour's attempt to claim economic credibility rests on the belief that the right hon. and learned Gentleman will be as strict and successful in containing public spending and inflation as he has been in containing his weight since the illness from which we were all so pleased to see him make such a good recovery. How he manages to do it while attending all the City lunches and dinners that he is supposed to attend I do not know. He has been extremely successful in self-discipline. The belief that he can somehow extend that discipline over the entire breadth of the Labour party seems wholly misguided. It is leading to a situation in which Labour would be unprepared for government even if there were some real prospect of it reaching government.

The right hon. and learned Member for Monklands, East has led many of his hon. Friends to believe that all sorts of laudable objects can be achieved without significant pain or difficulty, except to a few rich people whom Labour assumes will not vote for it anyway. Some of the richest houses at which I call during by-election campaigns are the ones in which I have located the Labour votes. The problem of a party that has not prepared itself for the most difficult decisions of government seems especially well illustrated by a letter that appeared in *The Independent* this morning. It is signed by the right hon. Member for Chesterfield (Mr. Benn) and 11 of his hon. Friends. It states:

"In your leading article last Monday (7 May) you refer to an interview published in the *Independent on Sunday* with

Labour's Shadow Chancellor, John Smith, explaining various proposals of the Shadow Cabinet. This interview detailed a number of policies which have not been adopted by the Labour Party, including Exchange Rate Mechanism entry in order to pursue a deflationary policy, and the dumping of our commitment to full employment."

Later, the letter states:

"Such policies would place a Labour government on a collision course with both the trade union movement and the electorate."

The right hon. Member for Chesterfield and his 11 hon. Friends who happened to be around when the letter was signed are clearly unprepared for some of the measures that the right hon. and learned Member for Monklands, East hopes to implement in the name of a Labour Government. Those 12 hon. Members say that they are not Labour policies, but there may be more than 12. If there is any possibility at all of a Labour Government after the next general election, there is not much chance of a Government with a majority of more than 12, and I suspect that that group of hon. Members or others will display their unpreparedness for such policies in no uncertain terms and will make it impossible for the right hon. and learned Gentleman to go on with a series of policies that are being kept under wraps until Labour comes to office. Even if it were a potentially useful electoral device, the policy of silence on taxation cannot prepare a party for any kind of effective government. It will certainly not assist in the taking of some difficult decisions.

Until the recent local government elections, government for my party seemed a rather remote prospect, but my party has been prepared to say what it believes. It has set out in detail its policy on local income tax and on tax reform. It will cost the hon. Member for Hertford and Stortford £1 more to buy our document on the subject, because there is a great deal more in it. I am sure that, when he looks at our policies, in more detail, he will not ask for his money back.

They include things that he says he favours, such as the integration of the tax and benefits systems and an attempt to introduce a citizen's income system as part of a more effective attack on poverty than can be achieved merely by tax allowances and benefits which depend on take-up, let alone by a level of child benefit, which is being deliberately eroded by the Government.

During discussions on the last Budget, we said that we were prepared to bring forward a number of those measures in order to tighten the fiscal stance this year because of the inflationary pressures that are so apparent in the current year. The hon. Member for Hertford and Stortford is right to put this matter on the Parliamentary agenda and to try to open up a more public discussion on tax policy for the future. I hope that, before the end of the debate, we will learn just a little of what Labour has in mind.

5.46 pm

Mr. Ian Gow (Eastbourne): I am happy to follow the hon. Member for Berwick-upon-Tweed (Mr. Beith), who, I suppose, could be described as the shadow Chancellor of the Exchequer for the Liberal party. I noted with keen interest his observation that an income tax rate of 98 per cent. was unsustainable and indefensible. During the notorious Lib-Lab pact, the hon. Gentleman and his party supported a Government who imposed upon the British people precisely that level of taxation.

That comes as no surprise to any hon. Member, because the previous leader of the Liberal party instructed the delegates to the Liberal party conference before the last general election to go back to their constituencies and prepare for government. His predecessor at the 1979 general election promised to lead the Liberal candidates towards the sound of gunfire. From the Liberal party, we have a never-ending series of myths, and hon. Members who want further examples of mythology should commit to memory from tomorrow's *Official Report* the speech by the hon. Member for Berwick-upon-Tweed.

The House should be grateful to my hon. Friend the Member for Hertford and Stortford (Mr. Wells) for initiating this most important debate. Its importance is underlined by the presence on the Back Benches of the hon. Member for Newham, North-West (Mr. Banks) who I hope will shortly catch your eye, Mr. Deputy Speaker. The hon. Member for Newham, North-West is very perspicacious. He is in his place on this important occasion, but the importance that he attaches to the debate is not, alas, shared by all his right hon. and hon. Friends.

The subject of taxation cannot be divorced from the subject of spending. What should be the level of spending by Governments and how that spending is financed is at the heart of this debate. It is perfectly true that, from 1974 to 1979, there was a dramatic increase in public spending, but there was also a dramatic increase in taxation. Even the increase in taxation, however, was insufficient to meet the vaulting spending plans of the then Government. Even that Government did not dare to impose sufficient taxes to meet spending. They tried to borrow to bridge the gap between spending and revenue, and when they were unable to borrow enough to bridge the gap, they resorted to the printing presses. Those vaulting spending plans and the subsequent inability to raise the money to finance them would be reproduced if ever there were another Labour Government.

Mr. Tony Banks *rose*——

Mr. Gow: I shall give way to the hon. Gentleman in a moment. He knows that there is no speech that I shall make in this House when I will not give way to him.

Should a Labour Government be elected, the same gap between spending and revenue will emerge and it will be met in the only way possible, by the printing presses. I shall now give way to the hon. Gentleman, whom I almost call my hon. Friend.

Mr. Tony Banks: That is probably the most complete demolition job that has so far been done on me in this House.

I cannot blame the hon. Gentleman for concentrating on what he would consider to be the downside of the Labour Government's economic record. Will he also accept, however, that, during that period, the unemployment rate was conspicuously lower that it is now, that the balance of payments in trade in manufactured goods was healthy and not in deficit as it is now——

Mr. Tom Clarke: And that was without oil.

Mr. Banks: Yes, my hon. Friend is right. Interest rates were considerably lower than they are now and inflation on a downward turn. In the interest of fairness, I am sure that the hon. Member for Eastbourne (Mr. Gow) will be prepared to put that side of the argument.

Mr. Gow: I shall make my speech in my own way, subject to my earlier undertaking that I shall, of course, give way to the hon. Gentleman if he seeks to intervene again.

I am glad that the hon. Member for Newham North-West referred to inflation and I am glad to have the opportunity to comment on it in the presence of my hon. Friend the Financial Secretary, who I hope will shortly be my right hon. Friend the Financial Secretary. I shall give way to my hon. Friend if he wants to intervene on my analysis about inflation—I give him the same undertaking as I gave the hon. Member for Newham, North-West.

Only Governments can cause inflation, and only Governments can cure it. It follows 11 years and more after my right hon. Friend the Prime Minister became First Lord of the Treasury that those who sit presently upon the Treasury Bench, and only those—I suppose that the Financial Secretary might say that my right hon. Friend the Member for Blaby (Mr. Lawson), who no longer sits on that Bench, bears some responsibility in the matter, so perhaps I should say, only those who have been or are on the Treasury Bench—are responsible for the present level of inflation.

Inflation is a disease of money and it can be ended only by a monetary cure. It is a matter of deep regret to me that, 11 years and more after a Conservative Government came into office, we have inflation at 9·4 per cent. and probably rising. I hope that the Financial Secretary and his colleagues in the Treasury will re-learn the lesson that some of us thought that they had learnt—that only a strict monetary policy will control the evil of inflation. When I say "control", it is a misuse of language. I have noticed that some of my right hon. and hon. Friends now refer to the control of inflation, but that was not the undertaking given in the manifestos of 1983 and 1987. Those manifestos referred to the goal of the Government as stable prices, which is zero inflation.

It is possible through the proper use of monetary policies to abate and eliminate the evil of inflation. During the lifetime of this Government, we have had inflation down to 2·5 per cent., but that was still 2·5 per cent. too high. If one can bring inflation down from 26·9 per cent. —the highest level under the Labour Administration—to 2·5 per cent., one can certainly get it down from 2·5 per cent. to zero. That should be the policy of my hon. Friend the Financial Secretary, and it should be the policy of the Labour party when it comes to submit its policies to the electorate.

The Labour party, however, will not make that commitment to the elimination of inflation, which was a commitment made by the Conservative party in 1983 and 1987. The Labour party will not do so because it does not believe in honest money and sound finance. If Labour party policies are ever implemented, I fear that there will be a dramatic increase in taxation, a dramatic increase in spending, a massive fall in confidence in sterling—even the Labour party will then be obliged to put up interest rates —and a diminution of confidence in this country. Many of the ablest people will leave the United Kingdom to seek freer countries.

Sir Geoffrey Finsberg (Hampstead and Highgate): My hon. Friend is making one mistake by constantly referring to "when" the Labour party produces its policies, as if he really believes that it will produce those policies in time for them to be costed, so that the electorate can see the folly into which they are being led.

Mr. Gow: My hon. Friend may well be correct. Hitherto, the Labour party has sought to conceal, and will continue to seek to conceal, the reality of what will happen. I have predicted what would happen if a Labour Government were ever to be elected. It is the duty of Conservative Members, which is why I am grateful to my hon. Friend the Member for Hertford and Stortford, to fill some of the gaps that are clearly and deliberately left by the Labour party.

A policy of high taxation and high spending brings with it dangers for the British people. I have been in this place for the twinkling of an eye, but nothing has happened in the past 16 years to lead me to believe that Governments are able to spend money more wisely and effectively than other people. The policies of my right hon. Friend the Prime Minister, however, have had a significant effect, because, when the hon. Member for Newcastle upon Tyne, East (Mr. Brown) comes to give the view of the official Opposition, even he will not say that the Labour party will go back to 98 per cent. levels of taxation on income.

When the hon. Member's party left office, that was the level of taxation, but he will not say that his party will go back to that level. Why? Because my right hon. Friend the Prime Minister has moved the centre of British politics to the right and has occupied the middle ground, dragging with her—with considerable reluctance, it is true—even some Labour Members. I do not want to be unfair to the hon. Member for Newham, North-West, but if he had his way, and if he were ever to be a Treasury Minister, he would not be satisfied with a 98 per cent. tax on income —he would want to go above 100 per cent. Some Labour Members feel a deep sense of envy and think that the purpose of taxation is not to raise revenue—although they frequently raise revenue with higher rate taxes—but to pursue the politics of envy.

Mr. Tony Banks: The hon. Gentleman must realise that, for people with certain levels of income, in particular those caught in the poverty trap, marginal rates of tax can be 100 per cent. We have to get people out of that trap. Is the hon. Gentleman not aware that the percentage of gross domestic product that is paid in taxes, adding indirect and direct taxes together, is more under the present so-called low-tax Government than under the Labour Government in 1978-79?

Mr. Gow: Mercifully, the economy is more buoyant now. The hon. Gentleman is wrong, because the average taxpayer is paying considerably less tax now. If the Opposition's policies were introduced, the burden of taxation would massively increase.

The House of Commons is the right place to discuss the central issues of how much Government should spend and how the money should be raised to cover that expenditure. The danger to Britain would be if we returned to a Government with precisely those vaulting spending ambitions that the Labour Government had in the past and to a similar increase in the burden of taxation. If we were massively to increase spending and taxation the prospects for this country, for fuller employment and for higher living standards would all be put at risk.

I congratulate my hon. Friend the Member for Hertfordshire and Stortford, and I commend his opening speech.

6.1 pm

Mrs. Alice Mahon (Halifax): What I find most galling about the setpiece of pure Tory party propaganda that we have today heard is that it appears to take most of its evidence from Fabian Society pamphlets—Conservative Members have the advantage over most Opposition Members who do not read them—or from the fantasising of two obscure Americans, Keating and Franklin, who produced what is probably an expensive report, the Credit Suisse/First Boston report, which made a number of assumptions about Labour policy that are wrong and deliberately misleading. They assume that they know what would be in Labour's first Budget and also what would be in the next four or five. I would be interested to know if they considered Tory plans for 1997, should we be so unlucky as to have the Conservatives elected to government again. The report also omitted the fact that Labour would be applying the Rooker-Wise indexation formula to higher rate thresholds and bands of tax. To pretend that we would not is absolute nonsense.

Let us consider the Government's tax record. I am not surprised that Conservative Members do not want to examine that, because, despite all their claims to be the party of low tax, they are not. The truth is that the overall burden of taxation has increased considerably under the Conservative Administration for those in the lower income groups.

In 1979, a married man with two children on average earnings paid 35 per cent. to the state in income tax, national insurance, rates, value added tax and other indirect taxes. By 1989, a worker on average earnings paid 37·3 per cent. to the state. At the lower end of the income scale, for a married man with two children earning half the average wage, the tax bill has risen from 2·5 per cent. to 7·1 per cent. since 1979. I admit that it is not all doom and gloom under the Tories. If a married man with two children earns 20 times as much as the national average —roughly £5,000 a week—his total tax bill has been reduced from 74·3 per cent. to 38·5 per cent.

Thanks to the excellent work of the Select Committee on Social Services, which exposed the bogus definition of poverty, we know that the Prime Minister was not correct in her much-publicised comments that helping the wealthy gradually trickles down to the poor—she was trying to justify helping the wealthy. I recommend that Conservative Members read that report if they doubt what I am saying.

Opposition Members have never been in any doubt about the results of the Government's tax policies. Of course the rich have got richer and the poor poorer. Hon. Members only have to use their eyes to study the position in the regions. How can we make sense of policies that allow the highest paid director in 1989—William Brown of Walsham Brothers—to pay himself more than £2 million in salary a year, or policies that mean that a 19-year-old student on a Business and Technician Education Council course, studying for more than 21 hours a week, and living with her unemployed parents, should lose her only income once she reaches the age of 19? Her income was only £27 a week. I know of such a case. Her parents were receiving income support and child benefit until she reached the age of 19, then every penny was withdrawn. Yet the same policies mean that she is expected to pay 20 per cent. of her poll tax.

I am glad that the hon. Member for Hertford and Stortford mentioned credit controls, he made quite a good case for them. If we are discussing the Government's record during the past decade, we should consider their record on debt. The National Consumer Council recently published a report that showed that on average consumers now owe twice as much as they did 10 years ago, and that the number of households that have difficulty in paying their debts has risen sharply. A staggering 2 million households have difficulty paying some sort of debt, and some half a million have multiple debts including mortgages and rents. That speaks volumes about a party that claims that home ownership is such a success story. I do not think that the right hon. Member for Mole Valley (Mr. Baker) can mirage that issue away.

The hon. Member for Hertford and Stortford based his assumptions about Labour policies on that doubtful document by two Americans, yet there has not been a success story in America for the vast majority of the people. Under Reagan, the tax burden was shifted from the rich to the poor. A study by the Urban Institute, whose members include prominent Republicans as well as Democrats, showed that, between 1980 and 1984, the poorest 20 per cent. of the population suffered a 7·6 per cent. decrease in disposable income, the next 20 per cent. up the scale suffered a decrease of 1·7 per cent. and the 20 per cent. at the top of the scale increased their income by 8·7 per cent. It is worth mentioning what has happened in America because much of what the hon. Member for Hertford and Stortford said was based on the Credit Suisse /First Boston report.

Mr. Hanley: If the hon. Lady is denying what my hon. Friend the Member for Hertford and Stortford and I said, which we believe to be the fruits of research into what the Labour party has told us about its policies so far, will she tell us what Labour's income tax policies are? We are waiting to hear if our research has been proved wrong.

Mrs. Mahon: If the hon. Gentleman is patient, he might hear something that will do him some good.

In America, similar policies of reducing taxes to reward the rich led to problems similar to those in the United Kingdom. Nobody denies that the Americans invested the millions that they received from tax cuts, as did the wealthy in Britain, but in neither case did they invest in wealth-producing assets. They went for short, speculative gains, which have not done either country any good.

The trickle-down approach in America failed just as spectacularly as it did in this country. We all remember President Bush's election pledge:

"Watch my lips—no new taxes."

He is now faced with a projected federal deficit of more than $150 billion. He has recently signalled that he intends to preside over a budget reduction package that will include taxes, despite all that we heard during the run-up to the election—unless he again gets away with watering down the Gramm-Rudman Act, which would enable him legally to introduce an even larger budget.

The hon. Members for Hertford and Stortford and for Richmond and Barnes (Mr. Hanley) should concentrate on the Government's taxation record before taking to task those trying to put forward a fair programme of taxation. We believe in taxation because we believe in the

[Mrs. Mahon]

redistribution of wealth. We certainly would not have introduced the poll tax. Hon. Members should deal with that issue, but they do not want to talk about it. They should think about the high interest rates that the Government are using as a one-club weapon to avoid tax increases. That has harmed economic activity. Manufacturing in my constituency is suffering because firms cannot afford to borrow with the cost of money being so high.

Conservative Members should concentrate on the skills shortage and the crisis in education. They should concentrate their minds also on the explosion of poverty. They may be proud of their tax policies, but the poor and those on low incomes are not happy with Tory tax policies. The Labour party is proud of its policy review and its aims. I am sure that we will have magnificent achievements. My right hon. and hon. Friends will propose policies that will be properly costed, and the electorate will believe them.

6.12 pm

The Financial Secretary to the Treasury (Mr. Peter Lilley): I congratulate my hon. Friend the Member for Hertford and Stortford (Mr. Wells) on securing this debate, on his excellent motion, and on the superb speech with which he introduced it and with which he demolished the Labour party's tax programme. The debate has been embellished by contributions from my hon. Friends the Members, for Richmond and Barnes (Mr. Hanley) and for Eastbourne (Mr. Gow). Their speeches, together with that of my hon. Friend the Member for Hertford and Stortford, will merit reading and re-reading throughout the country.

It was a generous idea to give the Opposition the opportunity to explain their policies. They have had that opportunity, but so far they have refused to take it. Labour Members have not once explained their party's tax policies. It is manifest that they are ashamed of them. They have exercised their right of silence for fear of incriminating themselves, and we well understand why. We shall have to wait to hear whether the hon. Member for Newcastle upon Tyne, East (Mr. Brown) will continue that policy. It is noteworthy that he is saving his speech until the end of the debate so that there will be no opportunity to comment on it.

The Government have always made clear the principles on which our tax policy is based. Our record of implementation demonstrates them in action and we have set clear targets for the future. Our principles are to reform taxes so that they are simpler; to remove unwarranted reliefs; to plug loopholes; to broaden the tax base; and ultimately to reduce marginal rates because they affect economic activity. Our record demonstrates a successful reform of the taxation of companies, of personal income, of capital, of inheritance, of husbands and wives and of savings. We have abolished seven major taxes and several minor ones. Our targets are progressively to reduce the burden of public spending and thereby tax as a share of national income, and to reduce the all-important basic rate of income tax to 20p as and when it is prudent to do so.

The Labour party is under an even greater obligation than we are to spell out its tax policies because they will impose an increased burden. People have the right to know how much extra tax they will have to pay, who will pay it, which taxes will be raised and what new taxes will be introduced. That obligation is recognised by many Opposition Members who have been distinctly unhappy with the evasiveness of their Front-Bench spokesmen during recent months. The hon. Member for Kingston upon Hull, East (Mr. Prescott) made it an issue in the deputy leadership election little more than a year ago. He said:

"We must learn the lesson from the last election when our tax policy was a mess. It is not credible for Labour to suggest our policies can be financed on a programme of low taxation. It can't and the electorate know it can't. We need to argue our case not duck the issues."

We shall learn later whether the Front-Bench spokesman argues the case or ducks the issue. I fear that the Opposition will continue to take as their motto, "Mum's the word." Indeed, they became quite angry on Second Reading of the Finance Bill when I suggested that those in the press who criticise Treasury Ministers for going into pre-Budget purdah might direct their fire at the Labour party for going into post-Budget purdah. However, they seem determined to remain there, at least until the next election.

Because the Opposition are not very forthcoming, we have the right to reconstruct, from the evidence available, the tax policies that it appears they will introduce. We can draw on three sources of evidence—first, their policy statements made before they went into pre-election purdah; secondly, their voting records on tax changes over the last decade; and, thirdly, their record when in government. Those sources combine to paint a clear picture of a party committed to high spending, requiring high taxation that will mean most people on average incomes and above paying more, and that will impose significantly higher marginal tax rates on a substantial minority.

Let us consider some of the Opposition's specific proposals—and we must make no bones about this—for tax changes. They include the upper earnings limit, investment income surcharge, the higher rate of income tax and the basic rate of income tax. The first proposal is to abolish the upper earnings limit on national insurance contributions and impose a 9 per cent. tax surcharge on 3 million people on all incomes above £18,000 a year. In his article in the *Independent on Sunday*,—which I commend to my hon. Friends—the right hon. and learned Member for Monklands, East (Mr. Smith) was frank about that. He said:

"They say 'you are going to hit people earning about £18,000 by making them pay this extra amount'. I say 'Yes I am'."

There is no reason to doubt the right hon. and learned Gentleman's word. A party that has as a central revenue-raising item a surcharge on employers' national insurance contributions—the notorious tax on jobs that my right hon. and learned Friend the Member for Surrey, East (Sir G. Howe) had the privilege of abolishing—would have no compunction about abolishing the upper earnings limit.

The second proposal is the restoration of a special supplementary tax on savings—the investment income surcharge that was also abolished by my right hon. and learned Friend the Member for Surrey, East. There is some doubt whether the plan is to restore a 15 per cent. surcharge, as previously existed, or to impose a 9 per cent. charge on all savings income—the hon. Member for Newcastle upon Tyne, East is nodding—mirroring

national insurance contributions. The Opposition voted against the abolition of the 15 per cent. surcharge, but it appears that a 9 per cent. tax on all 20 million savers who pay tax is now in vogue. Either way, it will be a tax on savings when we need more savings, not less.

It would bear most heavily on the elderly, retired, and those who would suffer most from the effect of Labour's inflationary policies in wiping out their lifetime savings.

As to the top rate of income tax, on a number of occasions, Labour's spokesmen have affirmed that it would be raised to a maximum of 50p in the pound—or 59p in the pound including the national insurance surcharge. In his revealing interview in the *Independent on Sunday*, the right hon. and learned Member for Monklands, East described that rather menacingly as "an exercise in moderation."

It is not clear why anyone should rely on Labour's promise not to raise tax rates if it came to power. I wonder whether the hon. Member for Halifax (Mrs. Mahon), who called for redistribution, believes that a top tax rate of 50p in the pound is high enough.

Mr. Tony Banks: Will the Minister give way?

Mr. Lilley: Of course I will give way—my hon. Friend the Member for Eastbourne (Mr. Gow) set an example.

Mr. Banks: It was a fine example to follow. I may say to the young Minister that it is all very well Conservative Members complaining about the Labour party not spelling out what it intends to do, but when my right hon. and learned Friend the shadow Chancellor does exactly that, Conservative Members will respond, "We do not believe what you say." We cannot win in that situation, can we?

Mr. Lilley: There is some suspicion, because Labour's voting record in Parliament indicates otherwise. Labour Members voted not only against the reduction of the top rate of income tax from 60p to 40p, but from 83p to 60p. Labour's record in government, too, belies the "exercise in moderation" to which the right hon. and learned Member for Monklands, East referred. When in government, Labour raised the top rate of tax from 75p to 83p, and the overall top rate was increased to 98p in the pound, on income from savings. Labour deliberately took that action, to "squeeze the rich until the pips squeak"—to use the inelegant words of the right hon. Member for Leeds, East (Mr. Healey).

Mr. Nicholas Brown: Is it the Financial Secretary's view that the entire process of Labour's policy review was just some kind of charade, for the purpose of presenting a pleasant face to the electorate, and that we do not mean a word of it? If that is the Minister's view, he should say so, rather than just imply that it is.

Mr. Lilley: There is an element of charade in Labour's policy review, and there is an important reason for some doubts lingering in the minds of not only my right hon. and hon. Friends but of people in the country at large, as to whether the conversion of the Labour party is sincere. The reason for those doubts is that Labour has never admitted that it was wrong. There is more joy in heaven over one sinner who repents than at 99 just men who need no repentance. Never has a Labour Member stood up and said, "We were wrong. We are sorry. We have changed, and we now have a different policy." Until Labour disowns both its voting record and its record in government, doubts must remain about the policies that it presents.

I would expect any changed policy to be accompanied by a recognition that the previous policy was wrong. However, if Labour maintains a dual allegiance to its previous record and to its new, temporary policies concocted before a general election, it must expect the man in the street to hold some suspicions.

When Labour was in power, it deliberately raised top rates of tax, but not, it would seem, to acquire a great deal of extra revenue. The consequence of that action was that the top 5 per cent. of this country's richest people, who at the beginning of Labour's period of office paid 29 per cent. of our income tax revenues, paid only 24 per cent. of them by the end of Labour's term of office. That is scarcely in tune with the redistributive aims of at least the hon. Member for Halifax.

Mr. Frank Haynes (Ashfield): I do not know where the Minister got his brief, but he is wandering about all over the place. I wonder whether he holds constituency surgeries, as do I and my right hon. and hon. Friends. I held a surgery on Saturday, and people came in to complain about the taxes that they have to pay, even when they are in a very low income group. I could cry at some of the problems that they have as a consequence of the present Administration. The Minister keeps harping on about what Labour's policy will be if it gets into power. Don't worry, lad. Labour will get in next time. When it does, taxes will be based on people's ability to pay. That is what it is all about—so let the Minister put that in his pipe and smoke it.

Mr. Lilley: I am grateful for that constructive contribution from the hon. Gentleman, who has just wandered in.

The main issue affecting both the hon. Gentleman's constituents and mine is not the top rate of income tax, which falls directly upon no more than 1·7 million people, but the basic rate. Neither Labour's policy review nor the statements of Opposition figures give clear guidance. My hon. Friend the Member for Hertford and Stortford made clear, as did my hon. Friend the Member for Richmond and Barnes, the conflicting statements made by Opposition Members. If today's debate serves any purpose, it is to achieve clarification from Opposition Members as to whether it is Labour's intention to raise the basic rate of income tax.

The right hon. and learned Member for Monklands, East acknowledged in his recent interview that the tax reforms he proposes will not be "revenue-neutral." He was clear about that. The right hon. and learned Gentleman admits that the yield from implementing just one of them would be absorbed by just one of Labour's pledges. We have yet to see the Opposition spell out and cost all their pledges. They promised to do so in the foreword to the very document that the hon. Member for Newcastle upon Tyne, East suggested as a reliable guide. But the shadow Chief Secretary has said that she disowns the promise made by the Leader of the Opposition in his foreword to cost Labour's policies before the general election. Labour has now gone back on that promise and said that it will not cost them until afterwards. That is another reason why we have doubts about the reliability of Labour's spokesmen.

[Mr. Lilley]

In the absence of clear statements by members of the Opposition Front Bench, and as they have not taken the opportunity today to stand up and say whether they will raise the basic rate, we must refer again to Labour's voting record and its record in government. The voting record of Labour Members is clear. They voted against every cut in the basic rate that we have introduced in this and previous Parliaments. They voted against a reduction from 33 per cent. to 30 per cent. in 1979; 30 per cent. to 29 per cent. in 1986; 29 per cent. to 27 per cent. in 1987; and 27 per cent. to 25 per cent. in 1988. On each occasion, the Opposition said that they would prefer to use potential revenues from income tax to increase public spending.

One can believe that, because one knows that that is where Opposition hearts lie. When in government, and after some ups and downs, Labour ended up with a basic tax rate 3p higher than that which applied when they were first elected. If we were simply to uprate in line with inflation the tax allowances that Labour left behind for a Conservative Government, and if we had maintained the same tax rates, the average man would be paying over £1,000 a year more income tax.

That underestimates the true burden of public expenditure under Labour. A large part of its programme was financed not by tax but by borrowing. Borrowing is nothing more than deferred taxation. The equivalent value today of the deferred tax burden that Labour was incurring, year in and year out, was equivalent to about £2,000 per household in the last year of that Labour Government.

Mr. Tony Banks: That is what one borrows money for.

Mr. Lilley: I am afraid that it is not as simple as the hon. Member for Newham, North-East suggests—*[Interruption.]* I meant to say Newham, North-West.

Mr. Banks: I hope that the Minister's economics are better than his geography.

Mr. Simon Coombs (Swindon): Will my hon. Friend confirm that, such was the Labour Government's inability to control public expenditure, that in 1976, although they raised personal and corporate taxes significantly that year, they had begun the year by assuming that the public sector borrowing requirement would be £2·7 billion? As it turned out, by the end of the year the PSBR had reached £9 billion.

Mr. Lilley: My hon. Friend is absolutely right. It is difficult to forecast the public sector borrowing requirement, but happily we often make the mistake of underestimating our surpluses.

The overall impact of the Labour party's policies is clear: a higher burden of taxation, higher taxation of the average man in the street and, most of all, a substantial increase in marginal tax rates for large numbers of people. At last we know what supply side socialism means. It is the exact opposite of what the rest of the world did during the supply side revolution of the 1980s. During that period, countries from India to America, from Japan to the Ivory Coast, reduced their top rates of tax and their rates of tax generally because they believed that marginal rates of tax were important for efficiency, growth and the prosperity of the economy.

Mr. Battle: If the result of this week's meeting is that Congress and the President of the United States decide to do a U-turn and raise taxes to fund the trade and budget deficit, will the Government here do likewise?

Mr. Lilley: I am grateful to the hon. Gentleman for making that point; it reinforces what I said earlier. We had to raise the tax burden to deal with the deficit that we inherited from Labour. I do not intend to comment on the United States Government's predicament. If, however, the hon. Gentleman is suggesting that deficits cannot be sustained and have to be financed, there is a great deal of force in what he says.

The hon. Gentleman's colleagues do not seem to recognise the damage that can be done by high rates of tax, not just to individuals but to the health of the economy as a whole. The Labour party specifically denies that they cause damage. The hon. Member for Dunfermline, East (Mr. Brown) said:

"I find that there is no respectable evidence . . . There is nothing at home or abroad that can justify the ideology of incentives"—[*Official Report*, 26 April 1988; Vol. 132, 231.]

That was said in the context of cutting the basic and the top rates of tax. The hon. Gentleman is happy to ignore the evidence of common sense and experience that has convinced the rest of the world that taxes must be reduced.

We are in competition with countries throughout the world that are endeavouring to reduce taxes. I do not believe that the electorate, both because of family budgets and their recognition of this country's needs, will vote for a party that is as committed as the Labour party clearly is to raising marginal tax rates and clobbering the British people, and therefore the British economy.

6.32 pm

Mr. Nicholas Brown (Newcastle upon Tyne, East): Like the hon. Member for Eastbourne (Mr. Gow), I am grateful to the hon. Member for Hertford and Stortford (Mr. Wells) for tabling his motion. I am sorry that he feels that he has been cheated twice. He feels that he has been cheated by the Labour party's headquarters in Walworth road, which seems to have provided him with a different copy of the policy review from the one that the rest of us have. If that is the reason why he has been misled, I am sorry. I am also sorry that he may have been cheated by his own party's Whips Office.

We respect the hon. Gentleman's views on the Third world and overseas aid. Given his special interests and his luck in the ballot, I should have thought that he would choose a subject for debate that related to the Third world and overseas aid. This is a partisan motion. Nevertheless, it has provided me with an opportunity to respond to the matter of substance. I did not expect to have such an opportunity until after the next general election.

The motion has no ground in fact. It is the sort of contemptible motion that one associates with Liberal party councillors. It suggests that the Labour party is committed to

"massive increases in public expenditure".

I do not know why the hon. Gentleman believes that public expenditure increases would be massive. Many Opposition Members believe that there ought to be substantial increases in public expenditure, but we are not committed to them, because we know that they cannot be achieved.

The motion states that the Labour party would impose "new taxes on savings, jobs and property".

We do not intend to invent new taxes to cover any of those matters. We shall no doubt adjust the present tax rates, but we do not intend to introduce new taxes.

The motion goes on to say that the Labour party would increase the rates of income tax. That is a fair point; I shall have more to say about it later. However, the Labour party's policies will be directed at those who pay the top rates of income tax. Those who pay income tax at the standard rate have nothing to fear from our policies.

The motion goes on to state that the Labour party would increase national insurance. That is a bit rich, coming from the party that in 1979 suggested that it would do exactly the opposite and then increased the rate from 6·5 to 9 per cent. If we increased national insurance, it would be only a question of removing the ceiling. We do not suggest any further increase in national insurance charges. the policy review document suggests nothing of the sort.

The motion also says that the Labour party is refusing to reveal its plans for the basic rate of income tax and contrasts that with the Government's goal of basic rate of just 20p. When we set goals we are told that they are vague promises, that we should be unable to achieve them and that we are not to be believed. When the Government set goals and do not achieve them—some Conservative Back Benchers have said that they ought not to be achieved at the moment—that is laudable. Why are our goals derided as dishonest while the Government's goals are praised? It is unusual for the hon. Member for Hertford and Stortford to be so partisan.

The motion goes on to say that Labour

"will be forced substantially to increase the burden of tax on many lower and middle income earners."

We shall do nothing of the sort. Our taxation policies are designed to increase the wealth of the low-paid, not to diminish it. It is a bit rich for the Conservative party to say that, when only last Thursday it was condemned by the Social Services Committee, an all-party Committee, for having produced misleading statistics relating to those on low incomes. In its report the Select Committee said:

"It is now clear that those on lowest incomes gained least in the period 1981-85. We await with interest the publication of the new tables on Households Below Average Income to see whether this trend continued to 1987."

The blame lies with the Conservative Government. It is wrong for them to try to palm that off on us.

The motion

"notes that Labour plans run counter to the growing international consensus on the case for low taxes."

That is wrong. Our taxation policy is more in harmony with what is happening in Europe and among the developed countries of the world than the narrow and restrictive tax policies, with only two bands, that are being pursued by the Government. Only one person in 25 pays the top rate of income tax. For everyone else, regardless of their earnings up to the top rate threshold, there is only one rate of tax. That is not what happens in the rest of Europe and that is not what we propose. If criticism is to be directed at anyone, it ought to be directed at the hon. Gentleman's own party, not at the Labour party.

The motion also states that

"new taxes would stifle enterprise, drive firms and individuals abroad"—

although we are trying to do exactly the opposite—

"and gravely weaken the wealth-creating capacity of the United Kingdom".

When one examines the recently published investment and growth figures, one realises that the Government ought not to direct such a charge at us. The motion also states that the Labour party would create unemployment. Our goal is exactly the opposite.

I intend to set out the Labour party's taxation policies and to deal with the matters of substance that have been referred to in the debate. Our taxation policies are set within the context of our overall economic and social programme. It would be bizarre if they were not. In the overall management of the economy, our objective is to achieve steady and balanced growth, to control inflation, to restore a reasonable equilibrium in the balance of payments and at the same time to sustain the highest possible levels of employment. Our taxation policies are designed to serve those ends. As well as being compatible with those overall economic objectives, our taxation policy is also compatible with the Labour party's social objectives. Our overriding social objective is fairness; by that we mean the redistribution of the tax burden from those least able to bear it to those most able to.

So it was fair of the hon. Member for Hertford and Stortford to say that some taxes will go up: so they will. For others, they will go down. The Labour party does not intend to divorce its taxation policy from its public spending programme, nor do we intend to undermine the role that taxation, direct and indirect, plays in the overall management of the British economy. Taxation will play its part in the achievement of the Labour party's overall economic objectives.

Before going on to give Conservative Back Benchers the details that they claim to crave, it would be helpful if I reiterated the statement on public spending made by my hon. Friend the Member for Derby, South (Mrs. Beckett) in the debate on public expenditure on 13 February:

"First, the Opposition reject the simplistic view that there is always, and in every circumstance, merit in reducing public spending as a percentage of national income . . . We are determined to make only the most limited of firm spending commitments—those that we must and can afford. Beyond that, we shall set out the direction of public investment and the priorities and choices of a Labour Government, emphasising throughout that we will not spend more than the country is earning or can prudently afford . . . Our priorities are clear: immediate relief for those who have suffered most —the pensioners and families with children—and the fostering of much-needed investment in our future".—[*Official Report*, 13 February 1990; Vol. 167, c. 178.]

Conservative Back Benchers ask what this is going to cost. In a special focus on meeting the challenge—Labour's economic policy—Goldman Sachs produced an analysis as follows:

"Thus the Labour Party has already committed itself to spending at least an additional £3·3 billion on improved pensions and child benefit in its first year of office."

I would not quarrel with those figures, which show the commitment implied in the two spending priorities.

Mr. Gow: I think I heard the hon. Gentleman say that a future Labour Government would not spend more than the country was earning. May we take it from that that it would not be the policy of a future Labour Government to have a public sector borrowing requirement?

Mr. Brown: The hon. Gentleman implies that we should not borrow to pay for revenue expenditure. If, on the other hand, he suggests that we should not borrow for much-needed investment in the economy, with a clear return over time, I cannot give him the assurance that he seeks. If he is saying that we should not borrow to meet

[Mr. Brown]

revenue commitments, he is following what I am saying most realistically. I hope that that is a good enough answer for him.

What I have said does not mean that the Labour party has no other spending priorities; Conservative Members have pointed out some of them. Of course we have—they are set out in our policy review documents and in statements by the relevant Opposition Front-Bench spokesmen for the shadow spending Ministries; but, as the hon. Member for Eastbourne (Mr. Gow) pointed out, the real issue is how far an Opposition can go when making detailed public spending decisions and detailed decisions on taxation rates given that the economic circumstances that we shall have to face are not those that prevail now but will be those that prevail at the time of the next election.

The Labour party has set out its public spending priorities, beyond the two firm and clear commitments that my hon. Friend the Member for Derby, South has given. Those priorities will take their place in the public spending round after the next Labour Government come to power. As long as our commitments are carefully costed and tightly controlled, there does not seem much point in conducting a hypothetical shadow public spending round at this stage. Our objectives are clearly stated and our timetable depends on the overall strength of the economy that we shall inherit from this Government after the next election.

If Conservative Members are reluctant to acquiesce in this approach, I have searched the archives to find information that will help me to convince them. I looked for an authority whom Conservative Back Benchers might respect, and failed, but I found some quotations from speeches made by the shadow Chancellor in 1979, before the last election. The right hon. and learned Member for Surrey, East (Sir G. Howe), now deputy Prime Minister, made a number of specific commitments on behalf of the Conservative Opposition at that time, and I am sure that it would interest the whole House if I reviewed them. After all, this debate is about the taxation policies of the Opposition, and it seems unnaturally restrictive to concentrate on the policies of the present Opposition—we ought to have a look at what the Conservatives were saying when they were in our position. They have no right to complain about that, because they are always harking back to the era of the previous Labour Government when they attack us. So we should review what the then shadow Chancellor said, if only as an awful warning to us all.

In his speech at Oxford on 7 April 1979, the then shadow Chancellor said:

"Every Labour Government puts taxes up . . . every Conservative Government gets taxes down. The next Conservative Government will be equally true to our record."

Of course, that was not true. Taxation as a share of gross domestic product has risen substantially under this Government. They inherited a rate of about 34 per cent.; since 1981 the gross tax take from the economy has been between 38 and 39 per cent.

Again in April of 1979, refuting charges made by the then Labour Government, the shadow Chancellor condemned what he called Labour's dishonesty. He said that there were

"a number of inexcusable errors in Labour's televised party election broadcast on Friday, which I would like to correct."

He went on to say that the Conservatives had

"absolutely no intention of doubling VAT."

Granted, he held out for just over a year, but that was not quite the same as disclaiming any intention. I suppose that the lawyers might have got him out of that, but I doubt whether the electorate would have.

The shadow Chancellor also said:

"We do not claim to be able to work a miracle cure to solve all the problems of the economy . . . We want to raise living standards without stoking inflation."

That brings to mind the later objective of zero inflation, to which the Government of course said that they were committed. They did not add that they were going to put a 1 in front of the zero for the foreseeable future.

At his press conference on 18 April 1979 the shadow Chancellor said:

"The next Conservative Government will cut, and cut substantially, the basic and higher rates of income tax. We shall raise, and raise substantially, the level at which people start paying income tax."

It took nine years for him to honour that pledge to higher rate taxpayers; for lower rate taxpayers no mention was made of the 2·5 per cent. national insurance increase, which came much earlier than the tax cuts.

By 1982-83, the total tax burden had risen, not fallen. In Pentlands, the right hon. and learned Gentleman said:

"Creating secure jobs: the Conservative way . . . it's high time for a fresh approach, in Scotland as well as in the rest of the United Kingdom. The next Conservative Government will give Scotland that new approach. We must make sure the next five years are not as bad as the last."

The electorate in Scotland have delivered their own verdict on that.

Dealing with the pace of change and the pace at which commitments would be honoured, in an article in *The Times* of 13 August 1978, the shadow Chancellor said:

"I am very anxious to avoid the impression of the instant arrival with the instant decision and the instant solution. I know where I want to go and I am determined that we should go there at a steady pace."

The House will recognise that as authentic stuff. He continued:

"Of course we should want to alter the whole climate as soon as possible, not least because the benefits will be some time a-coming. That is why we are talking about three to four years."

When Labour hon. Members talk about the pace, Conservative hon. Members say that that is not allowable; however, they made precisely the same points when they were in opposition.

My right hon. and hon. Friends will no doubt ask, "Where did that policy all end? Where did the former shadow Chancellor's pledges get him?" By December 1980, Ian Aitken was writing under the headline

"Sir Geoffrey complains of being hampered by election pledges."

That report—in *The Guardian* in December 1980—said:

"The Chancellor of the Exchequer claimed last night that his mini-Budget was the direct result of pledges and commitments made by the Conservative party before and after the general election. He told sceptical Tory backbenchers that he now found himself, surrounded by road blocks created by these undertakings . . . he is understood to have told the private meeting that the Government was now 'pushed out against the frontiers of our pledges'."

It all ended in tears. By 1983, the financial section in *The Guardian* was saying in a leader article:

"how the Tories failed to keep their tax promises".

The article pointed out that wealth had not been redistributed in the way in which the Conservatives had said that they intended. That is an awful warning to those

who make promises before general elections and cannot keep them afterwards. The Labour party has been careful about its detailed pledges—careful to ensure that it does not make any more promises than it can sustain. It is setting out a broader programme, which we hope to achieve if circumstances allow. It is right for us to do that.

The article in *The Independent* on Labour tax policies, to which reference has been made, sets out a number of charges under the headline

"Labour's half-baked conversion on tax".

The headline bears no relationship to the content of the article. One charge is that

"The threshold for high-rate tax will no longer be raised in line with inflation, so that in real terms the starting point for higher tax will be lowered."

That is what the Government did in the previous Budget, and it is precisely what we have not said that we will do. In fact, we have not said where the tax bands will be placed.

We have set out our parameters carefully. We have said that the top rate of tax will be 50 per cent. It is right for Conservative Members to say that we have pledged to eliminate the national insurance threshold for people earning more than £30,000—or whatever the national insurance ceiling is. That will mean that some people are paying more. That change will take some people up to 59 per cent. That is the top rate of taxation that endured for the entirety of the chancellorship of the deputy leader of the Conservative party, and for most of the chancellorship of the right hon. Member for Blaby (Mr. Lawson). If is is such an iniquity to return to a rate that is only slightly less than that which endured for all that time, why did the Conservative party not rise up and insist that for most of the 1980s such a rate was reduced rather than sustained?

The hon. Member for Hertford and Stortford had a chance to move a motion on economic affairs. It is a poor and desperate attack that does not tell us anything, except about the people who launched it. Why do Conservative Members find it necessary to attack the Labour party for something that it is not going to do? After 10 years of Conservative government, why do they not try to show the party's economic achievements? Why do they not table a motion about the inflation rate, at 10 per cent.; about the growth rate forecast by the Government, at 1 per cent., which will put us bottom of the growth league; about the Government's forecast for negative growth in investment in the 1990s; about interest rates, praising the Government for the highest interest rates in Europe; about another Government record—the record trade deficit, which was £21 billion last year and last month the second highest ever, at £2·2 billion; about unemployment, which is now signposted for an upturn; about social justice, which is something not to be found in the Conservative party's tax policies; and, to top it all, why do we not have a motion about the electoral success of the poll tax and its widespread popularity?

Those are the real issues that are involved in the management of the economy. The Conservatives dare not have a debate in their own time about any of them, so they must attack us. They cannot even attack us fairly; they must do so unfairly, and on spurious grounds.

6.55 pm

Mr. Anthony Coombs (Wyre Forest): I thank my hon. Friend the Member for Hertford and Stortford (Mr. Wells) for giving us this opportunity to examine the vague and vacuous taxation policies of Her Majesty's Opposition. My hon. Friend quoted Lewis Carroll, and I shall quote Edmund Burke, who said:

"It is a general popular error to imagine the loudest complainers for the public to be the most anxious for its welfare."

It is interesting to note that members of the Labour party dress up their taxation policy in terms of social justice and fairness. High-tax high-spending policies have had precisely the opposite effect. Most people would agree that high-tax, high-spending policies reduce incentives, enterprise and growth, and therefore reduce the chance of jobs in many constituencies. They prevent growth, and therefore the additional finance that the Government have made available for public services. Most important of all, those policies damage the interests of the people in the lower-paid groups whom the Labour party purports to represent.

Not only did the previous Labour Government increase tax rates to 83 per cent.—and 98 per cent. for investment income—for the wealthiest in society, but, because they did not uprate tax allowances in line with the inflation that they had created, 1·8 million more lower-paid people were paying tax when they left office than when they came into office. If we compare that with the Conservative Government's record, we find that 1·2 million lower-paid people are now not paying tax who were paying it under the previous Labour Government.

When we examine the Labour party's proposed tax policies, we must bear two things in mind. First, in the three years between 1974 and 1977, the Labour Government increased the amount of tax payable by an average household with an average income from £389 a year to £876 a year. Secondly, if we compare the share of income tax paid by the top 5 per cent. of earners in 1976 —when the Labour Government were in power, with their high-tax and high-spending policies—with 1989, with the Conservative party's low-taxation policies, we find that that top 5 per cent. have increased their proportion of total tax from 25 to 29 per cent. The top 10 per cent. of earners now pay 40 per cent. as opposed to 35 per cent. of the total tax take, whereas the lowest 50 per cent. of wage earners pay only 16 per cent. of the total tax take. That is hardly unfair.

Let us extend that argument to the amount of wealth held by various proportions of the population. In 1971, again under a high-tax regime—just after the Labour government of 1966-70 has left office—the top 1 per cent. of wealth owners, including pensioners, had 21 per cent. of the total wealth. By 1987, the figure had dropped to only 11 per cent. The top 5 per cent. earned 37 per cent. in 1971 and now earn only 24 per cent. The top 10 per cent. earned 49 per cent. in 1971 and now earn 35 per cent.

Because a low-taxation, high-incentive society gives more people more opportunities to climb the ladder and create wealth, it creates a more even distribution of wealth. That is why a high-incentive——

It being Seven o'clock, proceedings on the motion lapsed, pursuant to Standing Order No. 13 (Arrangement of public business).

7 pm

Mr. Max Madden (Bradford, West): On a point of order, Mr. Deputy Speaker. I wish to raise a point of order, notice of which I gave to the Chair earlier this evening and to the Home Office an hour or more ago. I

[Mr. Max Madden]

understand that immigration officers and police officers are at this moment searching for 33 young Chinese people, including a girl who is eight and a half months pregnant, who arrived in the United Kingdom 10 days ago. I understand that they were in possession of visas to enter Canada and, for reasons which are not known, the airline refused to take them to Canada, and they were left in Britain.

Mr. Deputy Speaker (Mr. Harold Walker): Order. What is the point of order for me?

Mr. Madden: My point of order is that the British Government professed their outrage at the massacre in Tiananmen square last June. These young people fled China because of that massacre and are now being——

Mr. Deputy Speaker: Order. What is the point of order?

Mr. Madden: They are now threatened with deportation from Britain to Panama, which I do not think is well known as a place of haven and stability. My point of order is that I would urge that no action be taken to arrest, detain or deport these young people until we have——

Mr. Deputy Speaker: Order. I understand the hon. Member's concern, but, that has nothing to do with my responsibilities to the House and the Chair.

Mr. Madden: Indeed, Mr. Deputy Speaker. I should like a statement from the Home Secretary to the House later tonight——

Mr. Deputy Speaker: Order. It has taken the hon. Member a long time to get to that matter. I have not received a request for a statement to be made. No doubt the hon. Member's comments will have been heard by those on the Treasury Bench.

Mr. Madden: When I contacted the Home Office earlier tonight, I asked for a Home Office Minister to be present when I raised my point of order at 7 o'clock. I was assured that efforts would be made to have such a Minister present——

Mr. Deputy Speaker: Order. The hon. Member must recognise that these are not matters for me. I have no responsibility for them.

Clyde Port Authority Bill

Order for Second Reading read.

7.2 pm

Dr. Norman A. Godman (Greenock and Port Glasgow): On a point of order, Mr. Deputy Speaker. I seek your guidance on a serious matter concerning the Bill. In respect of my constituency, clause 4(3) and (4) of the Bill are, at best, incompetent and, as worst, ultra vires.

The Clyde port authority, despite its claims, does not own any property on the Greenock waterfront. On 6 July 1772, in Edinburgh, Sir John Shaw Stewart gave the people of Greenock by way of a feu contract the whole of the waterfront between the Kirk burn, Westburn street and the Royal close, Bogle street. The port and harbours were given in trust in perpetuity to the magistrates, treasurer, town council of Greenock and their successors. That generous decision was incorporated in section 26 of the Greenock Port and Harbours Act 1867 and further codified in section 212 of the Greenock Port and Harbours Consolidated Act 1913, which states:

"Nothing herein contained shall hurt or prejudice the charter granted to the town of Greenock in the year one thousand seven hundred and fifty-one by the deceased Sir John Shaw of Greenock Baronet nor the feu contract betwixt John Shaw Stewart Esquire and the magistrates and council of Greenock dated in the year one thousand seven hundred and seventy-two or any rights privileges or dues thereby conferred or thence arising so far as consistent with the provisions of this Act."

Given the CPA's commercial banditry in this matter, I urgently request that the Bill be refused a Second Reading, for the reasons that I have outlined.

Mr. Deputy Speaker: I am grateful to the hon. Member for having given me notice of his intention to raise these matters. I have had them looked into carefully, and there is nothing out of order about the Bill being down for Second Reading. Any aspects of the Bill that call into question its competence or details in the clause are matters for the Committee to discuss and decide in its examination of the Bill, should it be given a Second Reading by the House. Of course, there is nothing to stop the hon. Member, should he be fortunate in catching my eye, to refer to these matters again during the debate.

Mr. Tam Dalyell (Linlithgow): On a point of order, Mr. Deputy Speaker. There is a growing custom, which is very unsatisfactory in terms of parliamentary procedure, whereby Ministers make important statements by references in written answers.

The hon. Member for Luton, South (Mr. Bright) received a reply from the Ministry of Defence referring to a report in the Library about the case of Colin Wallace and misinformation. If Governments put substantial, far-reaching statements in the Library, they should offer to give the information, if not in answer to a private notice question arranged through the usual channels, at least by a parliamentary statement. May I ask whether you have had any request Mr. Deputy Speaker, from any Defence Ministers to make an oral report to Parliament on an extremely significant report about Government misdeeds?

Mr. Deputy Speaker: I am not aware of any request from any Minister to make a statement to the House on this or any other matter.

On the hon. Member's general point, Mr. Speaker has found it necessary in the past to make some critical comments, and no doubt he will read the hon. Member's points with interest.

Mr. Tony Worthington (Clydebank and Milngavie): On a point of order, Mr. Deputy Speaker. My point concerns the way in which the procedures of the House are used. The Bill is clearly a Government measure. The device of private Bill time has been used to consider a Government measure. If this were a Government measure, we would have been able to get much better information and much better explanations about the Bill's purpose than is possible with a private Bill. I wonder whether it is causing you some torment to have the procedures of the House and your stewardship of private Bills abused by the Government.

Mr. Frank Haynes (Ashfield): Further to that point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Is it on the same point?

Mr. Haynes: I said, further to that point of order.

Mr. Deputy Speaker: Mr. Frank Haynes, then.

Mr. Haynes: Okay, now we are right.

I watched your face, Mr. Deputy Speaker, when the point of order was made about the Bill: If you had been on the Back Benches, as you were in the past, you would have been playing hell.

Mr. Richard Holt (Langbaurgh): Withdraw.

Mr. Deputy Speaker: Order.

Mr. Haynes: The hon. Member for Langbaurgh (Mr. Holt) is not in the Chair; you are. I am saying that, had you been on the Back Benches, you would have been making some representations somewhere. A representation has been made, no progress has been made, so the matter has rightly and properly been raised here. Now you find yourself in the Chair, so I suggest that you have some responsibility, bearing in mind what you would have done on the Back Benches, as you did many years ago.

Mr. Holt: That is out of order.

Mr. Haynes: You twit.

Mr. Deputy Speaker: Order. The hon. Member for Ashfield (Mr Haynes) must not use such language when I am on my feet—or even when I am sitting down. The hon. Member cannot remember when I was a Back Bencher —I can hardly remember it. I hope, given what recollection I have, that no right hon. or hon. Member would take my behaviour as a Back Bencher as a role model for him to follow.

The hon. Member will know, as does the House, that private Bills are carefully examined by the examiners before they are put before the House. The examiners must be satisfied that the Bills are correct in all respects for presentation in the House. That has been done in this case, as in every other.

A similar point was raised fairly recently when we had before us a similar Bill—the Tees and Hartlepool Port Authority Bill—and it was dealt with by the occupant of the Chair. I doubt whether I can add anything useful to what was said on that occasion.

Dr. Godman: On a point of order, Mr. Deputy Speaker. Let me ask you a technical question. Given that no petitions of objection have been laid against the Bill, am I right in supposing, that if it is successful, it will go from this place to the Committee on Unopposed Bills? Am I also right in thinking that that Committee cannot consider amendments to the Bill?

Mr. Deputy Speaker: The hon. Gentleman is right that, in the absence of petitions, the Bill will go to the Committee on Unopposed Bills, but I think that in that Committee, appropriate amendments that satisfy the rules of order can be tabled, discussed and made. These matters may fall within the scope of what the Chairman of the Committee will permit, and the Committee could, if necessary, refer to the points that the hon. Gentleman has made this evening.

Mr. Haynes: Further to the point of order, Mr. Deputy Speaker. I listened to what you said a little earlier. You did not really listen to what my hon. Friend the Member for Greenock and Port Glasgow (Dr. Godman) said.

Mr. Holt: Oh!

Mr. Haynes: I wish you would do something about him, Mr. Deputy Speaker.

The Bill should be Government business. That is what we are saying. You know that yourself, Sir, without our having to tell you. Government business follows our consideration of this private Bill. That is how the Government are keeping the payroll vote here. That is what is going on.

Can I pick you up on a point that you made earlier, Mr. Deputy Speaker? I remember you coming to this place. I followed your election in Doncaster and I know exactly who you kicked out. You can laugh, but I remember it well and I shall not forget it.

Mr. Deputy Speaker: I do not think that I can usefully add to what I have already said.

7.11 pm

Mr. Allan Stewart (Eastwood): I beg to move, That the Bill be now read a Second time.

The Clyde has played a key role in the economic and social history of Scotland and the United Kingdom. It is celebrated in legend and song—although it may be doubted whether Sir Harry Lauder, when he sang:

> "Roamin' in the gloamin'
> By the bonnie banks o' Clyde
> Roamin' in the gloamin'
> Wi' my lassie by my side",

had in mind those parts of the bonnie banks owned by the Clyde port authority.

The Bill is about the future, and it will allow the authority to play a full and constructive role in that future. Before I discuss the merits of the case, I shall explain the background——

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): Before the hon. Gentleman turns to the merits of the case, I have a question to ask him. He may be interested to know that I travelled through Eastwood this morning, and I looked carefully to see where his constituency touched the Clyde. I could not find any part of Eastwood that touched the Clyde. Now or at some point, will the hon. Gentleman explain to the House his interest in the Bill—indeed, all his interest in the Bill? The

[Mr. George Foulkes]

House will be interested to know what they are, as the hon. Gentleman certainly cannot be said to have a constituency interest.

Mr. Stewart: As I understand it, the Clyde port authority area does not touch the hon. Gentleman's constituency either.

Mr. Foulkes: Oh, yes it does.

Mr. Stewart: In any case, I assure the hon. Gentleman that a substantial number of my constituents work for the Clyde port authority.

I was about to start by explaining the general background to the Bill. As the hon. Member for Greenock and Port Glasgow (Dr. Godman) pointed out in his learned point of order, no petitions have been lodged against the Bill. The existence of the Bill has been well known for some time and no riparian authority has petitioned against it. The Bill has been fully considered by the local authorities concerned.

Mr. Holt: Does my hon. Friend agree that, as the local authorities petitioned against the Tees and Hartlepool Port Authority Bill, and the fact that the Labour-controlled authorities in Scotland have not petitioned against the present Bill means that they support it?

Mr. Stewart: I hesitate to go quite as far as my hon. Friend, but no authority has petitioned against the Bill —nor has any other body.

Dr. Godman: I am extremely grateful to the hon. Gentleman, especially given the compliments that he has just paid me. Can he confirm, on the basis of his wide procedural knowledge, that although no petitions of objection have been laid in this place, there will be an opportunity for petitions of objection to be laid in another place within the 10 days after the Bill receives its Third Reading?

Mr. Stewart: I hesitate to give procedural guidance to the hon. Gentleman, as I can claim no expertise in the matter. My own—perhaps erroneous—understanding is that the hon. Gentleman is perfectly correct.

I emphasise the fact that the decision to pursue the private Bill route was made unanimously by the board of the Clyde port authority. That distinguished board includes a Labour politician who is extremely well known in the west of Scotland—the chairman of Strathclyde regional council's economic and industrial development committee, Mr. McGarry—and Mr. Tom O'Connor of the Transport and General Workers Union. Moreover, the Transport and General Workers Union has adopted different positions in respect of the Scottish and the English ports. The union has decided to take no action on moves by the Scottish ports towards public limited company status.

The Clyde Port Authority Order 1965 prevents the authority from competing on equal terms with continental ports or with ports in the United Kingdom. The general shift in traffic from west to east coast in recent years has made it necessary for ports on the west coast of Britain to consider means of diversification to reduce the vulnerability of the existing port businesses. The existing powers of the authority, contained in the 1965 order, are restrictive and may be changed only by legislation. The authority has long been mindful of the restrictions imposed on its powers and has sought to operate within those limits.

Mr. Worthington: Can the hon. Gentleman give examples from recent years to show how the powers have been restrictive? When has the authority wanted to do things that it has not been permitted to do?

Mr. Stewart: I was just about to expand on that point, and I hope that the hon. Gentleman will be reassured when I reach the end of my explanation.

The view taken by the board of the authority—I suggest correctly—has meant that the authority has not been able to take up investment opportunities that have come its way, given that its powers to invest are limited by paragraph 64 of the 1965 order to port-related businesses. Similarly, the authority is prohibited from acquiring property other than for port purposes and from developing its property, except with a view to its ultimate disposal. As Opposition Members know, the authority is a substantial riparian landowner. As such, and consistent with its role as the port of Clyde authority it is naturally anxious to participate fully and assist in the regeneration of the river and the river bank. Its limited powers of investment and property development mean that it has considerable difficulty entering into joint venture agreements or investing in joint venture companies to handle development of riverside sites.

Mr. Worthington: I want to modify my earlier question. How would this Bill alter the authority's ability to develop the land that the authority owns at present?

Mr. Stewart: I was about to reach that point.

The need for ultimate disposal means that the authority has no effective means of securing control, or even influence, over any development. An inability to purchase land other than for——

Mr. Worthington: Will the hon. Gentleman give way?

Mr. Stewart: No. I have already given way to the hon. Gentleman several times.

Mr. Worthington: The hon. Gentleman has not answered my question.

Mr. Stewart: If the hon. Gentleman will give me a minute, I will endeavour to answer his question.

An inability to purchase land other than for purposes directly related to the port business, makes site assembly and efficient use of the authority's existing land resources in relation to the regeneration of the river well-nigh impossible.

Mr. Worthington: Will the hon. Gentleman give way?

Mr. Stewart: I have already given way several times to the hon. Gentleman. However, I will give way to him once more because I am aware of his interest in these matters.

Mr. Worthington: I am extremely grateful to the hon. Gentleman.

With regard to whether the Clyde port authority must eventually dispose of land, I should be grateful if the hon. Gentleman could draw my attention to the part of the legislation which sets that out. I know that the port authority can enter into, and I believe has entered into, substantial leasing arrangements with private companies;

they do not involve the disposal of land. I am at a loss to understand from what part of the legislation the hon. Gentleman has derived his information.

Mr. Stewart: I have referred to the advice provided to the authority by its lawyers. The legal advice is that, because of the existing provisions, the authority is inhibited in the ways that I have described.

Mr. Brian Wilson (Cunninghame, North): My hon. Friend the Member for Clydebank and Milngavie (Mr. Worthington) has raised an important point. As I understand it, the case being made by the hon. Member for Eastwood (Mr. Stewart) rests on the proposition that the powers of the Clyde port authority, in its present form, are so severely restricted that it is necessary for it to be metamorphosed into something else. The hon. Member for Eastwood is presenting the Bill and my hon. Friend the Member for Clydebank and Milngavie asked him very reasonably what the authority cannot do now that it could do if the Bill was approved. The hon. Member for Eastwood could tell us only that the lawyers have advised the authority. The authority presumably advised the hon. Gentleman and the hon. Gentleman is now advising the House. Fourth-hand rumour rather than statement of fact in this House is unacceptable.

Mr. Stewart: If that is the case, it is extremely surprising that the Clyde port authority board which included Mr. Lawrence McGarry felt it necessary to introduce this Bill. It has been the board's view for a considerable time that its advice is that the present powers are restrictive and are particularly restrictive in relation to its desire to enter into joint ventures and take a full part in the urban regeneration of the Clyde.

Mrs. Maria Fyfe (Glasgow, Maryhill): On a point of order, Mr. Deputy Speaker. I am sure that I am not the only person who is becoming perturbed at what the hon. Member for Eastwood (Mr. Stewart) is saying. Even if the lawyers are mistaken and the restrictions are not as they have been described to the hon. Member for Eastwood, the House will waste a great deal of time unnecessarily. Surely it is not good enough to discover whether the lawyers' advice was correct in the Committee. The House is entitled to know now what specific parts of the legislation are——

Mr. Deputy Speaker: Order. That is not a matter for me. I made it clear in response to earlier points of order that the Bill has been scrutinised by the examiners, who are satisfied about its format.

Mr. Foulkes: Further to that point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Order. Let me deal with one point of order at a time. The other point raised by the hon. Member for Glasgow, Maryhill (Mrs. Fyfe) is a matter for debate and an issue that may be taken into account by the House when it reaches its decision at the conclusion of this debate.

Mr. Foulkes: Further to that point of order, Mr. Deputy Speaker. The point of order raised by my hon. Friend the Member for Glasgow, Maryhill (Mrs. Fyfe) relates to a point of order raised earlier by my hon. Friend the Member for Clydebank and Milngavie (Mr. Worthington). A private Member is introducing this Bill. If the Bill had been introduced by a Government Department, the Minister would be properly briefed and able to give legal opinion. He could then explain the matter to the House. We do not have the answer to that problem because the Bill is being introduced by a private Member who has been inadequately briefed and who cannot deal with the particular problem. Does that not show that you, Mr. Deputy Speaker, should have at least considered the point of order raised by my hon. Friend the Member for Clydebank and Milngavie?

Mr. Deputy Speaker: I assure the hon. Gentleman that I did consider the point of order raised by the hon. Member for Clydebank and Milngavie (Mr. Worthington) and I hope that I responded to it fully. I cannot usefully add to what I said then. The Bill is in order. Some of the reservations that have been expressed under the cover of points of order are matters that could be made in debate and taken into account when the House reaches a conclusion. The Minister is in his place and will doubtless try to catch my eye during the debate. It is not for me to anticipate what he might say, but no doubt he is listening and may feel able to respond as appropriate. In the meantime, we should allow the hon. Member for Eastwood (Mr. Stewart) to make his speech.

Mr. Stewart: It may be helpful if I refer hon. Members to the statement on behalf of the promoters of the Bill in support of this Second Reading, copies of which are available in the Vote Office. In particular, I refer hon. Members to paragraph 6, which will be helpful.

Mr. Wilson: On a point of order, Mr. Deputy Speaker. Is it in order for the hon. Member for Eastwood to refer to a paragraph which bears no relevance to the points that he was making? Paragraph 6 states:

"The Port Authority would wish their business to have a commercial freedom beyond the severely restricted scope of the present powers of the Port Authority. The aim of the Bill is therefore to free the conduct of the Port Authority's business from the restrictions arising from their present limited powers. The mechanism which the Bill provides to achieve this is the establishing of a two tier company structure;—that is—(a) a successor company; and (b) a holding company."

With respect, Mr. Deputy Speaker——

Mr. Deputy Speaker: Order. Those are not matters for me. Whether the hon. Gentleman is correctly reading or misreading a document that is not an integral part of the Bill is a matter for the House to take into account in reaching a conclusion at the end of the debate. It is not a matter for me to rule on.

Mr. Stewart: The Clyde Port Authority Bill retains the existing powers, duties and responsibilities of the authority regarding the maintenance and improvement of the port undertaking. The core port business——

Mr. Worthington: Will the hon. Gentleman give way?

Mr. Stewart: No. I have already given way about six times to the hon. Gentleman.

The core port business will be operated by the successor company, a wholly owned subsidiary of the new holding company to be created by the Bill. To sum up——

Mr. Worthington: What?

Mr. Stewart: I have not finished. I hope that the hon. Gentleman can contain himself.

[Mr. Stewart]

The holding company will have wider commercial powers than the authority has at present. The holding company will be a normal public limited company and it will be able to use its resources flexibly as it wishes. The successor company will inherit and preserve the statutory duties of the authority.

Mr. Worthington: Will the hon. Gentleman give way on that very important point?

Mr. Stewart: No, I have already given way about six times to the hon. Gentleman.

I want to refer briefly to the potential effects on employment of the structural changes. It would be fair to say that the restructuring programme will increase job security for the present employees and in due course will lead to increased employment throughout the west of Scotland. The existing employees do not oppose the proposals.

It is expected that four separate elements will be involved in the capital structure of the new body. The authority will put forward an employee share ownership plan—an ESOP. Current employees will be invited to subscribe for shares, for which interest-free loans may be made available.

Mr. Jimmy Wray (Glasgow, Provan): Will the hon. Gentleman give way to clarify a point?

Mr. Stewart: Yes, because the hon. Gentleman has not previously sought to intervene.

Mr. Wray: Who will be responsible for dredging? Will the successor company be responsible for dredging the river?

Mr. Stewart: That is a fair question, and the answer is yes. The successor company will be responsible for dredging the river. It will operate under precisely the same duties and responsibilities as does the Clyde port authority at present.

Mr. Worthington: On a point of order, Mr. Deputy Speaker. From a lack of knowledge, the hon. Member who is introducing the Bill may be misleading the House. As I understand the previous legislation, the Clyde Port Authority Order 1965, the Clyde port authority has been given powers to dredge the river; the duty is not there. The hon. Gentleman is saying that the successor company will dredge the river, but I believe that he is giving an undertaking that cannot be given because there have been occasions when the Clyde port authority has sought to withdraw from dredging.

Mr. Deputy Speaker: These are not matters for the Chair: they are matters for debate.

Mr. Stewart: In answer to the question from the hon. Member for Glasgow, Provan (Mr. Wray), I was making the point that the successor company would be under precisely the same duties and obligations as those applying to the Clyde port authority at the moment.

I was talking about the capital structure of the new body. In addition to current employees, past employees, pensioners and their spouses and children will also be invited to subscribe to shares. The authority will also allow subscription by institutional investors, with preference given to institutional support in the west of Scotland.

Mr. Foulkes: Will the hon. Gentleman give way on his point about employee share ownership?

Mr. Stewart: I shall give way, but for the last time, because I may be straining the patience of the House.

Mr. Foulkes: I hope that this is a helpful question, so the hon. Gentleman may be grateful to me. The hon. Gentleman said that there would be an employee share ownership plan—an ESOP. What percentage of the total shares will be available for that employee share ownership plan? How is it intended that the shares will be distributed between employees? Will it be on an equal or hierarchical basis, based on salary or other considerations?

Mr. Stewart: As I understand it, the intention is to have the proportion of employee shares as high as possible, as far as is reasonable. I cannot give the hon. Gentleman a specific percentage in response to his question, but I repeat that the availability will be as high as possible. It is hoped that shares will be made available to residents in the Clyde port region, and that is actively being considered.

I have not spoken about the general problems of trust ports. They are familiar to the House, which has debated them previously. I emphasise that these proposals are the result of the unanimous view of the board of the Clyde port authority and that there is no significant body of opinion against the Bill among the local authorities in the west of Scotland. No local authority has stated its opposition to the Bill. The Scottish Development Agency, Strathclyde regional council and the unions have all been consulted. Against that background of the absence of opposition from such organisations in the west of Scotland, and in view of the clear merits of the provisions, I hope that the House will give the Bill its Second Reading.

7.34 pm

Dr. Norman A. Godman (Greenock and Port Glasgow): I wish first to assess the Bill's implications for my constituents and constituency and then to outline my reservations on a couple of broader issues.

As the hon. Member for Eastwood (Mr. Stewart) has said, the Bill has implications for the whole of the Clyde, both for the river and for the firth. In the past few days, I have discussed the Bill with Inverclyde district councillors, with employees at the Tate and Lyle cane sugar refinery and with those employed at the Greenock container terminal—all of whom may well be affected if the Bill becomes law. In addition, I have met John Mearns, the secretary of the Greenock Waterfront Heritage Society, and Derek Ferguson and other members of that society on several occasions. They too have expressed their serious concern about the Bill.

Incidentally, and in respect of a question that I asked the hon. Member for Eastwood earlier, perhaps he or his hon. and learned Friend the Member for Perth and Kinross (Sir N. Fairbairn) will correct me if I am wrong, but I believe that I am right in saying that, although petitions of objections cannot now be lodged against the Bill in this House, such petitions can be lodged in another place withing 10 days of the date on which the Bill receives its Third Reading. I believe that that is the case, but I should welcome guidance on that matter because I must

advise the hon. Member for Eastwood that certain interested parties intend to table such petitions if the Bill goes to another place.

My reservations about the ownership claims of the Clyde port authority to, say, James Watt dock in Greenock and to the Greenock container terminal are shared by many of my constituents.

Mr. Foulkes: Is my hon. Friend aware that, at 1 o'clock this afternoon, the Department of Agriculture and Fisheries for Scotland vessel, the Clupa, set sail from the James Watt dock to examine the explosives that had been dumped in the Clyde by ICI? Does my hon. Friend join me in welcoming that move but hope that it will result in some of his and my fishermen constituents receiving adequate and proper compensation for their loss?

Dr. Godman: In that interesting intervention, my hon. Friend has emphasised the importance of the facilities. He is absolutely right. All credit to the Department of Agriculture and Fisheries for Scotland for initiating that exercise. The James Watt dock and other facilities are used by vessels of the fisheries protection service. I agree with my hon. Friend that the dumping of explosive materials causes great concern to me, my constituents and many members of the Clyde Fishermen's Association.

If my challenge to the legality of the CPA's ownership of the waterfront facilities in Greenock is dismissed by the scrutiny of the Committee on Unopposed Bills—if the Bill gets that far—I believe that the Clyde port authority should offer the Inverclyde district council, which is in a real sense the successor body to the Greenock town council, a sum of, say, £2 million by way of compensation for its commercial banditry in my constituency.

When I raised a point of order about the competence of the Bill, I mentioned some contracts that had been signed in Edinburgh in July 1772. I obtained a copy of the document from the Public Records Office in Edinburgh a few days ago. Among other things, it states:

"It shall not be lawful nor in the power of the said magistrates, treasurer, town council of Greenock nor their successors in office, to sell,"—

this may well interest the hon. and learned Member for Perth, and Kinross (Sir N. Fairbairn)—

"alienate, dispose either irredeemably or under reversion nor wadsett, or burden with infefments of annualment or any other servitudes or burden the said harbour with anchorages, shore, bay, or ring dues, whereby the same may be evicted or adjudged and that all such dispositions, conveyances, wadsetts or other deeds so to be granted by them or their foresaids conveying or burdening the said subjects with any real diligence following thereon shall ipso jure be void null and shall only be effectual against the granter."

Mr. Foulkes: That had to be said.

Dr. Godman: One can see that I have done a little bit of research.

As I said earlier, that feu contract was incorporated in the Greenock Port and Harbours Act 1867 and was further codified in Section 212 of the Greenock Port and Harbours Consolidation Act 1913. It is my view, and as hon. Members well know I am not a lawyer——

Mr. Foulkes: A barrack room lawyer.

Dr. Godman: I may be a barrack room lawyer, as my hon. Friend says.

I should like to hear the Minister's opinion of the validity of section 212 of the 1913 Act. The Act questions the competence of the Bill.

The feu contract has been watched over by members of the Stewart family over the years. In May 1865, an attempt to abrogate the feu contract of 1772 was successfully repelled by Miss Jane Stewart of Liberton Manse, near Edinburgh, in a court action. In 1965, the picture changed. The Greenock harbour trust was succeeded by the Clyde port authority. Therefore, Sir John Shaw Stewart's remarkably generous gift to the people of Greenock was eagerly, some would say greedily, swallowed by the Clyde ports authority.

Since that inauspicious day, the Clyde port authority has sold to the Scottish Development Agency the whole of the custom house quay with its fine custom house, which I am pleased to say was recently renovated——

Sir Nicholas Fairbairn (Perth and Kinross): At what price?

Dr. Godman: I am glad that the hon. and learned Gentleman is awake. It was sold, together with all the buildings and land to the west, towards the container terminal. Therefore, eight hectares of land and some fine buildings were sold by the CPA, in an act of banditry, to the Scottish Development Agency for £1·75 million.

The Scottish Development Agency is just as cavalier as the CPA in its attitude towards traditional maritime users of the harbour facilities on the Greenock water front. A couple of years ago I had to speak to the chairman of the SDA about the high-handed behaviour of his officials towards fishermen who were mooring their boats in East India harbour, Greenock. In a letter dated 5 December 1988, I said to Sir Robin Duthie that the Fish Act 1705, colloquially known as Queen Anne's Act, still gave certain rights to fishermen.

I shall quote from that Act, because it is directly relevant to today's proceedings:

"the Estates of Parliament authorises and impowers all . . . subjects to take buy and cure herring and white fish in all sundry and sea channels bays firths lochs rivers etc. . . . wheresoever herring or white fish are or may be taken. And for their greater conveniency to have the free use of all ports harbours shoars forelands and others for bringing in pickeling drying unloading and loading the same upon payment of the ordinary dues where harbours are built. That is, such as are payed for Ships, Boats and other Goods."

I look forward to the hon. Member for Eastwood assuring me, on behalf of the CPA, that, if the Bill were to be successful, the new company would behave more responsibly with regard to the Queen Anne Act than did the SDA. That Act was passed by the Scottish Parliament in Edinburgh in September 1705.

Sir Nicholas Fairbairn: We have been entertained with a lot of nonsense during the past 20 minutes. The hon. Gentleman's constituency probably contains more wonderful buildings than any of ours are privileged to have. The local authority has been appallingly neglectful. The great customs house has been restored with money given by the Historic Buildings Council for Scotland—alas, to be a value added tax office. The great building beside it is falling down, and the ropeworks is no nearer salvation. I find it strange that anyone should claim in aid the concept of heritage as a reason why the Bill should not be passed, when it would give the new authority powers to redeem and restore that great part of the Clyde.

Dr. Godman: We have just been entertained by a characteristic mixture of buffoonery and exuberant malice. I have sought the assistance of the hon. and learned Gentleman to conserve some of those buildings. I regret that he did not show his usual courtesy in acknowledging my request for his expert help in the conservation of those buildings.

Sir Nicholas Fairbairn: The hon. Gentleman must give way. I replied immediately, and the case is before us. It is his local authority which is stalling, and he should withdraw that malicious remark.

Dr. Godman: I have no intention of withdrawing that malicious remark, because it was not at all malicious. I am not responsible for decisions taken by the Inverclyde district council. I am the Member of Parliament for Greenock and Port Glasgow, not a district councillor.

While the Bill cannot be amended in this place unless it is amended when it is scrutinised by the Committee on Unopposed Bills, I hope that amendments will be introduced when, as appears likely, it goes before an Opposed Bill Committee in another place. I hope that, if the Bill becomes law, no harm will come to the Greenock container terminal. I seek an assurance from the hon. Member for Eastwood on that.

On Friday, I spoke to Mr. Phil Cannie and some of his colleagues who load and unload cargo at the terminal. They also expressed their legitimate concern that the terminal should continue to function as a terminal. Business is undoubtedly picking up at the terminal, which has an important role to play in the local economy. It would be a great shame if the Clyde port authority were to dispose of it. It has an important role to play as a terminal, not as a site for executive-style housing. Trade is picking up, as I am sure the CPA will confirm. Timber cargoes are coming in, and the CPA has talked about investing in facilities for the transportation of wood pulp. It is absolutely essential that the hon. Gentleman gives an assurance tonight.

The same holds good for the James Watt dock, where, among other things, raw cane sugar is unloaded for refining at the Tate and Lyle sugar refinery. There are just two cane sugar refineries left in the United Kingdom. There used to be many more in Greenock, Liverpool and London. One of the remaining two, the Westland refinery, is in my constituency, and the other is in the constituency that is ably and honourably represented by my hon. Friend the Member for Newham, South (Mr. Spearing).

The refinery in Greenock employs about 300 people, most of whom are my constituents. The hon. Member for Eastwood spoke about security of employment in the Clyde port authority. I welcome that, but we also have to think about security of employment for those who are employed in the ancillary industries that are served by the Clyde port authority's maintenance of dock side and other port facilities. The 300 people who work in the refinery have an interest in the Bill.

I remind the hon. Member for Eastwood, Mr. John Mather and Mr. Bob Easton of the Clyde port authority that the House has twice passed without Division two resolutions, both of which acknowledged the need to protect the interests of the east African, Caribbean and Pacific cane sugar producers and those British citizens who are employed in our port and in the sugar refining industry. The second of the resolutions was passed on 2 December 1985 and is reported in columns 107 to 127 of the *Official Report*. I hope that the House will forgive my lack of modesty when I say that I was able to persuade the then Minister of State, Ministry of Agriculture, Fisheries and Food to accept my amendment to his resolution. He accepted it with his usual grace.

The first resolution was passed under a Labour Administration and the second under a Tory Administration, and both stressed the need to protect our cane sugar refineries. Last week I spoke to Mr. Stevie Kane and other shop stewards in Tate and Lyle, who also expressed their serious concern about the Bill and its implications for their refinery. I hope that assurances and guarantees about the continuation of sugar cargoes into Greenock can be given by the hon. Member for Eastwood. Nothing less will do for my constituents who are employed by Tate and Lyle.

These are important matters, because unemployment in my constituency is still scandalously high—much higher than the level in the Strathclyde region and at least two and a half times as high as the United Kingdom level. The people that I have mentioned have a legitimate interest in the Bill, even though they do not work for the Clyde port authority.

I should now like to deal with the dredging of the Clyde. I know that the Minister for Aviation and Shipping will respond to this. Despite my considerable respect for Bob Easton, the chairman of the Clyde port authority, and for John Mather, the chief executive of the authority, I cannot believe that a private company would continue to dredge that channel on any basis other than a commercial contract. The dredging of the Clyde is an essential operation because, if it were not carried out for two years, the channel would silt up and no vessel would be able to enter the docks at Glasgow, except for the King George V dock. Mr. John Mather and Mr. Bob Easton would not deny that.

Some of my constituents work for Kvaerner of Govan and others work for Yarrow's. Both those shipyards employ several thousand men and women whose livelihood utterly depends on the efficient dredging of that channel. I am not entirely certain of my figures, but I think that I am right in saying that the Clyde port authority pays more than £600,000 towards the total cost, Yarrow's pays at least £100,000 per annum, Glasgow district council pays a similar sum and Strathclyde regional council pays an amount not dissimilar to that.

Kvaerner also pays for the dredging of that navigable channel. When Kvaerner negotiated the acquisition of the yard from British Shipbuilders, it swithered over the deal because of the responsibility that it would have for the cost of the dredging operation.

I seek an assurance from the Minister for Aviation and Shipping and from the hon. Member for Eastwood that that essential work will continue. If it does not, the shipyards at Port Glasgow will be irrevocably ruined within two years by the amount of silt that is carried up the Clyde on each tide. As I have said, I do not think that a private company would carry out dredging other than on the basis of a commercial contract, and I would not blame its shareholders for that.

Mrs. Fyfe: Would my hon. Friend comment on the possibility that dredging might continue but at an unreasonable cost? What are the implications of that?

Dr. Godman: That is a worry for my hon. Friend and for other hon. Members who represent Glasgow constituencies. My hon. Friend must have constituents who work in Kvaerner in Govan and in Yarrows. I listened diligently to the speech by the hon. Member for Eastwood, but I did not hear the kind of guarantee that I am seeking about dredging. Perhaps he knows the Clyde better than I do, and my constituency is not directly affected. If the Clyde silts up, the shipyards may move down to Greenock. That would not break my heart, although my hon. Friends might throw me into the Clyde for even daring to suggest such a move.

Dredging is an essential commitment that must be honoured by those who manage the ports, whether that is the Clyde port authority or its successor body. Perhaps the Minister would tell us who will pay for that essential operation. Will it be the local council, the shipyards or the Scottish Office? I am glad that the Under-Secretary of State for Scotland, the hon. Member for Edinburgh, West (Lord James Douglas-Hamilton) is in the Chamber and listening with his characteristic courtesy and attentiveness. He may be able to tell the Minister for Aviation and Shipping that the Scottish Office will pick up the Bill. I would welcome that. Ministers may laugh, but this is no laughing matter on the Clyde.

I fear that, in time, the new company may be considered fair game by a distant predator in far-off London, Paris, Tokyo or somewhere else. I respect Messrs. Easton and Mather, and I know that both are committed to the Clyde and its well-being. However, they may well be thrown overboard by a London or New York-based predator—although, I hope, not literally.

I hope that the Bill will be chucked overboard. If it avoids that fate because of the skill of Ministers and the Whips Office, I certainly hope that it will be amended in another place in ways that are satisfactory to my constituents, given their legitimate interest in the Bill and their concern for the development of the Greenock waterfront from its container terminal down to James Watt dock and beyond. I do not believe that the Clyde port authority owns those properties, but if I am proved wrong because of past legislation, I believe that that authority should act generously and give a fair amount of compensation to the Inverclyde district council. As it stands, the Bill offers little comfort to the maritime communities on the River Clyde and the firth of Clyde.

8 pm

The Minister for Aviation and Shipping (Mr. Patrick McLoughlin): It may be for the convenience of the House if, at this stage, I make a brief statement of the Government's views on the Bill. On 15 March, the House gave a Second Reading to the Tees and Hartlepool Port Authority Bill. The Clyde Port Authority Bill is an almost identical measure, and the Government's position on both Bills is the same.

Trust ports are slightly odd bodies. They are independent and not accountable to anyone. Their powers and sources of finance are limited, but they must compete with ports run by companies, such as Associated British Ports and Felixstowe, which have the flexibility and accountability that the trust ports lack. It has long been in the Government's mind that it would be desirable if at least the main commercial trust ports could be converted into companies. Changing the status of a trust port in that way needs primary legislation.

The Government have not been able to find room in their programme for appropriate legislation. It was for that reason that, about a year ago, my right hon. Friend the Member for Southend, West (Mr. Channon), when he was the Secretary of State for Transport, encouraged trust ports, which saw benefits in turning themselves into companies, to bring forward their own private Bills. It is still our intention to bring forward Government legislation on trust ports at the earliest convenient opportunity, but given the pressure on our legislative programme, private legislation is the only way in which any of those ports can quickly be converted into fully fledged private sector enterprises.

The present Bill will not alter the statutory responsibilities and powers that the Clyde port authority has under its existing private legislation.

Mr. Worthington: That is an extremely important assurance and we need to know what it means. I am particularly interested in the issue raised by my hon. Friend the Member for Greenock and Port Glasgow (Dr. Godman)—the responsibility for dredging. As the Government back the Bill, does that mean that they are making a clear-cut commitment that dredging will continue at its present rate for ever? As I understand it, however, it is quite possible for the successor company to give up dredging when it wants to.

Mr. McLoughlin: I cannot add to what I have just said. The statutory responsibilities and powers of the Clyde port authority, as set out in existing private legislation, will remain the same. Obviously the matter raised by the hon. Gentleman is one to be discussed in Committee as the Bill makes progress.

The existing legislation will be carried forward lock, stock and barrel to the proposed new successor company. successor company will still be a harbour authority. It will be subject also, just as the port authority is today, to those provisions of public legislation that apply to harbour authorities generally. I emphasise that there will be no loss or reduction in existing powers or obligations. That is a very important point, and the House should not be under any misunderstanding. The position is exactly the same as when Associated British Ports was privatised on the Government's initiative.

Mrs. Fyfe: Although the dredging may continue, can the Minister give us any assurances about the cost and who will pay?

Mr. McLoughlin: I am sure that if I started to give such answers, one might easily conclude that this was not a private Bill. I am merely stating the Government's position in relation to the private Bill. Other inquiries must be made through the proper channels when the Bill is in Committee.

The Government support the principle underlying the Bill. It is, however, necessary for Parliament to give careful consideration to the public interest in the conversion of trust port authorities into companies.

We agree with the promoters of the Bill that trust ports have no explicit owners, so it is for Parliament to decide, taking into account any views expressed by the Government, not only whether a trust port should be allowed to turn itself into a company, but who should get

[Mr. McLoughlin]

the proceeds from the sale of the shares of that company. The Government's view is that a proportion of the proceeds of sale should go to the Exchequer. We are considering the best way of securing that, but the intention, which Parliament would be asked to approve, would be that 50 per cent. of the proceeds of the sale of shares should be paid to the Secretary of State and paid into the Consolidated Fund whenever a trust port is converted into a company by means of private Act.

The Government regard that as an equitable share of the proceeds between the Exchequer and the new shareholders. In making that decision, we took into account the initiative shown by the Tees and Hartlepool and the Clyde port authorities in introducing their private Bills, the benefits of early privatisation, and the ports' intention to invest in new developments.

Mr. Wilson: What are the Government getting the money for?

Mr. McLoughlin: In the past, we have given certain grants, so it is required that there should be a return to the taxpayer, through the Exchequer, for some of those grants. The percentage was agreed as a broad figure for all trust ports that may introduce private Bills in the future.

We must bear in mind the interests of the taxpayer, who has contributed to the development of the trust ports, and the need to ensure a level playing field between the newly privatised trust ports and those ports already in the private sector. Therefore, on that basis, the present Bill has my full support.

8.6 pm

Mr. David Lambie (Cunninghame, South): I was glad to hear the Minister's assurance that the Government will bring in legislation on the trust ports, but that makes me even more suspicious of the Bill.

According to the hon. Member for Eastwood (Mr. Stewart), if the Bill is passed it will have little influence on the present activities of the Clyde port authority. If that is so and given the Government's intention to introduce legislation, why has this Bill been brought in now? Why not wait until the Government bring in the legislation that will deal with all trust ports? We could then have a full debate on the Floor of the House and in Standing Committee and deal with all the issues that have been raised, either in points of order or in the specific questions put by my hon. Friend the Member for Greenock and Port Glasgow (Dr. Godman).

In common with my hon. Friend the Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes), I am curious about the interest that the hon. Member for Eastwood has in the Clyde port authority. He told us that he was interested because certain of his constituents worked in that authority. That is a legitimate interest for any Member of Parliament, but surely it is not strong enough to sponsor a private Bill. Why was not my hon. Friend the Member for Greenock and Port Glasgow asked to bring in the Bill? Why were not the hon. Members representing Glasgow or Cunninghame asked to bring in the Bill?

After the next election, when the hon. Member for Eastwood loses his seat, as most of the Scottish Tory Members will, I ask him to guarantee that he will not accept a directorship on the board of the new company. I should like the hon. Gentleman to answer that question and to give us an assurance that his future financial interests do not make him enthusiastic about the Bill being given a Second Reading tonight.

I am serious about the matter and hope that the hon. Gentleman will answer that question. Some of his hon. Friends took part in previous debates on privatisation. I do not want to name names, my hon. Friend the Member for Cunninghame, North (Mr. Wilson) can do that, as he is harder than I am. If he is willing to mention the name of the new director of the bus company, Stagecoach, I am sure that he will mention other names if he manages to catch your eye, Mr. Deputy Speaker. What is the interest of the hon. Member for Eastwood in the Bill?

I was suspicious about the Bill when it was drawn to my attention by my hon. Friend the Member for Greenock and Port Glasgow. When I came down from Scotland because of the one-line Whip, I was sure that, after listening to the hon. Member for Eastwood, I would understand why the Bill is necessary. I did not get that information. He said that the only difference would be that the authority could enter into joint ventures to sell property and land.

The hon. Member for Eastwood put us under tremendous pressure by saying that some of my trade union friends were supporters of the Bill—Tom O'Connor from the Transport and General Workers and Lawrence McGarry, the former chairman of the economic and industrial development committee of Strathclyde regional council, who are members of the board. They should have contacted Strathclyde Labour Members of Parliament before they decided to support the Bill given us their reasons. I am worried that they have the same interest in the Bill as I hope the hon. Member for Eastwood will not have after the next general election, when he is no longer a Member of Parliament.

In the statement on the behalf of the promoters, in support of Second Reading, paragraph 2 states that the port authority

"is profitable; and it does not rely on government subsidies."

You do not know much about the Clyde, Mr. Deputy Speaker so I must explain that this is a Bill about the Clyde port authority——

Mr. Deputy Speaker: Order. I was unloading cargo and cargo handling during almost the whole of 1947 and 1948, on King George V dock.

Mr. Lambie: I withdraw my accusation, as I understand that it has no foundation. I can cut short my speech as I was about to give you the background to the Bill, Mr. Deputy Speaker, so that you could deal with the important points raised by my hon. Friend the Member for Clydebank and Milngavie (Mr. Worthington).

The Clyde port authority is a profitable company, but the accounts for a period of years show that it has been profitable not because of its port or harbour activities but because it has sold assets. My hon. Friend the Member for Greenock and Port Glasgow gave us an example. It sold the heritage of Greenock and Port Glasgow to the Scottish Development Agency. Not that I criticise what the agency has done, but the people of Clydeside would have been happier with industry, harbour and port activities, which we had in the past, and not grass, trees and green fields.

The Clyde port authority has been successful because it has sold its assets, but it has reached the stage where it

needs additional help to become more profitable. That is why it needs permission to establish joint ventures. The authority wants to bring in other vultures—not the ones on the roof, but the ones in the private sector—to rip off the heritage of the Clyde, which has been built up by the people of Clydeside for centuries when it was the foremost port in the United Kingdom.

With the development of Europe and the decrease in trade across the Atlantic to the Americas, the Clyde port authority has found itself in difficulty. However, it took the easy road out, and instead of trying to develop port facilities, it balanced the books by selling property and assets. That is my criticism and I have often made it to the authority and on the Floor of the Chamber.

I represent Cunninghame together with my hon. Friend the Member for Cunninghame, North and within our constituencies we have two important ports that are integral parts of the Clyde—the deep-water port of Hunterston and the port of Ardrossan.

I am speaking tonight because I am interested in the development of the port of Hunterston, which is unique in the west coast of Scotland and unique in Europe because it is one of the few deep water ports. However, it has not been developed and the blame lies with the board of the Clyde port authority.

Before I entered Parliament I took part in a trade union and labour movement campaign to persuade the Government to designate the Hunterston peninsula as an industrial area for steel, oil-refining and chemical activities. Those industries could have been developed there because large bulk carriers can come into the port and discharge their cargoes cheaply. The Clyde port authority has not developed the unique facilities of Hunterston; it has allowed it to die.

As my hon. Friend the Member for Greenock and Port Glasgow said, the port is now experiencing a slight upsurge in business, but if there is an adverse decision about the future of Ravenscraig steelworks, the port of Hunterston will be finished because its other activities will not be sufficient to sustain it.

Perhaps I am criticising the Clyde port authority unfairly for not developing Hunterston. I realise that it was placed under servere restraint due to the operation of the dock labour scheme and that a major disaster occurred when the Iron and Steel Trades Confederation, the steelworkers' union, was not allowed to organise workers loading and unloading ships at Hunterston. I realise that after a six-month strike, when Transport and General Workers Union reinforced the position of the dockers, it tied the hands of the Clyde port authority a little. Again, the authority should have fought more than it did.

My hon. Friend the Member for Cunninghame, North and I are also interested in the port of Ardrossan, which has been in decline while it has been under the Clyde port authority's control. When I represented central Ayrshire, which contains the port of Troon, I was interested in Associated British Ports. In Ayr, we were interested in comparing the port of Ayr with activities and development at the port of Ardrossan—there was no comparison. In fact, I often put the case to Ministers for the port of Ardrossan to be taken away from the Clyde port authority and handed over to Associated British Ports, even after it had been privatised.

I hope that the Bill will be thrown out tonight and that the Government will bring forward their proposed legislation for all the trust ports. If it is not thrown out, I hope that we shall secure amendments to it that will break up the Clyde port authority and withdraw from it the ports of Hunterston and Ardrossan. The future of the two ports does not lie with the Clyde Port Authority plc; it lies with an independent company developing both ports for the benefit of the people of Cunninghame, rather than subsidising a defunct Clyde port authority.

Dr. Godman: Can my hon. Friend advise me about the responsibility of the Clyde port authority as a pilotage authority? Would not the Clyde Port Authority plc still have responsibility as a pilotage authority?

Mr. Lambie: I am afraid that I cannot answer that question, but I am sure that the hon. Member for Eastwood or the Minister will answer it.

I appreciate that I may be arguing against some of my hon. Friends who represent the upper Clyde and the River Clyde, but I want the Hunterston and Ardrossan ports to be split from the Clyde river authority. If the Bill is enacted and the Clyde port authority ceases to be a trust port and becomes a plc, it will get all the money and will concentrate all its development on the buying and selling of property and land.

Therefore, the ports of Hunterston and Ardrossan should become independent, even if that means them being taken over by a privatised Associated British Ports. At least they have shown an initiative that has not been shown by the Clyde port authority. If that authority and my friends who are directors on its board want to become property and land developers, let them. Of course, I appreciate that that would cause a problem for some of my hon. Friends.

I hope that we will not be defeated tonight by the votes of Scottish Members. I am a little disappointed that there is not one representative of the Scottish National party present. Perhaps they are at a wake for the resignation of the chairman of their party, Mr. Gordon Wilson, who today announced his intention to resign at the next conference.

Mr. Holt: It was kind of the hon. Gentleman to point out that no Scottish Nationalist Member is present. He forgot to mention that there are no Liberal Democrat Members present either. Of course, about 20 Scottish Labour Members have an interest in the port, but fewer than half of them have been present tonight.

Mr. Lambie: I was about to refer to the absence of Liberal Democrat Members. Strathclyde has had a fair parliamentary representation tonight. Those Scottish Members who are not here are feeding, and they will soon come in in droves.

I ask the hon. Member for Eastwood to declare any interest, or any possible future interest, in the Clyde Port Authority plc. In view of his arguments and the poor content of his speech, I ask him to withdraw the Bill.

8.26 pm

Mr. Bill Walker (Tayside, North): I speak in this debate because no one from Scotland can doubt the importance of the Clyde to Scotland's well-being. Ever since the industrial revolution, it has contributed substantially to the well-being, the benefit and the massive enhancement in values for those who live in the area and throughout Scotland generally.

[Mr. Bill Walker]

I especially remember the Clyde during the difficult years of the second world war, when troop ships came in from north America and the Clyde was regularly a target for the Luftwaffe. Anyone who saw the Clyde operating as a port in those days could never forget the extremely difficult circumstances with troop ships coming in from north America or going out to the middle and far east.

Dr. Godman: Will the hon. Gentleman confirm that the Clyde port authority came into being in 1965?

Mr. Walker: I do not wish to become involved in pedantic arguments. I hope that the hon. Gentleman appreciates that I am commending the Clyde's contribution to the well-being of the nation.

Dr. Godman: In view of the hon. Gentleman's stout defence of all those employed in the whisky industry, does he agree that it is a great shame that the overwhelming majority of whisky products are exported not from Greenock or Grangemouth, but from English ports? Is not that a matter for deep regret?

Mr. Walker: I make no apology for saying that the whisky industry carries out its business in the most efficient way possible, however that is done. The whisky industry has a future in its present form and it will continue to have one, provided that it exports its products in the most cost-effective and efficient way. It is not my job to second-guess the whisky companies in determining the routes through which they send their products abroad. My concern is to ensure that the £1,000 million-plus of whisky products that are exported continue to be exported. It has never been my desire, in public or in private life, to impose upon private sector companies restrictions that would in any way limit their performance in the world marketplace.

Dr. Godman: I repeat, the hon. Gentleman looks after the interests of those of his constituents working in the whisky industry with remarkable vigour. However, if the major ports on the Clyde and the Forth were to disappear, the subsidies offered to the whisky distillers and blenders to take their products out through English ports would surely disappear.

Mr. Walker: The responsibility for determining the place from which exports leave the country or imports arrive is largely that of the companies which ship products and the shippers. If they decide to use a particular port because it is more cost-effective than another, I hope that the port that has not been chosen will look carefully at whatever are the cost advantages, real or imagined, as seen by the shippers and shipping companies. We hope that all areas of Scottish activity, including ports, will adapt to meet the changing demands and conditions of the modern world, so that Scotland can compete not only with overseas ports but those elsewhere in the United Kingdom.

One cannot ignore recent trade history. Since its inception, the port authority has been obliged to face a number of dramatic changes in trade patterns. Like its predecessors, it has been compelled to adapt. The first of those changes was the implementation of full-scale containerisation on the world general cargo and liner trade routes. Those of us who witnessed that change occurring throughout the United Kingdom know that the ports that adapted quickly to containerisation thrived and grew, whereas ports that failed to adapt did not do so. Incidentally, I do not make any political, narrow, partisan points, because it is not that kind of Bill. It has the support of the Transport and General Workers Union, and of elected councillors, which I am delighted about.

Mr. Worthington: Will the hon. Gentleman give way?

Mr. Walker: The hon. Gentleman is rather impetuous. He does not allow anyone to complete a sentence.

I hope that Opposition Members accept that there is nothing narrow or partisan about the view that I take. Instead, I am concerned to see the Clyde develop in the best way possible. I was emphasising that unless one adapts quickly, and if restrictions are placed on the way in which a company or a trade union can operate, it serves as an impediment to change. Any impediment to change must present a disadvantage by comparison with ports that are able to change.

Dr. Godman: I point out to the hon. Gentleman that no impediments are being presented by the management or workers at the Kvaerner yard at Govan or at Yarrow. At both yards, management and workers are keen to win new orders. In the near future, Kvaerner may secure an order for three large vessels. That would be most useful to my constituents, because I fervently hope that Kincaid will build the engines for those vessels.

Mr. Walker: I trust that the hon. Gentleman is not suggesting that I stated that there are any impediments. I was only expressing the hope that right hon. and hon. Members in all parts of the House want to see the Clyde flourish—that we want it to adapt to meet the changing demands of today and tomorrow. We may differ on the route taken to achieve that. All the evidence from eastern Europe is that the capitalist, private-sector methods are far more efficient, create more jobs, and produce far more wealth than the narrow attitude that is the alternative, if I may put it that way.

Mr. Worthington: So the hon. Gentleman is being non-political.

Mr. Walker: I repeat, socialism does not work, and all the countries of eastern Europe are rejecting it. I was trying not to be partisan, but was responding to the narrow partisan points of Opposition Members. If they cannot take it, they should not make their points in the first place.

The Clyde port container terminal was constructed on the site of the Princes pier at Greenock and received its first ship on 15 March 1969. The terminal, with its depth of water of 42 ft at low tide, with a back-up area of 42 acres, and with rail connections to the major industrial centres of the United Kingdom, had by 1973 attracted 13 shipping lines. I hope that Opposition Members view those remarks as promoting the Clyde.

Events gradually overtook the north Atlantic trade. The hon. Member for Cunninghame, South (Mr. Lambie), in his interesting speech, quite properly defended the interests of his constituents—even if it was at the cost of the constituents of some of his hon. Friends. There is nothing odd about that, because the hon. Gentleman has a track record for it. No one could ever accuse the hon. Gentleman of neglecting his constituency.

Dr. Godman: The hon. Gentleman mentioned the Clyde port container terminal, which is in my constituency. Everyone acknowledges that that terminal has seen bad

times—largely brought about by fluctuations in maritime trade patterns. However, the vastly reduced number of men working at that terminal today are striving hard to increase its efficiency, and they are beginning to win.

Mr. Walker: I am delighted to hear that. I am not in any way being critical——

Dr. Godman: Yes, you are.

Mr. Walker: I am not. If the hon. Gentleman will read my speech tomorrow, he will see that I acknowledge, as does the hon. Member for Cunninghame, South, that the development of European trade in both directions is a substitute for what used to be the United Kingdom's major trade area in the north Atlantic. Anyone who doubts that trend need only study the changes in the trade patterns. One cannot blame the people working in the ports or the port employers for changing trade patterns. Whether one is trading in a port or in a high street, if one does not change to meet new patterns, one goes out of business. No right hon. or hon. Member wants to see Clyde port do that.

The hon. Member for Cunninghame, South referred in particular to the importance of Hunterston to the west and the whole of Scotland. There is no question but that Hunterston and Ravenscraig depend on each other. In Hunterston, Scotland has a facility of which it can be proud. I look upon it much as I view Prestwick. Both are great Scottish assets. It is up to us as Scots to identify how we can best influence those facilities being maximised, to the benefit of Scotland. That is why I am distressed that so many foolish and sad things are said about Hunterston, Ravenscraig and Prestwick.

Mr. Foulkes: In the past, I have had cause to be grateful to the hon. Gentleman for all the positive things that he has said about Prestwick, for which he has been a doughty campaigner. Was it the Secretary of State for Scotland's U-turn on Prestwick that really turned the hon. Member for Tayside, North (Mr. Walker) against him and led the hon. Gentleman to campaign for the present Secretary of State's replacement by the hon. Member for Stirling (Mr. Forsyth)? If so, that important milestone should be recorded. People should know about it. The primary responsibility belongs to the Secretary of State for Transport. He should be warned to look after his back.

Mr. Walker: I am fond of the hon. Gentleman in many ways. I hope that that does him no political harm. He has rightly drawn the attention of the House to the fact that we have joined together in campaigns in which we both believed. I should like to know what his views are on two-minute roof tax Donald. The Labour party has problems in Scotland. On which side of the fence does the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) fall? I shall go no further down that road. I have merely responded in kind to the hon. Gentleman's jibes.

The fact is that 50 per cent. of the Clyde port authority's traffic goes through Hunterston which represents 43 per cent. of its revenue. The Clyde port authority has a duty and a responsibility to ensure that the port is used to its fullest extent to benefit Scotland. Furthermore, Ravenscraig must continue to be the most cost-effective and productive plant that the British Steel Corporation owns. We must compliment the workers at Ravenscraig on their remarkable production performances.

Mr. Lambie: To take up the hon. Gentleman's point about Hunterston, my criticism of the Clyde port authority is that it has spent too much time on property development too little time on developing the harbour and port facilities, especially at Hunterston. If it had spent more time developing Hunterston instead of selling land in the constituency of my hon. Friend the Member for Greenock and Port Glasgow (Dr. Godman), we might not have had to come here today to deal with this stupid Bill.

Mr. Walker: I shall try to answer the hon. Gentleman's question on the basis of principle rather than detail. I do not know what the Clyde port authority has been doing. In principle, however, it is up to any corporate body that owns land or property to maximise its assets for the benefit of the whole undertaking. That could mean selling off land for development so that the core part of the business can be successful. The core business may require substantial funds if it is to grow. It would be better to use asset funds, on which no interest has to be paid, for those developments rather than borrowed funds. I hope that the Clyde port authority has been using its assets to create the maximum advantage for the core part of the business. I believe that it probably has, since it appears to be profitable. That must be welcomed by us all.

The Clyde port authority board unanimously supported the use of the private Bill procedure. It must have considered a variety of options—*[Interruption.]* The hon. Member for Cunninghame, North (Mr. Wilson) is laughing. He sits on a board. I hope that the board on which he sits takes responsible decisions. If it does not, he and the other board members are failing in their statutory duty. Perhaps he is not unaware of a director's statutory duties.

I believe that in this case the board considered the options and decided unanimously to support the private Bill procedure. As it drew on the experience of so many interests, I have no hesitation in saying that I hope that the House will ensure that the Bill is given a Second Reading and is considered in Committee. If it does, Scotland's interests will have been well served.

The Clyde will continue to be an important port. The developments within Europe mean that trading patterns have changed, but during the next 30 years I believe that north Atlantic trade will be far more important that it has been during the past 20 years. Changes to the world's political power blocs will result in changes to trading patterns. It would be most unwise of us to run down this great national asset. I take the same view of the Clyde as I do of Prestwick—that we should look after and nurture it. If we do, it will still be there when trading patterns alter, as I believe they will. Too often in the past we have said, "If we had only known then what we know now." By then, however, it is too late.

Dr. Godman: With regard to the nurturing of the Clyde, is the hon. Gentleman satisfied with the assurances that have been given about continuing the dredging of the channel?

Mr. Walker: I am satisfied that the successor company will assume all the responsibilities of the present authority. On that basis, I assume that it will continue to do what has been done in the past. The Bill does not change the responsibilities; it merely gives them to the successor company. The statement says:

[Mr. Walker]

"The main purpose of the Bill is to provide for the transfer of the Port Authority's undertaking to a Companies Act company, ('the successor company'), with the consequential dissolution of the Port Authority. The successor company would at all times be a wholly owned subsidiary of another Companies Act company ('the holding company')".

The successor company will assume all the responsibilities of the Clyde port authority. The hon. Gentleman and his colleagues may not be satisfied that the authority would honour its responsibilities. However, the successor company would have to do so.

It is important to set up a holding company. That is the big difference. The holding company will be in the market place in a way that the Clyde port authority is not. It will have the opportunity to obtain funds, which the Clyde port authority cannot do. I should have thought that that would be of advantage to the Clyde.

If we are all interested in doing what is best for the Clyde—I hope that we are—I should have thought that experience has taught us that, if we do not change, we may end up with another albatross round our necks, and we do not want that.

8.39 pm

Mr. Tony Worthington (Clydebank and Milngavie): I am grateful to the hon. Member for Tayside, North (Mr. Walker) who, in the past two or three minutes, gave us more explanation of the structure of the Bill than we were given by the presenter, the hon. Member for Eastwood (Mr. Stewart). His explanation was off the top of his head, however, which is a remarkable sign of the contempt with which the House has been treated.

The Bill is of considerable importance, and the House should treat it with the seriousness it deserves. It concerns an authority that is responsible for 450 square miles—not only the port of Glasgow but the ports of Ardrossan and Hunterston, not to mention all the sea lochs around the Firth of Clyde. It seems that we are to approve on the nod a change in the way in which the port area is administered.

The hon. Member for Eastwood is usually the most affable of Members, but on this occasion he has treated the House with some contempt by failing to brief himself on the implications of the Bill. Tonight, he is in the position of a Minister; usually, Ministers presenting a Bill go through it and explain the implications of each clause. That the hon. Gentleman failed to do. All he gave us was a recitation from what I can only assume was a public relations brief of about two pages from the Clyde port authority. The hon. Gentleman completely failed to answer the questions that were put to him.

I object to the Bill not because I regard the Clyde port authority as a satisfactory body—I do not. I regard it as highly unsatisfactory, and I think that it should be restructured so as to reflect the interests of all the people of Scotland, not just those of the people who run the authority now.

Is the Clyde port authority a public or a private body? We do not know whether it is fish or fowl, whether it is operating in the commercial market or in the public sector.

It is also most unsatisfactory that the authority should be the responsibility of the Department of Transport—a fact that is not widely known. I suspect that most people in Scotland think that it is linked with the Scottish Office. I notice that sitting on the Government Front Bench is the third of a rapidly changing sequence of Ministers that we have seen during the passage of this Bill—the hon. Member for Edinburgh, West (Lord James Douglas-Hamilton). In theory, he is the Scottish Minister with responsibility for transport, but in practice his relationship with the Bill is peripheral. He has no brief for or interest in the matter. The Minister for Aviation and Shipping has apparently disappeared to an event that he considers of greater importance—

Mrs. Fyfe: Why?

Mr. Worthington: I do not know.

I have tabled parliamentary questions and written to the Minister at the Department of Transport about this matter. I asked:

"What means of redress or appeal exist in the case of maladministration or inefficiency by a body such as a port authority."

In other words, I asked what people can do if they think that a port authority is not doing its job. The Minister replied:

"Harbour authorities that are companies or statutory trusts are autonomous bodies running commercial undertakings. Any complaint should be made to the chief executive or chairman, and if satisfaction is not obtained the complaint can ultimately be pursued through the courts."—[*Official Report*, 2 November 1989; Vol. 159, c. *272-3*.]

So one can do nothing about these bodies save appeal to the people running them.

We are talking about a collection of individuals who emerge through the strange processes of the selection of the great and the good to sit on these bodies. They are not appraised, and as far as I know the Department of Transport issues no reports on their past credibility. These bodies seem to go on and on, pursuing a course that may be good or that may be distinctly mediocre.

In November 1989 I wrote to the Minister about accountability, and he replied as follows:

"Once the Board members are appointed, however, they are entirely responsible for the day-to-day running of the Authority using their collective judgment of what is in the best interest of the port and operating within the terms of the governing parliamentary legislation".

So it appears that the board members, appointed by the Department, are not accountable. The Minister goes on to speak of the authorities' powers:

"In particular the 1965 Act provides that it is for the authority to decide whether to dispose of land, what price to seek and what conditions to impose on its release".

That power does not sound limited in the way that we heard it described earlier.

If Parliament had had any sense, we should first have considered whether the Clyde port authority had been operating efficiently and effectively. If we discovered that it had not been, we should then have considered what reforms to introduce. Instead, we have given the port authority—if it has done a bad job, this would seem wrong—the power to initiate its own legislation. At no point did the hon. Member for Eastwood provide us with an appraisal of the sort of job that the authority has done. Has it effectively developed the work of the area, or has it been ineffective? All we heard was a statement of what it wants to do. That is not an effective way of running a great port on an important estuary. We needed to hear an analysis of what the authority has been doing for the past 40 years and of what changes are necessary.

That seems to me to be going about things back to front. We have only the assertion by the Clyde port authority about what has gone wrong, rather than an

independent analysis. I would have welcomed it if the National Audit Office—or some such organisation—had examined the way that the port authorities operate, and concluded that changes were necessary. We need a clear statement of what is being sought and of the responsibilities.

In his brief and perfunctory introduction to the Bill, the hon. Member for Eastwood—who is now about to be even more perfunctory, and leave the Chamber—stated that the powers of the Clyde port authority were restricted. However, he was unable to say in what way. The original legislation—the Clyde Port Authority Order Confirmation Act 1965—says what the duties and powers of the port authority will be. I shall read out those powers, because it is necessary for hon. Members to judge whether they are restrictive.

The Act says:

"It shall be the duty of the Port Authority, subject to the provisions of this Order, to take such steps from time to time as they may consider necessary for the maintenance or improvement of the port and the accommodation and facilities (including navigational facilities) afforded therein or in connection therewith".

The Act goes on to give what seem to be all-embracing powers. On page 8, section 15 says:

"The Port Authority . . . may . . . manage, use or develop land belonging to them as they think fit".

That does not seem to be restrictive.

The Act continues:

"in addition may with a view of selling or otherwise disposing of any right or interest in the land after the development is carried out . . . retain any part of land belonging to them . . . develop it or procure its development for use wholly or partly by other persons."

I am open to persuasion that the powers are too restrictive, but that does not seem to be the message from the Act.

Mr. Foulkes: It is not the message from me, either.

I appreciate the diligence with which my hon. Friend has gone into the matter to show the wide powers of the Clyde port authority. Earlier in his speech, he referred to navigation lights; if he thinks that the Clyde port authority has wide powers, he should put his tremendous energy into examining the Commissioners for Northern Lights. I have never come across a more powerful feudal organisation —I was going to say, on this side of the iron curtain; however, these days even on the other side of the iron curtain there are not such powerful organisations. When he has finished dealing with the Clyde port authority, will my hon. Friend have a wee go at the Commissioners for Northern Lights?

Mr. Worthington: I am graterful for that suggestion for my future work programme. I shall bear it in mind, and add it to the long list of fascinating subjects on to which my hon. Friend wishes to divert me.

I am not aware that the Clyde port authority has been unable to be involved in property development. It has been able to diversify from explicit port-related work on the Clyde. My hon. Friend the Member for Cunninghame, South (Mr. Lambie) said that it had done that excessively, but there was no evidence that it was unable to develop the areas that were surplus to port requirements. Within Glasgow, I believe that there are areas that are the subject of development now: I may have missed a declaration on it, but I gather that in the Braehead area of Renfrew there is a proposed major shopping development awaiting the decision of the Secretary of State. The Clyde port authority has been involved with the Tarmac Group of Companies to develop it.

Let us take the Glasgow garden festival and the construction of the exhibition centre: the port authority has correctly realised that those developments should take place. I am not conscious of any restriction in its powers to stop it doing that effectively.

Dredging is another matter of concern. We have the right to ask the Minister and the hon. Member for Eastwood to clarify the power to dredge. Section 16 of the Clyde Port Authority Order Confirmation Act states:

"The Port Authority may from time to time"—

there is the controversial "may" with which we always have difficulty—

"deepen, dredge, scour and improve the bed and foreshore of the river and firth of Clyde within the port or in or near any approach to the port".

There is a power whereby the port authority can use its resources to dredge, which is very different from saying that it "shall" always do what is necessary to enable the area to operate as a port. *[Interruption.]* The hon. Member for Eastwood is still wandering around. He is using the old Scottish Tory device of moving around to make himself seem more numerous.

I am not reassured when the hon. Gentleman or the Clyde port authority says that nothing in the legislation changes the authority's powers. During the past 10 years, the authority has said to other bodies, such as the regional and district councils and the shipyards, "We may need to withdraw from this activity unless we are supported in the dredging." The hon. Member for Eastwood may by now in his travels have received advice on whether my reading of the Act is correct—that there is no duty on the port authority to dredge the Clyde and to maintain Glasgow as a port. I believe from my reading of the legislation that it could withdraw from that activity.

The Opposition realise the importance of not allowing the Clyde to silt up. I would assume that, because the port authority is in the public domain, public money would always be made available to maintain the Clyde. What will happen under a privatised company? The hon. Member for Eastwood may assure us that that the successor company—although he did not dignify his speech with technical terms such as "successor company"—inherits the same obligations as the Clyde port authority.

From my reading of the Act, I believe that it "may" dredge, not that it "shall" dredge and that it is open to a privatised company to up sticks at some stage and say that it is not in its commercial interests to dredge the Clyde. I am willing to give way to the hon. Member for Eastwood —he was generous to me earlier—if he wishes to assure me that the Bill maintains in perpetuity the duty on the Clyde port authority or the successor company to dredge the Clyde.

Dr. Godman: Does my hon. Friend agree that the dredging problem is exacerbated by the need for the Clyde port authority to purchase a new dredging vessel in the near future? Will not such a vessel cost several million pounds?

Mr. Worthington: I am grateful for my hon. Friend's intervention. It is realised that, if the Clyde is to be effectively dredged in the future, outdated equipment needs to be replaced. But that decision has been made by a public authority which realises the importance of its

[Mr. Worthington]

public duty to dredge the Clyde. Whether the successor company would make a commercial decision along those lines, I do not know.

Mr. Wilson: Does my hon. Friend agree that it is incredible, and deeply worrying, that the invitation that he offered so freely to the sponsor of the Bill was not taken up? Does he agree that Opposition Members' meeting with Clyde port authority representatives confirmed what he has said? There is no absolute obligation to dredge. Does my hon. Friend find it as incredible as I do that the sponsor of the Bill is not prepared to answer his question one way or the other?

Mr. Worthington: I am stunned by the failure of the hon. Member for Eastwood to know his Bill sufficiently well to give even that most basic reassurance. I am sure that, on being told that the Clyde port authority was to be privatised, the first question that Opposition Members would ask would be, do the arrangements safeguard the ability of the port of Glasgow to continue to operate as a port? It is difficult to continue as a port without one basic ingredient, which I have always thought to be water. If there is no water in a port, it is difficult to see how it can operate effectively. Yet the hon. Member for Eastwood seems quite unable to assure us that there will continue to be water in the port of Glasgow.

Mr. Lambie: Does my hon. Friend agree that the behaviour tonight of the hon. Member for Eastwood (Mr. Stewart) justifies the Prime Minister's sacking him as a Scottish Minister?

Mr. Allan Stewart: Answer.

Mr. Worthington: I would always defer to the hon. Member for Tayside, North (Mr. Walker) on these matters, as he seems to be the adviser on them.

We are told that the successor company will have the same powers. We need to know just what provisions have restricted the development of the company. We need that spelt out in much greater detail.

Page 9 of the Bill deals with the functions of the Clyde Port Holding Trust that is to be established. I regret that I have had to take so long on this subject, which could have been dealt with earlier by the hon. Member for Eastwood. Clause 13(2) says:

"(2) The Trust shall consist of a chairman, a deputy chairman, and not less than eight nor more than eleven other members.

(3) The persons who immediately before the first transfer day are the chairman, the deputy chairman and other members of the Port Authority shall become respectively the chairman, the deputy chairman and other members of the Trust".

In other words, the members of the port authority will succeed themselves. That is not usually what happens when someone dies.

Clause 14 says:

"The Trust shall . . . give to the holding company such directions as the Trust consider appropriate in respect of the matters in respect of which the Trust may give directions as mentioned in section 8".

That refers to the securities of the new company. Earlier, the Minister made a somewhat perfunctory statement, which we could not examine because he had departed, to the effect that half the proceeds of sale of the company were to go to the Treasury. However, we do not know why it should be half the proceeds, or the basis on which that was determined.

The trust is the key factor in setting up the holding company and the successor company. According to clause 14:

"The Trust may, in carrying out their functions in relation to the disposal of securities of the holding company, provide for one or more employees' share schemes to be established in respect of the holding company; and any such scheme may provide for the transfer of shares without consideration."

There is agreement on both sides of the House that employee share schemes are good. We want them to develop, but within egalitarian principles. We would want to ensure that there was a genuine co-operative venture, instead of half a dozen shares for someone on the ground floor of the company and several hundred thousand shares for the people at the top of the company.

I understand the phrase "without consideration" in clause 14 to mean free. Some of the shares in an employee share scheme should be transferred for free. I have no objection to that if that is done fairly, and that could be a good idea for the employees. However, clause 14(5) states:

"The Trust may transfer securities of the holding company without consideration"—

that is, for free—

"to bona fide employees of that company or of a subsidiary of that company (including any such employees who are members of the Trust)."

The Clyde port authority board was established by statute and the members appointed by the Secretary of State. It is promoting legislation which transfers the affairs of the port authority to the Clyde Port Holding Trust which will set up the arrangements for the successor company and the holding company. It will also have the power to award itself shares.

It is clear that some present members of the Clyde port authority will become members of the trust. No one other than CPA members can become members of the trust. Those people are promoting legislation which will inevitably give them powers to allocate free shares to themselves in the new company.

Mr. Foulkes: That is better than winning the pools.

Mr. Worthington: I would not make that assertion, because it may not be a very important inheritance. It depends how moderate the trust is in its willingness to allocate to itself what was a public asset. We must also consider the lack of clarity about other members of the CPA and whether they are employees or whether the Clyde Port Holding Trust could designate those people as employees. Those people could receive a benefit in future.

It is unacceptable that a rambling Member of Parliament, the hon. Member for Eastwood, should present this private Bill in such a perfunctory way. The Bill does not make clear the provisions for the members of the promoting body. We have a right to know whether the CPA members will benefit financially from the proposal. If I have misread the Bill, I apologise for any mistaken inferences.

According to my reading of the Bill, the members of the Clyde port authority as presently constituted can, will and indeed must become the Clyde port trust, because no one else can do so. They can then decide the terms upon which employee share ownership will be distributed and they can then allocate shares to themselves "without consideration"

—that is, without paying money for them. We have a right to an explanation of that, and I wish that there was a Minister on the Treasury Bench who could explain it.

I turn now to the importance of the meaning of "the Clyde" in the west of Scotland. We are not talking simply about a commercial undertaking. The Clyde is a most powerful symbol of the wholeness of life in the west of Scotland. It is a symbol of all the issues relating to the environment, tourism, commerce, leisure and sport. Therefore, in addition to the narrow commercial interests of the holding and successor companies, all those aspects need to be taken into account.

I referred earlier to dredging but that issue needs further consideration because of its general importance and the responsibility attaching to other bodies. At present, other contributing bodies include the regional council, which has been obliged or induced to contribute largely because of the importance of the Clyde to the sludge boats, which are the major daily users of the Clyde. They go up and down the river and out into the firth——

Mr. Lambie: And pollute the beaches of Ayrshire.

Mr. Worthington: Yes, as my hon. Friend the Member for Cunninghame, South has said, they pollute the beaches of Ayrshire.

That antiquated way of disposing of sewage has been questioned both by the European Community and by sane environmentalists. The regional council will be obliged to stop being involved in that activity. Eventually, therefore, the regional council will no longer need to use the Clyde for that activity. In addition, I understand that, under the provisions of another EC directive, dredging the Clyde and dumping the waste elsewhere is no longer regarded as acceptable, and that land-bound disposal methods must be used as well. Therefore, the regional council may lose its obligation and feel that it no longer has a duty to support dredging.

If I might correct my hon. Friend the Member for Greenock and Port Glasgow (Dr. Godman), I understand that Glasgow district council has contributed £100,000 on a one-off basis. We all hope that Govan Shipbuilders and Yarrow Shipbuilders will continue into perpetuity, but nothing is absolutely certain in this world and those companies contribute substantially at present.

The main issue here is that a cost that used to be met entirely by the port authority is at present met only partially by that port authority, so I want to know who will carry out the dredging in the future in view of the cost of that activity. If I have to second-guess what will happen in 10 years—if the Bill becomes law—I imagine that the successor company will have walked away from those responsibilities, and I guess that some public authority will have to march in to pick up the cost of the dredging. It may be the regional council or the district council. A private Bill has been used as a mechanism for dumping a public obligation. It seems to be going through without being adequately examined.

A recent Strathclyde joint working party report, imaginatively called the "River Clyde Project" and, more poetically, "A corridor of growth", in which the region and associated districts—not just Glasgow, but Clydebank and Dumbarton on the north of the Clyde and, I assume, Renfrew and Inverclyde—took part. The Scottish Development Agency and the private industry group Scottish Action also took part, as well as the Clyde port authority. It was possible for those public organisations to come together to consider the Clyde as a whole and a strategic affair. They recognised that it was not the sort of project that was best dealt with piecemeal.

Earlier, the hon. Member for Tayside, North failed in his synopsis of world history to explain how Glasgow had been regenerated in recent years. One fact is absolutely certain—not a person in Britain could say that Glasgow had been regenerated by the workings of the market. There is not the slightest doubt that, where regeneration has occurred, it has been because of the actions of local authorities, where relevant, the Government—I pay tribute where that has happened—the Scottish Development Agency and other public organisations that have created the leverage that has led to private investment. Without that public investment in the first place, there would never have been any private investment.

I am worried that, with the Bill, we shall once again lose the ability to act strategically and consider the Clyde, all that river valley and estuary, in an overall context. That is an important power. We are talking about a 20 sq km area that can be developed for industry, housing or retail. The area will also be progressively more important in terms of water sports and leisure. We must ensure that the public interest is represented there, rather than the narrow commercial interest. If the port authority is given the freedom to develop on a purely commercial basis, that will be inadequate.

When considering the Bill—I hope that it will not receive a smooth passage through the House and the other place—we must ask whether it is genuinely geared to the interests of the people of the west of Scotland, because——

Mr. Harry Ewing (Falkirk, East): I know that my hon. Friend is coming to his conclusion. I have listened to quite a bit of the debate, and no one has told the House where the demand is coming from. It is all right to say that there has been no opposition to the proposals from the Scottish Development Agency, the regional council or a number of organisations named by the hon. Member for Eastwood (Mr. Stewart), who wants to keep Eastwood out of Glasgow, but not out of the port of Glasgow. But where is the demand coming from? Is it coming from the present board members of the Clyde port authority? If that is the only source, is that not a cause for the deepest of deep concern?

Mr. Worthington: I share that concern. As I said earlier, I am not rising in objection to the Bill, because I am satisfied with the present state of affairs in the Clyde port authority. I became interested in the affairs of the Clyde port authority because of its lack of action in the area covered by my constituency. Over many years, the Clyde port authority has simply allowed the Rothesay port area to become a tip. We did not really need any legislation to get an improvement. What we needed was a bit more activity by the port authority. In 1981, part of Clydebank was designated an enterprise zone. It was hoped that the special status of that zone would lead to a regeneration of Clydebank. I know that many hon. Members who go there will see that it has been transformed in many ways.

I give credit to the Government, the Scottish Development Agency, the regional council and the district council who have worked together to achieve enormous success in every part of Clydebank except the Rothesay

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dock area. In that area, the port authority failed to take action not because of any restrictions in the relevant Acts but because of lethargy. It simply failed to realise the potential of the area and hoped that something would come around the corner to cause change to occur in future.

Last year, the Rothesay dock area was to be regenerated by the import of coal. Hon. Members may remember the dispute last year between the South of Scotland electricity board and British Coal. Suddenly, the Rothesay dock was to be the means by which huge amounts of coal would be imported. That was not to be, and a simple letter such as the one that I sent to the SSEB established that there would not be such an amount of imported coal. The area could have been regenerated without any change in the legislation. That regeneration did not occur—not because of difficulties with the legislation but because of difficulties with the Clyde port authority.

9.31 pm

Mr. Brian Wilson (Cunninghame, North): I have an interest in the Bill not only because of my Front-Bench role but because both Ardrossan and Hunterston are in my constituency. My main concern in the debate and in the weeks ahead is to ensure that the Bill, whether or not it becomes law, should be the subject of public debate. That has not happened in past months and that is why there is such strong opposition in the House to the Bill's simple passage.

Important points of principle are at stake and substantial public assets are to become private assets by means of this device. The House was entitled to more explanation and justification than we heard from the hon. Member for Eastwood (Mr. Stewart). His explanation for the Bill bordered on the insulting. It was completely inadequate and did not begin to deal in detail with the Bill or its clauses.

Mrs. Fyfe: Would my hon. Friend care to comment on the fact that the hon. Members for Brigg and Cleethorpes (Mr. Brown) and for Langbaurgh (Mr. Holt) are in the Chamber and that both of them were involved in similar Bills for other ports? Neither represents a Scottish constituency. Is there some strange community of interests on the other side of this debate?

Mr. Wilson: My hon. Friend takes me easily to the next part of my speech. It is vital to consider where this whole idea has come from. It has not come from the board of the Clyde port authority, year after year sitting in frustration, fretting over the lack of powers at its disposal.

I understand that the Minister for Aviation and Shipping had to leave the Chamber. He explained to me his reasons for that. In his brief contribution he rightly gave credit to the former Secretary of State for Transport, the right hon. Member for Southend, West (Mr. Channon). The chairman's statement in the annual report of the Clyde port authority gives us the background to all this. It states:

"Back in 1988 the then Minister of Transport, Paul Channon, informed the trust ports that any request for increased powers would only be granted if the ports were prepared to accept a greater measure of accountability as in the case of a limited company to its shareholders. The preparation work in this has been very complex and time consuming for the authority's senior executive and we now look to the Government for their full support as the legislation progresses through Parliament."

The Bill is not a private initiative from the Clyde port authority, but a Government one. The work is being done for the Government by people such as the hon. Members for Eastwood, for Langbaurgh (Mr. Holt) and others who are involved with similar Bills. The demand does not come from the people who work on the Clyde or the communities located there which depend on that river for commerce, industry, leisure and other purposes.

The undoubted consequences of the legislation will be a further downgrading in the importance of the river Clyde and a greater emphasis being placed on the property development potential of its river banks. That is bad news for marine users and shipyard workers. It is a setback to the revival of the Clyde as a centre of marine trade. This is an enabling Bill that will enable a privatised company to turn public assets into private ones and to turn public sectors into centres of private speculators.

If the aims of the Bill are as stated I find it slightly odd that the Clyde port authority found it necessary to trawl entire west central Scotland to come up with the one Conservative Member to be found in that territory—and at that an hon. Member who has no direct interest in the river Clyde. The way in which the hon. Gentleman presented the Bill and the way he pranced round the Chamber, like the sugar plum fairy, in search of little bits of information to elaborate the bare bones of his opening speech, reflect no great credit on the Bill that he is seeking to promote.

We are dealing with substantial public assets. According to the balance sheet of the Clyde port authority for the year ended 31 December 1989, the total assets of the authority, less current liabilities, are £52,069,000. Conservative Members have given a slipshod performance and much of their debate has been light-hearted. A few of them have read from briefs and have had little of substance to say in defence of the case. In such a perfunctory manner is the House expected to hand over £52 million of public assets to a newly created private company? That is what Conservative Members are trying to push through.

My hon. Friend the Member for Clydebank and Milngavie (Mr. Worthington) is right to point our that the people who will take over the running of that private company have been placed in their present positions of responsibility and trust to perform a public function rather than to run that private company. We believe that that must be exposed to far more rigid scrutiny than has so far been applied.

The only justification that the hon. Member for Eastwood gave for the Bill was that the existing remit and powers of the authority are so restrictive that it must cast them off to acquire great new liberating powers. My hon. Friend the Member for Clydebank and Milngavie and other hon. Friends have already called that concept into serious question. My hon. Friend the Member for Clydebank and Milngavie told us what the authority can do for better or worse and my hon. Friend the Member for Cunninghame, South (Mr. Lambie) and other colleagues told us what the authority had not done when it was within its powers to act, had it had the will.

As a general rule, it is reasonable to say that a body which has not satisfactorily used, extended or lived up to its present powers should not come to the House lightly and demand a new set of powers which have the interesting

side effect of turning it into a private company. It is worth quoting from clause 13(3) of the Bill, which states who will run the private company:

"The persons who immediately before the first transfer day are the chairman, the deputy chairman and other members of the Port Authority shall become respectively the chairman, the deputy chairman and other members of the Trust and shall, subject to the provision of this Act, continue in office until the Trust is dissolved by virtue of section 15 . . . of this Act."

Some people might think, "Nice work if you can get it." One day it is a public body with people appointed either by the Secretary of State or local authorities and others, and the next day they are the office bearers of a substantial private company which owns the assets that go with the River Clyde.

Opposition Members are not satisfied that the justification for the Bill lies in the restrictive powers that are alleged to exist under the present Act. If that is the case and if the powers of the Clyde port authority are so restricted that it cannot carry out work that it thinks is necessary, let it demonstrate that in the court of public opinion in succeeding months. As my hon. Friend the Member for Greenock and Port Glasgow said at the outset, we are going to have another go at the Bill, in the Lords. The authority has plenty of time to make that case and we will base our subsequent actions upon the manner in which it does so.

Mrs. Fyfe: It is surprising that when the hon. Member for Eastwood presented the Bill tonight and referred to the fact that a substantial amount of riparian land is involved and that there was considerable difficulty in developing joint ventures on riverside sites, at no time did he—or any of his hon. Friends—attempt to describe the benefits that could result. We are being asked to write a blank cheque tonight.

Mr. Wilson: I agree with my hon. Friend. I was astonished that the case was made so thinly. Practical examples probably could have been quoted to demonstrate how the extended powers could be used. The manner in which the hon. Member for Eastwood and the people who briefed him approached the debate shows that they did not feel that they had been called upon to give the House examples of how such extended powers could be used to their advantage. The hon. Member for Eastwood did not offer one example.

My hon. Friend the Member for Clydebank and Milngavie tried generously, to encourage the hon. Member for Eastwood into an intervention. Perhaps he could give me a practical example now of something that has not been done if the authority had new powers. I would be pleased to hear a specific example.

Frankly, if the hon. Member for Eastwood sits there and cannot offer the House one example of what the Bill will achieve in practical terms, the House will make its own judgment.

My hon. Friend the Member for Greenock and Port Glasgow spoke ably about the local considerations in his constituency. He reminded us that we are not talking about an abstract or turning one sort of company into another, but about the life-blood of the community—the docks and the waterfront in Greenock. He also properly reminded us that it is Sir John Shaw Stewart's gift to the people of Greenock that is to be passed merrily on from one hand to the next without any regard to original intent. I find it rather odd that a party that is pleased to harp back to philanthropy by public-spirited citizens in bygone ages casts it all aside when it suits its commercial purpose in the present age. Sir John Shaw Stewart's gift is of no interest or relevance because the Conservative party has an immediate commercial purpose to fulfil.

My hon. Friend the Member for Greenock and Port Glasgow and other hon. Members dealt fully with dredging, which is one of the most important aspects of the Bill. We are not passing comment on the people to whom the Clyde port authority will pass in the short term. I have no doubt that the people who have been running the Clyde port authority for the past two or three decades and whose life's work has been tied up with the Clyde will not, on the day that the authority becomes a private company, abandon responsibility for dredging the river.

We are not talking about that. We are talking about what might happen in one, two or three decades when they and we will have passed on. There is nothing in the Bill to stop the Clyde Port Authority plc being handed on to other concerns. With the way that riverside development is progressing not only in Britain but throughout the world, dealing more with property and less with waterways, what will a future company that owns the interests think about the responsibility to spend large sums of money every year dredging a river which, because of these policies, may by then be used even less than it is now?

A legal obligation to maintain dredging should be written into the Bill. As has been shown during the debate, those hon. Members who have spoken in favour of the Bill are under a misapprehension. There is no such obligation. As my hon. Friend the Member for Clydebank and Milngavie (Mr. Worthington) said, the word "may" is crucial. If a company's first commitment is to keeping the waterway alive and flourishing, it will do it. However, if its first commitment is to property development, with the traffic on the Clyde and the shipbuilding industry being only a secondary concern, it will have no obligation under the Bill to maintain the dredging of the Clyde. Without that obligation, what will be the consequences for the Clyde?

There is no constituency in Scotland more affected by the matters that we have been discussing than that of Govan in Glasgow. The people of Govan will be grateful to my hon. Friend the Member for Greenock and Port Glasgow for having spoken so eloquently on their behalf. He spoke also for the Kvaerner shipyard and about the crucial issues relating to the Govan constituency.

Mr. Foulkes: Why did my hon. Friend have to do that?

Mr. Wilson: I am astonished that the hon. Member for Glasgow, Govan (Mr. Sillars) is not here. We can only speculate on where he may be——

Mr. Foulkes: Shopping?

Mr. Wilson: I think that Marks and Spencer closes early on a Monday night. Of course, the hon. Gentleman could be sharpening the knives for the Scottish National party leadership contest. For all I know, he could be polishing his cromag in anticipation of Bannockburn day.

Mr. Worthington: I am sorry that the hon. Member for Glasgow, Govan (Mr. Sillars) is not here, especially as his constituency and other constituencies have already been affected by the withdrawal of dredging operations between the Victoria and Glasgow bridges, which ceased about a quarter of a century ago. We can now see the extensive

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mudbanks in those locations. That that will be repeated lower down the river in the hon. Gentleman's constituency unless dredging continues was established in a report, commissioned by the regional council and others into the consequences of abandoning dredging, carried out by Babtie Shaw and Morton.

Mr. Wilson: My hon. Friend makes his point well. My hon. Friends the Members for Greenock and Port Glasgow and for Cunninghame, South (Mr. Lambie), who referred to the implications for shipyards, were not talking for narrow constituency interests. If anything, their constituency interests would be served by the upper Clyde becoming silted up.

Dr. Godman: There is a direct Greenock and Port Glasgow constituency interest in the Kvaerner shipyard at Govan. At this very moment, the men and women at Clark Kincaid in Greenock are building two engines for liquid petroleum gas carriers being built at Govan. If Kvaerner, with the support of the hon. Member for Glasgow, Govan (Mr. Sillars), obtains the order for three new vessels, it is extremely likely that Kincaid will build the engines.

Mr. Wilson: My hon. Friend provides an additional item of interesting information, emphasising the point that we in the Labour party speak together for all parts of the Clyde and do not seek to distinguish between one part and another.

Clearly, the dredging issue is of prime importance, and the least that we are entitled to ask for is that it should be a matter for public debate. I am disappointed that we have not heard more from some of the bodies that should have been briefing Opposition Members.

Mrs. Fyfe: Does my hon. Friend share my concern that when the cost of dredging has been raised in the debate, there has been no response from the Government Benches? My hon. Friends and I have expressed concern that although the new body may continue dredging, it is not known at what price to Govan shipyard in particular and to the local authorities.

Mr. Wilson: My hon. Friend's point is well made. We are not discussing a hypothetical matter that might arise at some future date. We know from our own discussions with the Clyde port authority that, even under the present arrangement, the sharing of dredging costs is a live issue. The shipyards must be persuaded that they have to meet the present level of cost.

I am pleased to acknowledge that Clyde port authority in its present form is fully committed to maintaining dredging and the marine use of the river. The hon. Member for Eastwood failed to address the question of what the situation will be when that authority no longer exists and its place taken by a plc whose prime interest is property development rather than the marine uses of the Clyde.

Mr. Lambie: If Clyde Port Authority plc becomes a land and property development speculator, would it not be in the interests of my hon. Friend and myself, as Members of Parliament representing Cunninghame, to see the ports of Hunterston and Ardrossan separated from the new company?

Mr. Wilson: I intended to refer to that matter later, but I shall do so now. My hon. Friend makes an interesting proposition. Long before I entered the House, I had a high regard for my hon. Friend the Member for Cunninghame, South, and for his knowledge of and views on Hunterston. I am sure that my hon. Friend agrees that the economic problems confronting north Ayrshire arise from the fact that the opportunity was never taken to develop Hunterston as it might be. It is ironic that the preface to the port authority's annual report makes reference to Hunterston as

"deep-water port facilities which are among the finest of their kind in Western Europe."

I cannot help wondering where else in western Europe one would go to find other fine deep water facilities and at the same time discover such economic underdevelopment of their potential.

The same is true of Ardrossan. I am grateful for the £800,000 of development that has recently taken place there, and congratulate Clyde port authority on it. However, neither my hon. Friend for Cunninghame, South nor myself can ignore the years of neglect at Ardrossan and the steady rundown not only of cargo traffic but the various ferry services that used to run out of that port. I am conscious of the fact that, when new services are contemplated today, it seems to be Troon and Ayr that receive prominent mention as possible future ports for development. I hope that the new development at Ardrossan signals a more positive attitude towards it by the Clyde port authority, in whatever form. Cunninghame district council is examining the Bill and it would be interested in the possibility of Hunterston or Ardrossan opting out. It should be allowed to put forward its views. I want to encourage that kind of public debate.

We are all in favour of employee share ownership plans. However, the hon. Member for Eastwood knows as well as I do that there are ESOPs and ESOPs. In fact, there are ESOPs and fables. We see that in the bus context of Clydeside Wester, where there are two rival buy-outs. In the one case there would be genuine worker ownership; in the other, there would arguably be much less worker ownership.

This is an enabling Bill. It enables shares to be distributed unevenly. After the Bill is passed we shall probably find that a small number of people own a substantial proportion of the shares in the new Clyde Port Authority plc. We are entitled to a public debate. If it serves no other purpose, I hope that this debate, by means of the publicity that it attracts, will lead to public attention being focused on the Bill. That is long overdue. I do not doubt that, if the Bill had been introduced as a Government measure, it would have attracted far more public attention than it has received in its present guise. As it is a private Bill, it has so far crept through by stealth.

Most of those who will be directly affected by its provisions are worried about the Bill. The troops have probably been pulled in so that the hon. Member for Eastwood will obtain his 100 votes. Hon. Members have just come into the Chamber who were not here earlier. They would have a hard job trying to pinpoint the Clyde on a map of Britain, but they will vote for the Bill. Therefore, the hon. Member for Eastwood will gain a pyrrhic victory. The debate has served to highlight the questions of ownership and dredging. The hon. Member

for Eastwood has been unable to answer them, but they will not go away. They will be asked increasingly in public as well as in private.

Mr. Worthington: Another issue that has not been fully explored is that of flooding and what will happen if dredging ceases. Is my hon. Friend aware that, according to the survey, the minimum level by which the height of the Clyde will rise if dredging ceases is 1 m?

Mr. Wilson: My hon. Friend has referred to another important issue. It may not seem important to hon. Members in 1990. However, it may be very important to those who live on the banks of the Clyde in the year 2020. That issue will also receive a public airing. Before the measure goes to another place I am sure that public interest in the Bill will have greatly increased.

Mr. Harry Ewing: On a point of order, Mr. Deputy Speaker. You have been in the Chair for a considerable time. I have listened to the debate throughout the entire time that you have occupied the Chair and I listened to it for a considerable period when your predecessor was in the Chair. As I have listened to the debate, I have become more and more concerned——

Mr. Deputy Speaker (Sir Paul Dean): Order. What is the point of order?

Mr. Ewing: The point of order is that we have in our possession a House of Commons document. If certain hon. Members do not have it, it is available in the Vote Office. I make no complaint about that. However, the House of Commons document refers to——

Mr. Deputy Speaker: Order. That is a matter for debate.

Mr. Allan Stewart *rose in his place and claimed to move,* That the Question be now put.

Mr. Harry Ewing: On a point of order, Mr. Deputy Speaker.

Mr. Stewart: I beg to move, That the Question be now put.

Question put, That the Question be now put.

The House proceeded to a Division——

Mr. Ewing *(seated and covered):* On a point of order, Mr. Deputy Speaker——

Mr. Deputy Speaker: I see that they have now put the Tellers in.

The House divided: Ayes 164, Noes 38.

Division No. 205] **[8.59 pm**

AYES

Alexander, Richard
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Aspinwall, Jack
Atkinson, David
Baker, Nicholas *(Dorset N)*
Beith, A. J.
Benyon, W.
Blackburn, Dr John G.
Boswell, Tim
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Braine, Rt Hon Sir Bernard
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl'r's)*
Bruce, Ian *(Dorset South)*
Buchanan-Smith, Rt Hon Alick
Buck, Sir Antony
Budgen, Nicholas
Burt, Alistair
Butcher, John
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Chapman, Sydney
Chope, Christopher
Clark, Hon Alan *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Coombs, Simon *(Swindon)*
Cormack, Patrick
Currie, Mrs Edwina
Davis, David *(Boothferry)*
Day, Stephen
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dunn, Bob
Durant, Tony
Dykes, Hugh
Eggar, Tim
Fairbairn, Sir Nicholas
Fallon, Michael
Favell, Tony
Fearn, Ronald
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
Garel-Jones, Tristan
Gill, Christopher
Goodlad, Alastair
Gorman, Mrs Teresa
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Ground, Patrick
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hamilton, Hon Archie *(Epsom)*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hawkins, Christopher
Hayward, Robert
Heathcoat-Amory, David
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Irvine, Michael
Jack, Michael
Janman, Tim
Jessel, Toby
King, Roger *(B'ham N'thfield)*
Kirkwood, Archy
Knapman, Roger
Knowles, Michael
Lang, Ian
Lawrence, Ivan
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lightbown, David
Lilley, Peter
Lloyd, Peter *(Fareham)*
Luce, Rt Hon Richard
Lyell, Rt Hon Sir Nicholas
Macfarlane, Sir Neil
MacGregor, Rt Hon John
Maclean, David
McLoughlin, Patrick
Mans, Keith
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Maude, Hon Francis
Mayhew, Rt Hon Sir Patrick
Miller, Sir Hal
Moate, Roger
Monro, Sir Hector
Morrison, Sir Charles
Morrison, Rt Hon P *(Chester)*
Moss, Malcolm
Moynihan, Hon Colin
Neale, Gerrard
Neubert, Michael
Nicholls, Patrick
Norris, Steve
Page, Richard
Paice, James
Patnick, Irvine
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Rathbone, Tim
Renton, Rt Hon Tim
Rhodes James, Robert
Riddick, Graham
Rifkind, Rt Hon Malcolm
Sackville, Hon Tom
Sainsbury, Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Skeet, Sir Trevor
Speed, Keith
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stradling Thomas, Sir John
Summerson, Hugo
Tebbit, Rt Hon Norman
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Twinn, Dr Ian
Walden, George
Walker, Bill *(T'side North)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Wells, Bowen
Widdecombe, Ann
Winterton, Mrs Ann

Tellers for the Ayes:
Mr. Richard Holt and
Mr. William Hague.

NOES

Banks, Tony *(Newham NW)*
Bermingham, Gerald
Boateng, Paul
Callaghan, Jim
Cox, Tom
Dalyell, Tam
Davies, Rt Hon Denzil *(Llanelli)*
Dixon, Don
Eastham, Ken
Ewing, Harry *(Falkirk E)*
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Godman, Dr Norman A.
Golding, Mrs Llin
Haynes, Frank
Heal, Mrs Sylvia
Hughes, John *(Coventry NE)*
Jones, Barry *(Alyn & Deeside)*

Kaufman, Rt Hon Gerald
Lambie, David
McFall, John
McKay, Allen *(Barnsley West)*
Mahon, Mrs Alice
Maxton, John
Michael, Alun
Mullin, Chris
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Skinner, Dennis
Spearing, Nigel
Turner, Dennis
Watson, Mike *(Glasgow, C)*
Wilson, Brian
Worthington, Tony
Wray, Jimmy

Tellers for the Noes:
Mr. Max Madden and
Mr. Harry Barnes.

Question accordingly agreed to.

Question put accordingly, That the Bill be now read a Second time:—

Mr. Ewing: On a point of order, Mr. Deputy Speaker.

The House divided: Ayes 145, Noes 37.

Division No. 206] **[10.11 pm**

AYES

Alexander, Richard
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Aspinwall, Jack
Baker, Nicholas *(Dorset N)*
Beith, A. J.
Blackburn, Dr John G.
Boswell, Tim
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Braine, Rt Hon Sir Bernard
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl'ls)*
Bruce, Ian *(Dorset South)*
Buchanan-Smith, Rt Hon Alick
Buck, Sir Antony
Budgen, Nicholas
Burt, Alistair
Butcher, John
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carrington, Matthew
Chope, Christopher
Clark, Hon Alan *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Coombs, Simon *(Swindon)*
Cormack, Patrick
Currie, Mrs Edwina
Davis, David *(Boothferry)*
Day, Stephen
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dunn, Bob
Durant, Tony
Dykes, Hugh
Eggar, Tim
Fairbairn, Sir Nicholas
Favell, Tony
Fearn, Ronald
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
Gill, Christopher
Gorman, Mrs Teresa
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Gregory, Conal
Ground, Patrick
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hawkins, Christopher
Hayward, Robert
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Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Irvine, Michael
Jack, Michael
Janman, Tim
Jessel, Toby
King, Roger *(B'ham N'thfield)*
Kirkwood, Archy
Knapman, Roger
Knowles, Michael
Lang, Ian
Lawrence, Ivan
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lilley, Peter
Lloyd, Peter *(Fareham)*
Luce, Rt Hon Richard
Lyell, Rt Hon Sir Nicholas
Macfarlane, Sir Neil
MacGregor, Rt Hon John
Maclean, David
Maclennan, Robert
McLoughlin, Patrick
Mans, Keith
Marshall, John *(Hendon S)*
Maude, Hon Francis
Mayhew, Rt Hon Sir Patrick
Miller, Sir Hal
Moate, Roger
Monro, Sir Hector
Morrison, Sir Charles
Moss, Malcolm
Moynihan, Hon Colin
Neubert, Michael
Nicholls, Patrick
Norris, Steve
Page, Richard
Paice, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Renton, Rt Hon Tim
Rhodes James, Robert
Riddick, Graham
Rifkind, Rt Hon Malcolm
Sainsbury, Hon Tim
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Skeet, Sir Trevor
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stradling Thomas, Sir John
Summerson, Hugo
Tebbit, Rt Hon Norman
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Twinn, Dr Ian
Walker, Bill *(T'side North)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Wells, Bowen
Widdecombe, Ann
Winterton, Mrs Ann

Tellers for the Ayes:
Mr. William Hague and
Mr. Richard Holt.

NOES

Banks, Tony *(Newham NW)*
Boateng, Paul
Callaghan, Jim
Dalyell, Tam
Davies, Rt Hon Denzil *(Llanelli)*
Dixon, Don
Eastham, Ken
Ewing, Harry *(Falkirk E)*
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Godman, Dr Norman A.
Golding, Mrs Llin
Haynes, Frank
Heal, Mrs Sylvia
Hughes, John *(Coventry NE)*
Jones, Barry *(Alyn & Deeside)*
Kaufman, Rt Hon Gerald
Lambie, David
McFall, John
McKay, Allen *(Barnsley West)*
Madden, Max
Mahon, Mrs Alice
Maxton, John
Michael, Alun
Mullin, Chris
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Skinner, Dennis
Spearing, Nigel
Turner, Dennis
Watson, Mike *(Glasgow, C)*
Wilson, Brian
Worthington, Tony
Wray, Jimmy

Tellers for the Noes:
Mr. Tom Cox and
Mr. Harry Barnes.

Question accordingly agreed to.

Bill read a Second time, and committed to a Standing Committee pursuant to Standing Order No. 61 (Committal of Bills).

BUSINESS OF THE HOUSE

Ordered,

That, at this day's sitting, the Pakistan Bill *[Lords]*, the Town and Country Planning Bill *[Lords]*, the Planning (Listed Buildings and Conservation Areas) Bill *[Lords]*, the Planning (Consequential Provisions) Bill *[Lords]* and the Planning (Hazardous Substances) Bill *[Lords]* may be proceeded with, though opposed, unitl any hour.—*[Mr. Sainsbury.]*

10.22 pm

Mr. Harry Ewing: On a point of order, Mr. Deputy Speaker. You will have had plenty of time to think about my point of order because it is perfectly obvious. Can you, Mr. Deputy Speaker, as an occupant of the Chair, give me one example during all your time in Parliament and all your time as Mr. Deputy Speaker when you accepted a point of order in the middle of another point of order? When you have answered that, I shall raise another point of order.

Mr. Deputy Speaker: I have dealt with the hon. Gentleman's point of order. I remind him and the House that a point of order relating to a closure invariably takes precedence over anything else.

Mr. Ewing: You seem to make up the rules as you go along, Mr. Deputy Speaker—[HON. MEMBERS: "Oh."] That has never happened before and it is totally unacceptable. I want to put on record my anger and

disgust at the conduct of the Chair during the debate. I am very serious about this. Normally it is the occupant of the Chair who asks an hon. Member to retire from the House because of his or her conduct. I am leaving the House now in protest about the conduct of the Chair.

Mr. Deputy Speaker: The matter that I have explained to the House is clear and it is of very long standing: a point of order relating to a closure invariably takes precedence.

Mr. Dennis Skinner (Bolsover): Further to that point of order, Mr. Deputy Speaker. Would it be fair to say that when an hon. Member moves a closure, that is a motion for a closure? If the hon. Member concerned raises a point of order, he places the Chair in the position of trying to take one point of order over another. Am I right in saying that all that the hon. Member had to do—which probably was not done in this case—was to move,

"That the Question be now put."?

Is not it wrong in principle, according to Standing Orders, for an hon. Member to rise on a point of order during another point of order? Would not it be better if the hon. Member concerned moved the closure as such, rather than on a point of order, so that you, Mr. Deputy Speaker, could resolve the matter?

Mr. Deputy Speaker: The hon. Gentleman is absolutely right. There is no need for an hon. Member to say, "On a point of order," before the closure is moved. The hon. Gentleman is absolutely right about the procedure of which he has reminded the House.

Mr. Don Dixon (Jarrow): Further to that point of order, Mr. Deputy Speaker. Had you any indication from the sponsor of the Bill that he intended to move the closure, bearing in mind the fact that many of my hon. Friends still wanted to participate in the debate?

Mr. Deputy Speaker: Order. I hope that the hon. Gentleman is not disputing the judgment of the Chair. If a closure motion is moved, the Chair has to decide whether to accept it. It is then for the House to decide on the matter. All that the Chair has to decide is whether to accept the motion.

Mrs. Alice Mahon (Halifax): On a point of order. Mr. Deputy Speaker. I have just heard a press report that the IRA has accepted responsibility for the bombing of an Army recruitment office in Halifax some weeks ago. As there has been silence from all quarters about who is responsible for that outrage, which could have resulted in civilian deaths, but fortunately did not, I am wondering whether you have been notified by the Secretary of State for Northern Ireland that he intends to make a statement in the near future about the bombing and responsibility for it.

Mr. Deputy Speaker: The hon. Lady has raised a serious point. It is not possible for a statement to be made now, but I am sure that what she has said has been heard by the Government Front Bench.

Orders of the Day

Pakistan Bill *[Lords]*

Order for Second Reading read.

10.26 pm

The Parliamentary Under-Secondary of State for Foreign and Commonwealth Affairs (Mr. Tim Sainsbury): I beg to move, That the Bill be now read a Second time.

The Bill's purpose is, I hope, welcome. It is to modify existing domestic legislation in order to place Pakistan on the same footing as other Commonwealth countries, following its return to the Commonwealth on 1 October of last year, after a decision by consensus of the other member countries, of the Commonwealth.

As became clear during discussion of the Bill in the other place last year, it also provides a reminder of the close relations between our two countries, and of the very considerable amount of good will towards Pakistan that exists in Britain. The relations between us are, of course, of long standing, but they are by no means purely historical. Pakistan is an important trading partner for Britain, and we are the largest overseas investor there. We have a major aid programme, with projects in irrigation and the social sector, among other areas. We consult and co-operate with Pakistan on a wide range of issues. The Pakistan Interior Minister was one of those who visited London for the world ministerial drugs summit held here at the beginning of April.

Pakistan is a major Islamic country. We particularly welcome Pakistan's return to the Commonwealth at this important time in the organisation's history. As we proceed with the high level review of the role of the Commonwealth in the 1990s, there will be much discussion between the secretariat and other members of the Commonwealth. We look forward to Pakistan's contribution to these discussions. Its renewed membership of the Commonwealth provides it with an additional and important forum in which to set out and exchange views at a time when developments in the world are taking place at a particularly rapid pace.

The return to democracy in many parts of the world has been one of the most encouraging developments of the last few months. Pakistan was some way ahead of recent events, returning to full democracy with elections in November 1988. We were particularly pleased to be able to welcome Prime Minister Bhutto to London a few months later, in July last year. That very successful visit included talks on many key issues. Mr. Speaker had the opportunity to see the Pakistan parliamentary system when he visited last autumn. since then, we received in January a senior delegation from the Pakistan Senate, headed by its leader, Mr. Sajjad.

One worrying note is the tension which has developed between Pakistan and India over Kashmir. As we have repeatedly made clear to both sides, we very much hope that that tension can be reduced, and that discussions between the two countries can provide some resolution of the situation. Neither country's interests can be served by continuing the dispute which has developed. We welcomed the meeting between the two Foreign Ministers in New

[Mr. Tim Sainsbury]

York on 25 April, and their stated intention to keep contacts open at all levels. We shall continue to follow the situation there closely.

Mr. Max Madden (Bradford, West): The Minister has been referring to the serious dispute that exists between Pakistan and India over the future of Kashmir. Will he take this opportunity to declare on behalf of the British Government that they recognise that the struggle under way in Kashmir is a genuine struggle for self-determination by the people of Kashmir to determine the destiny of Kashmir? Will he, on behalf of the Government, recognise the status of that independence struggle?

Mr. Sainsbury: As the hon. Gentleman knows, Her Majesty's Government have made their position clear: they remain entirely neutral, seek a peaceful resolution and urge on both countries the avoidance of any force, and maximum restraint. We hope that they will follow the declaration made at Simla in 1972.

To return to the contents of the Bill, it is intended to amend a number of Acts in order to extend to Pakistan the provisions applying to other Commonwealth countries. It deals with Pakistan's relationship with the Commonwealth Institute. It reinstates the right of the Government of Pakistan to appoint a trustee to the board of the imperial war museum. It makes amendments to our legislation relating to the armed forces in order to define the legal status of Pakistan forces when, for example, training in this country. It provides for the exercise of command and discipline when British forces and Commonwealth forces are serving together, and for attachment of members of one force to another. It ensures that arrangements for the reciprocal enforcement of judgments with Pakistan remain in force.

The immigration and electoral implications of Pakistan's renewed membership of the Commonwealth were dealt with separately by an Order in Council made on 2 August last year. That added Pakistan to the list of Commonwealth countries given in schedule 3 to the British Nationality Act 1981. It is a technical Bill. I hope it is a welcome Bill, and I commend it to the House.

10.33 pm

Mr. Gerald Kaufman (Manchester, Gorton): On behalf of the Labour party I welcome the Bill and offer our support for its passage through the House.

It is almost exactly 17 years since I spoke in the House on the Second Reading of another Pakistan Bill. My hon. Friend the Member for Norwood (Mr. Fraser) is present; he took part in that debate on 22 May, 1973, which dealt with the consequences of Pakistan's decision to withdraw from the Commonwealth. I said then that it was a melancholy day, because we were having to pass legislation to provide for the withdrawal of Pakistan from the Commonwealth. I spoke of bidding farewell to Pakistan as a member of the Commonwealth, temporary though we hoped its departure would be. Having taken part in the debate on Pakistan's withdrawal from the Commonwealth, it gives me great personal satisfaction now to be able to take part in the debate on a Bill dealing with its return.

As the Under-Secretary of State has said, the provisions of the Bill are minor, but their implications are significant because, during the 17 years since we debated the previous Bill on Pakistan, that country has seen great changes. Democracy was swept aside in a way that caused great regret to those of us who have a great regard for Pakistan. The military rule is now over, and Pakistan has returned to full democracy in an election that gave great hope to all its friends. In electing a Government headed by Benazir Bhutto, Pakistan has dispelled the unfair and inaccurate stereotypes about Muslim attitudes towards woman by placing in office the first woman Head of Government in an Islamic country.

Benazir Bhutto has demonstrated courage, political sophistication and balanced judgment in carrying out her duties as Prime Minister. I hope to see progress in Pakistan for myself when I visit that country in a little over three months. Of course the country has problems. It has had the problem of coping with the influx of refugees from Afghanistan, and the way that it has coped was a remarkable achievement for a country which itself suffers from poverty. It faces a vexed situation in Kashmir. I hope to visit Kashmir when I get to Pakistan later this year. I trust that the Kashmir issue will be dealt with in a peaceful manner and that the solution will be acceptable to all the parties that are involved.

Conflict between two countries such as Pakistan and India would be viewed with horror in the House, especially in the Labour party, which was able to bring about independence for both Pakistan and India. We were particularly happy that both India and Bangladesh sponsored Pakistan's return to the Commonwealth.

Pakistan has problems of development. I was pleased to hear what the Under-Secretary of State had to say about British overseas aid for Pakistan. I hope that it will be possible to increase it, and that the framework of the Bill will make that possible. From a previous visit there, I know of the vigour and drive with which Pakistan and its citizens can take advantage of opportunities for progress. I know that from contacts with my constituents of Pakistani origin. In my constituency, I have the privilege of representing people who originated from many lands in addition to those whose origins as Mancunians and I had better add as Gortonians—you, Mr. Deputy Speaker, will know the significance of not including Gortonians necessarily among Mancunians—go back through the centuries.

This country has been blessed by successive waves of immigration that go back to the Celts and Saxons. My constituency still has physical evidence of invasion by the Danes. Over the centuries, Manchester has readily received the Huguenots, the Jews—including in my constituency Chaim Weizman, first President of the state of Israel who lived at No. 57 Birchfields road—the Poles, who in Manchester as elsewhere, have just solemnley commemorated the 50th anniversary of the Katyn massacre, Afro-Caribbeans and, among numerous others, immigrants from the Indian sub-continent.

I am proud to represent them all, and I am happy to have built up close links with my constituents of Pakistani origin. I first knew some of them as babies, and they are now adults with babies of their own. Their parents and grandparents are my friends. I attend their weddings and other celebrations. I see the minaret of the mosque, the laying of the foundation stone of which I attended, from my bedroom window. I eat at their restaurants. On Wilmslow road in my constituency, we have more restaurants providing food from Pakistan, India and

Bangladesh than can be found in any area of similar size, not only in Britain but, I am willing to bet, anywhere in Pakistan.

Pakistanis in Manchester reflect the fine traditions of the country from which they come. They work hard, they seek to give their children an excellent education and a good start in life, they respect their elders and they believe in a sound family life. They observe their religion and they celebrate Pakistan day and the birth of the prophet Mohammed. They watch Imran Khan play cricket at Old Trafford, and they are good Britains, loyal to this country while cherishing their land of origin.

I know that Pakistan's departure from the Commonwealth caused those people pain, and I know that its return causes them to rejoice. Many of them took British nationality and many took advantage of the right to possess dual nationality. Those who did not acquire United Kingdom nationality will now have the vote in Britain as Commonwealth citizens. As the Parliamentary Under-Secretary has said, that has already been provided for by Order in Council.

The Minister also spoke of the immigration implications of the Bill. I hope that the Government will think again about the way in which they administer the immigration rules. All of us who have constituents originating from Pakistan with relatives, spouses or would-be spouses there, know that they are often put through heart-rending ordeals because of the operation of the primary purpose rule, which separates families.

Pakistan is already playing an active part in the Commonwealth. Benazir Bhutto attended the Commonwealth Heads of Government meeting in Kuala Lumpur in October, and she provided a valuable reinforcement to those at Kuala Lumpur and elsewhere who have argued in favour of sanctions against South Africa and demanded the dismantling of apartheid in that country. I am sure that Benazir Bhutto and the rest of her Government will play a continuing and constructive role in the work of the Commonwealth.

In October, at our party conference, I had great pleasure in welcoming a new addition to the diplomatic corps represented there, the excellent high commissioner for Pakistan. Until 1 October, he had previously been known to us all as the ambassador of Pakistan. The transformation was not simply in a title but in a whole relationship.

The United Kingdom and Pakistan have always been good friends. Now, once again, we are colleagues in a unique international partnership. That transformation is good news. The Bill is good news and I welcome it whole-heartedly.

[Mr. Gerald Kaufman]

10.42 pm

Mr. Neil Thorne (Ilford, South): I have great pleasure in welcoming the Bill. It was a sad day in 1972 when Pakistan decided to leave the Commonwealth. I am sure that both sides of the House will agree about that and I am certain in retrospect that most Pakistanis will agree that it was the wrong thing to do at that time.

It was a great pleasure to find democracy restored to Pakistan in 1988. Those of us who know and love that part of the world thoroughly welcomed that change. It was therefore a memorable and special occasion when, in 1989, Pakistan was invited to return to the Commonwealth.

The visit of Miss Bhutto to this country in July of last year was a great success. It was heartening to find so many people in this country, not only those of Pakistani extraction, who welcomed her as a symbol of the new democracy now in that country. The expansion of free speech through the media, the trade unions and other channels must be welcomed by any true democrat, and all hon. Members now have the opportunity to express their pleasure at this development.

We have had a special relationship and an interest in that part of the world for a long time, which is why we are the major overseas investor in Pakistan, and the fourth largest trader. That is of special significance.

As has been said, we have a £25 million a year aid programme and we can expect that to be reviewed and improved now that democracy has been restored and so many other aspects of life are moving in the right direction.

A great deal of help and encouragement could be given, for example with literacy. The population of Pakistan has more than doubled since British rule of the sub-continent ceased, but the percentage of the population that is literate has declined. That is why it is so important for us to help encourage literacy.

Pakistan has a role to play within the Islamic community. As a key to stability among Islamic countries it is important, because it will help us to bridge many gaps. We can take advantage of our close relationship with Pakistan to make the introductions that are so important in the Islamic world. The fact that we can do so and that we hope to be able to enhance those relationships is encouraging.

We must all admire the fantastic job that Pakistan has done in looking after 3 million Afghan refugees. Hon. Members who have had the opportunity to visit the Afghan refugee camps will appreciate exactly how much has been done. They have assistance from the United Nations, but that covered only about half of the cost; the other half has been borne by the Pakistani people. Their hospitality to the neighbouring Afghans has been extraordinary and an example to the rest of the world of how to help others at a time of need.

We have all been exceptionally lucky in the high commissioner who was chosen to come to this country, Shaharyar Khan. He arrived here as an ambassador and has now become the high commissioner. It is a sign of Pakistan's maturity that a change was not made when democracy was introduced. The present Government accepted the ambassador who had previously been appointed because he is a highly competent and professional career diplomat and not a politician. In that capacity he has helped enormously to cement and enhance our relationship with Pakistan. I hope that he will remain with us for a long time and that eventually he is replaced by someone of equally high calibre. He is a great example of the sort of high commissioner whom we like to have in London, and he has made many positive contributions to the Pakistani community in this country and to alleviating its problems.

To my knowledge the high commissioner has conducted several advice bureaux in different parts of the country. He has been to my constituency, among others, to give the local Pakistani population an opportunity to make representations directly through him. That is unusual, and I do not know of any other high commissioner or ambassador who has provided such a service for people originating from overseas.

I wish finally to say a word about the major problem on the horizon—Kashmir. I am sure that Pakistan is determined that war will not be a consequence of this disagreement. However, it has a right to expect the matter to be resolved, and sooner rather than later. It is now more than 40 years since a United Nations resolution was passed, that there should be a plebiscite or referendum as a means of consulting the people of Kashmir on their future. The longer that this question is left, the more difficult it becomes because there will then be demands for independence, rather than a decision to join one country or the other.

Independence for Kashmir could cause weakness, whereas expressing a sincere and genuine choice to join one or the other of those countries must be a stronger answer. The people of Kashmir have as much right as others in the world to self-determination. That right has now spread to areas of Europe where, a year ago, we would not have thought it possible. Last year was especially momentous for people in eastern Europe as they achieved the right to self-determination——

Mr. Deputy Speaker (Mr. Harold Walker): Order. I have allowed a wide debate, but I must be cautious about allowing it to turn into one about the right of independence for Kashmir.

Mr. Thorne: We wish Pakistan every success in overcoming its problems. She deserves not only our support but that of other countries and of the United Nations. I hope that the legislation is allowed to proceed to the statute book as quickly as possible.

10.51 pm

Sir David Steel (Tweeddale, Ettrick and Lauderdale): In rising briefly to help to give all-party support to this measure, my brevity should not be taken as lacking in any way in sincerity or full support. I simply do not wish to go down the highways and byways of the excellent Pakistani restaurants in my constituency, although in the south of Scotland they are exceeded in number by the excellent Pakistani corner shops, which are much appreciated in the border towns.

It is welcome in all quarters of the House that Pakistan has returned to the Commonwealth. I agree with hon. Members that it would be a positive sign of good will by the British Government, which would be widely supported in the House, if our overseas aid programme to Pakistan were to be increased as a positive mark of recognition of

that return to democracy. I am thinking especially of the crying need for additional help in the areas of health and welfare.

It was a delight to welcome Benazir Bhutto as the elected Head of Government, whom many of us knew in her days as a student politician in exile in this country. She is a serene leader—indeed, she has a degree of serenity that she might convey to other women Prime Ministers. I was pleased to meet her, together with the leader of my party, during her visit to London. I echo what other hon. Members have said about the splendid high commissioner for Pakistan.

Without wishing to try your patience, Mr. Deputy Speaker, on the subject of Kashmir, I shall say only that I very much wish that the fact that Pakistan has returned to the Commonwealth will, of itself, provide a forum in which the difficult tensions in Kashmir can be mitigated. It would surely be unthinkable that two Commonwealth partners should go to war again over that issue. In welcoming Pakistan's return to membership of the Commonwealth, with all the technical adjustments that the Bill makes, let us hope that we are doing something purposeful in averting what could be another tragedy.

10.54 pm

Mr. Gary Waller (Keighley): I join other right hon. and hon. Members in welcoming the Bill, representing as it does the return of Pakistan to the Commonwealth—a development that many of us awaited with keen anticipation for a long time, and one that we greet with pleasure.

We welcome the return of democracy to Pakistan, recognising that it is not yet firmly established in the soil of that country but is a flower that we want to grow and flourish in the future.

Those right hon. and hon. Members who had the pleasure of meeting Prime Minister Bhutto when she visited Britain last year will recall the great impression that she made when she gave a speech in this building and at other locations. We recognised her great commitment to a democratic Pakistan.

Pakistan has enormous problems of law and order and with its economy. Many would like a return to military rule there, but those who saw in Benazir Bhutto qualities that we certainly recognise in this House hope that she will go on to fulfil the hopes of so many for the reforms to which she is committed. Progress has been slow during the past 18 months—as was bound to be the case—and there is a long way to go. However, all those who recognise the gradual improvement in relations between Britain and Pakistan will wish Benazir Bhutto well in her efforts to proceed with the support of her people.

One must acknowledge the significant part played by many people of Pakistani origin in the life of this country. The right hon. Member for Manchester, Gorton (Mr. Kaufman) spoke of the excellent activities of Pakistanis in Manchester. As one who was born in Yorkshire, and bearing in mind the great importance of cricket in the life of that county, I only hope that in future it will be possible for Yorkshire to win one or two battles of the roses with the help of players of Pakistan origin who were born in Yorkshire. I am sure that you, Mr. Deputy Speaker, will concur with that sentiment.

I echo the remarks of right hon. and hon. Members in all parts of the House on the extent of our good fortune in respect of the high commissioner for Pakistan at the Court of St. James. In the time that we have known Mr. Shaharyar Khan, we have come to realise not only the high esteem in which he is held by Pakistani communities throughout the country but that his work with the British-Pakistan parliamentary group has made it one of the strongest in the House. We look forward to Mr. Khan's continued residence in London for some considerable time to come.

The problems of Kashmir certainly present a challenge for Pakistan, and one that we should not underestimate. The commitment that any people have to their nation and to their belief in the right to self-determination should never be underestimated. I firmly believe that the people of Kashmir should be allowed to determine their own future through the plebiscite to which they believed themselves entitled by virtue of the 1948 United Nations resolution. I hope that, sooner or later, it will be implemented—and may that date be sooner, because the sooner it comes the greater the chance of a lasting peace in that region.

This is a great day for Pakistan. It may be a technical development, following the return of Pakistan to the Commonwealth last October. I understand that, when the Bill becomes law, it will be known as the Pakistan Act 1989, and the Bill will be deemed to have come into force on 1 October 1989. Today, therefore, we are giving effect to a development that has already taken place. We extend to the people of Pakistan the hand of friendship and co-operation. Pakistan, a country of 100 million people, has the potential to play its part in leading the world of Islam and the Indian sub-continent and to be a great force for good.

11 pm

Mr. Max Madden (Bradford, West): I had the honour of first being elected Member of Parliament for Bradford, West in 1983. A third of my constituents are from the Indian sub-continent, and the vast majority are of Pakistani origin. I pay tribute to the contribution that my constituents of Pakistani origin have made to the economic, social and political life of this country. When Pakistan rejoined the Commonwealth last year, it was a source of great pleasure to my constituents of Pakistani origin.

I should declare an interest. Together with several other hon. Members, I am to receive an award from the President of Pakistan, the Hilal-i-Quaidi-i-Azam award, in recognition of the small contribution that we have made to restoration of democracy and human rights in Pakistan, fulfilled by the election of Prime Minister Bhutto and a democratically elected Government.

As a number of hon. Members have already said, our constituents of Pakistani origin are in many case British citizens. Whether the right hon. Member for Chingford (Mr. Tebbit) likes it or not, they maintain close links with their own country. They will read the report of the debate with care. I regret that this important debate is taking place at such a late hour. It should have taken place much earlier. I regret the inadequate opportunities that are afforded to hon. Members to debate the affairs of the Indian sub-continent in general. This is the first opportunity that we have had for many years to discuss the concerns of our constituents of Pakistani origin and the affairs of Pakistan.

Mr. Deputy Speaker: Order. I am allowing a wide debate to be held on the subject, but I hope that the hon. Gentleman will not overlook the limited nature of the Bill.

Mr. Madden: Indeed not, Mr. Deputy Speaker. However, as other hon. Members were allowed to stray widely, I hope that in an open-ended debate you will not seek to limit the amount of time that is allocated to those who speak later in the debate. That is yet another argument for the debate having been held earlier in the day.

My constituents of Pakistani origin resent the fact that many of their relatives and friends find it very difficult even to visit this country. They are also bitterly angry about the great difficulties they face in being reunited with their families in this country, due largely to delays in the immigration procedures, which are governed by Government rules which we shall debate tomorrow evening.

The latest changes bring further restrictions, delays and difficulties for constituents from overseas who seek to be reunited with their families. Serious administrative problems are still encountered at the British embassy in Islamabad. I am pleased that the Minister who has direct responsibility for that post is with us tonight. I hope that he will make further efforts to improve the administration of the visa section, which is the cause of much anxiety, inconvenience and distress for many hon. Members.

Many of our constituents of Pakistani origin have a great interest in the education of their children. They are ambitious for them and want them to learn, progress and prosper. I am delighted to see the academic achievements of many of our young constituents of Pakistani origin in the state-maintained sector. But I must say, on behalf of my many Muslim constituents, that equity demands that if the Government subsidise voluntary aided schools for Anglicans, Catholics and Jews, they should also subsidise voluntary aided schools for the children of Muslims, Hindus and Sikhs——

Mr. Deputy Speaker: Order. I do not see how these matters can conceivably arise under the Bill before the House.

Mr. Madden: Britain, like the Commonwealth, is a multiracial, multicultural, multi-faith society——

Mr. Deputy speaker: Order. I remind the hon. Gentleman that we are discussing a particular Bill; I very much hope that he will address his remarks more closely to it.

Mr. Madden: We are discussing a Bill, Mr. Deputy Speaker, about Pakistan. On behalf of my constituents of Pakistani origin I want to report to the House, on this rare opportunity to do so, the interests and anxieties of——

Mr. Deputy Speaker: Order. I must tell the hon. Gentleman that I do not share his view about this being the appropriate opportunity to do that. This is not that opportunity.

Mr. Madden: As several hon. Members, not to mention the Minister, have noted, Mr. Deputy Speaker, when Pakistan rejoined the Commonwealth family of nations, a major Islamic country re-entered it. All Muslims are worried about the publication of "The Satanic Verses". As a result of the Bill, Muslims will undoubtedly give voice to their concerns about that book. The Minister rightly said that the anxieties of Muslims must be recognised, so we must acknowledge that great offence has been caused by the publication of this book. I urge the Minister to acknowledge the difficult situation that has resulted.

Mr. John M. Taylor (Solihull): From that book or this Bill?

Mr. Madden: The Government Whip is muttering from a sedentary position. If I were not interrupted so often, I would be able to conclude my remarks much sooner.

I have suggested on many occasions that, if Salman Rushdie wants reconciliation and mutual understanding —here, and internationally—he should be encouraged to instruct his publishers not to print more editions——

Mr. Deputy Speaker: Order. If I allowed the hon. Gentleman to make a speech along those lines, I should have no option but to allow other hon. Members to put an alternative point of view about the same matter. We should then find ourselves debating issues that have nothing whatever to do with the Bill.

Let me remind the hon. Gentleman that the explanatory memorandum states:

"The purpose of the Bill is to modify certain United Kingdom enactments to take account of the re-admission of Pakistan as a member of the Commonwealth on 1st October 1989."

I cannot see that has any connection with the publication, in this country or elsewhere, of a particular book.

Mr. Madden: This is my last word on the subject, Mr. Deputy Speaker. I hope that, if what I have suggested was done, it would bring about the end of the odious death threats against Mr. Rushdie, which I have continually condemned.

Mr. Deputy Speaker: Order. The hon. Gentleman is ignoring what I have just told him. I very much hope that he will have regard to it; if not, I must ask him to resume his seat.

Mr. Madden: Let me conclude my remarks by referring to a matter that every hon. Member has mentioned so far —the great anxiety about the future of Kashmir, and the consequent tension between India and Pakistan. That tension could result in war. This evening, in a Committee Room of the House—at a meeting attended by a number of hon. Members, some of whom are in the Chamber tonight—the high commissioner for Pakistan confirmed that Pakistan does not want and will not seek, now or at any time in the future, war with India over Kashmir. He said that Pakistan wanted the principle of self-determination to be upheld, and that Pakistan wanted to live in peace with all her neighbours.

I believe that that is an accurate version of Pakistan's position, which Pakistan will take with it into the Commonwealth. I hope very much—a number of hon. Members have said the same—that the Commonwealth and the Government will play a much more active role in seeking a resolution of the dispute over Kashmir than they seem to have done hitherto.

As I have told the Minister in other debates on the issue, I feel that the British Government can no longer maintain a position of neutrality over Kashmir. What is happening there can be seen in Lithuania and other parts of eastern Europe—and, indeed, in a number of other countries. It is a genuine struggle by the people for the right to determine their own destiny and that of their own

country—a struggle for independence. It is wrong to see that struggle, as some hon. Members do, as a choice between remaining part of India and joining Pakistan.

There is a third option: the option of independence——

Mr. Deputy Speaker: Order. The hon. Gentleman heard me reproach the hon. Member for Ilford, South (Mr. Thorne) on this very point. We are not debating whether Kashmir has a right to self-determination. I hope that the hon. Gentleman will not pursue that line.

Mr. Madden: It is extraordinary if an issue which directly affects two Commonwealth countries—Pakistan and India—and which may plunge them and the region into war cannot be raised by me or any other Member in a debate of this sort. I find it——

Mr. Deputy Speaker: Order. The hon. Member will recognise that it is my duty to ensure that the Standing Orders and procedures of the House are observed. We are debating a Bill that is clearly defined. We have had a wide debate, but there are certain limits. I must ask the hon. Member to recognise them and not challenge my ruling.

Mr. Madden: Several hundred people in Kashmir have been killed and hundreds more injured. They are suffering from virtually round-the-clock curfews which have gone on for months. There are shortages of food and water. People are sheltering in mosques for fear of death, injury and rape. There are shortages of medical supplies. Soldiers turn away people who wish to get medical treatment in hospitals. If that is not a matter that should be reported to the House, I do not know what should be. I do not——

Mr. Deputy Speaker: Order. I do not question the gravity of the matters to which the hon. Member refers, but I must question the propriety of raising them in this debate. It is my duty to confine the debate to the Bill before the House. The hon. Member must seek some other opportunity to raise the serious matters that he is bringing to the attention of the House.

Mr. Madden: This matter will not go away. Frankly, it is much more important than the parliamentary rules and procedures of the House. I shall seek every opportunity to report to the House what is happening in Kashmir, because historically the House and this country have great responsibility for the boundaries that were drawn and for the partition of India and Pakistan. We cannot abdicate. That is why a position of neutrality is wholly irresponsible and why it will be quickly swept away. The people whom we represent are worried about these matters, even if the House of Commons is not.

11.16 pm

Mr. Patrick Ground (Feltham and Heston): Like other hon. Members, I join in welcoming the return of Pakistan to democratic government. I share the admiration that has been expressed for the way in which Pakistan has welcomed so many refugees from Afghanistan. I admire the role that Pakistan families are playing in the life of this country.

The Bill reflects the return of Pakistan to normality within the Commonwealth, but one matter concerns me and many of my constituents—the treatment that is accorded to Ahmadi families in Pakistan. As our relationships with Pakistan become more normal and as the law enforcement provisions in the Bill become effective, that matter will become even more worrying to many people, including my constituents, whose relations had their homes in Pakistan burned in April 1989. The Pakistan constitution guarantees equal treatment in law, protection of life and property and the liberty of each citizen. It recognises that Governments are under a duty to protect every citizen, especially those who are victimised because of their beliefs.

There are signs that the police knew in advance of the incidents that took place in April 1989. They gave an assurance that the police forces had been adequately reinforced. Nevertheless, about 25 houses were burnt down or grossly damaged, with no sign of any effort being made by the police to offer protection to the Ahmadi families. The same pattern was repeated in adjoining villages.

The story has been documented by the human rights commission of Pakistan, and no doubt the document describing the events in Nankana Sahib on 12 April 1989 will be available in the Library for hon. Members to see. My constituents whose families have been affected by the incidents tell me that there have been no prosecutions of the people concerned, that no compensation has been paid and that there is no sign of the Pakistani Government doing anything to alleviate the persecution of the Ahmadi Muslims in Pakistan.

I understand from correspondence with Foreign Office Ministers that they have made it clear that the British Government regard such persecutions as repugnant. The Minister of State told me that the Government have made their views clear to the Pakistan Government on a number of occasions.

At a time when we are welcoming Pakistan into the Commonwealth and acknowledging the good things that the country has done, it is important that we should place on record our concerns about such persecutions and make it clear that we shall continue to express our concern until that blemish in Pakistan's conduct is removed as we hope that it will be removed. A country that has shown such generosity of spirit in its behaviour towards the Afghan refugees and a religion with an old and well-established tradition of toleration and respect for other beliefs can surely improve its conduct towards a small sect——

Mr. Tom Cox (Tooting): I am following with interest the hon. and learned Gentleman's argument, and I do not dispute what he says. A great many members of the Ahmadiyya community live in my constituency. But does not agree that, under the premiership of Benazir Bhutto, a much more progressive attitude is being adopted to those people and their religion than was ever adopted when the military controlled Pakistan?

Mr. Ground: I hope that the hon. Gentleman is right, but my constituents who discuss the matter with me say that they do not see any great sign of improvement. The incident to which I referred took place in 1989, after the accession of the present Prime Minister of Pakistan, and there were further ugly incidents in July 1989 during which a number of Ahmadis were killed in another part of Pakistan. I hope that the hon. Gentleman is right. Certainly Benazir Bhutto has inherited many problems and is grappling heroically with many of them. But this is one problem that must be grappled with and I hope that the House will join me in expressing the hope that the blemish to which I have referred will be removed from the

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conduct of Pakistan and that the concerns felt by so many of our constituents belonging to the sect will be alleviated as time goes on.

11.23 pm

Mr. Tom Cox (Tooting): Like all hon. Members who have spoken in the debate, I warmly welcome the Bill. Those of us who have followed events in Pakistan for many years—certainly while, for too long, it was under the control of the military—will have despaired of that country's ever returning to democracy.

Those of us who applauded and supported Benazir Bhutto when she campaigned against the military have followed her role with great interest and admiration since she became Prime Minister. As the hon. and learned Member for Feltham and Heston (Mr. Ground) said, she inherited many problems and, sadly, she still has many problems. However, the stability that is returning to that great country of Pakistan is without doubt due in great part to Benazir Bhutto's heroic leadership.

Hon. Members have already referred to the problems facing Pakistan. In common with many hon. Members, I have a large Pakistani community in my constituency. Many of them are second or third-generation Pakistanis. Although their parents were born in Pakistan, their sons, their daughters and their grandchildren have been born in this country. The role that they have played for many years, and the role that they seek to play now, has been a great asset for this country. I have close contacts with the Pakistani community in my constituency and hon. Members will be aware, as I am aware, of the valuable role that they play in many aspects of day-to-day life. I know from recent events, including Pakistani socials and weddings, how much they have welcomed the re-entry of their country into the Commonwealth.

I believe that, if someone deserves credit, it does not matter how often that is referred to. Pakistan and this country have been fortunate to have a high commissioner of the quality and diplomatic skills displayed by the Pakistani high commissioner to the United Kingdom. He is an honourable, fine, outgoing diplomat. Those of us who have come into regular contact with him in our capacity as active members of the Anglo-Pakistani group in the House are aware of the role that he has played and will no doubt continue to play. Like other hon. Members, I pay the warmest tribute to him.

I note the comments that you made earlier, Mr. Deputy Speaker, about the width of debate that we are allowed. However, now that Pakistan is once again a member of the Commonwealth, our constituents expect certain things to happen. They look to the British Government to be more sympathetic to the kind of problems that Pakistan faces as a member of the British Commonwealth. Reference has already been made to the courageous attitude of the Pakistani Government to the people of Afghanistan. Pakistan is not wealthy, and it faces many problems of its own. However, it did not once question whether it was able to take in refugees from Afghanistan. It opened its doors and brought in many people, at great suffering and cost to Pakistan.

I ask the Minister to take note of those problems. I hope that he will convey to his right hon. Friend the Minister for Overseas Development the need for outgoing help, especially financial outgoing help, for Pakistan.

My right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) referred to the difficulty of entry to this country facing people from Pakistan. Again we must remember that Pakistan is a member of the British Commonwealth. Irrespective of party, I am sure that many other hon. Members will find, as I have, that our constituents feel that, if their country belongs to the Commonwealth, and they follow the laws, they are entitled to expect what they regard as certain rights.

I believe that the next point is for the Minister to answer. As letters about people living in Pakistan, which I send to the Home Office, are invariably sent to the Foreign and Commonwealth Office, I assume that this matter is his responsibility.

As my hon. Friend the Member for Bradford, West (Mr. Madden) has said, often people cannot win under the existing system. If they are young and seek to come here for a holiday, they are told, "We are not allowing you entry because we do not believe that you will leave at the end of the required period of your visit." If, on the other hand, they are elderly people who want to come here to visit their sons and daughters, they are told, "You are so elderly that you would not want to go back to Pakistan." This causes bitterness in our constituencies.

Like all hon. Members, I have no objection to rules if they are fairly followed, but we often get the opposite impression. In fact, I heard about a case over the telephone today, which will land on the desk of the appropriate Minister at the Foreign and Commonwealth Office either tomorrow or the day after—I believe that it is the hon. Member for Hove (Mr. Sainsbury). My constituent outlined the case of his niece who wanted to come here for a three-month holiday, but has been refused on the grounds, "We are sure that, at the end of the three-month holiday, she will not return."

We all welcome Pakistan back into the Commonwealth. It has a great deal to offer the Commonwealth, but we in the United Kingdom—and especially the Government—must show our commitment to countries such as Pakistan. It is now time that the Minister seriously looked at the attitudes of entry certificate officers in the various high commission offices in Pakistan.

Mr. Peter L. Pike (Burnley): Does my hon. Friend agree with me about another example of the bad policy operated by the Government on such matters? Does he agree that, where DNA testing proves that a wrong decision was taken in the past on an entry application, that decision should now be put right regardless of the age of the applicant?

Mr. Cox: My hon. Friend has made a valuable point, but I shall not pursue it, because I might encounter your displeasure, Mr. Deputy Speaker. However, I ask the Minister to discuss that point with his officials, not only here, but especially in Pakistan. If, when he replies, he can give us the assurance that he will look seriously at the points that many hon. Members have made—irrespective of party—it would show our constituents and the Government of Pakistan not only that we welcome Pakistan back into the Commonwealth, but that we shall

now start to put right any wrongs that we have committed as a country, possibly under successive Governments. If we do that, although this debate may have been restricted in a way that many of us have not liked, it will nevertheless have been of great benefit.

11.33 pm

Mr. Hugo Summerson (Walthamstow): I join hon. Members of all parties in welcoming Pakistan's return to the Commonwealth, and especially to democracy.

I listened carefully to the hon. Member for Tooting (Mr. Cox) and must take issue with him on one point. He spoke about "the stability" in Pakistan. I am afraid that the position in Pakistan is not stable and has not been stable for sometime, and that Pakistan does not show any particular signs of returning to stability in the near future, although that is something for which we must all hope.

I shall be brief and when I say that I shall conclude, I shall, indeed, conclude. Having heard your strictures, Mr. Deputy Speaker, I shall not say much about Kashmir, although I had intended to quote at length from an article in *The Times* of 8 May, which was headed:

"Indian crackdown turns Kashmir into fortress."

I shall merely say that if you happened, Mr. Deputy Speaker, to fly from India to Pakistan, you would travel from one democracy to another. The chances are, however, that you would fly over a territory whose people do not enjoy a democracy and do not have the right to self-determination. Those people should have the right of self-determination, which they were first told that they should have at the United Nations in 1948. They still do not have it, and too much time has passed.

I conclude as I began, by saying that I welcome Pakistan's return to the Commonwealth and rejoice in its return to democracy.

11.36 pm

Mrs. Alice Mahon (Halifax): I join other hon. Members in welcoming Pakistan back into the Commonwealth of nations and its return to democracy. The whole House should support Benazir Bhutto as she faces the difficult task of holding together democracy in Pakistan.

I welcome the end of the suffering of many women in Pakistan. Under General Zia, women suffered especially with the passing of the Hadood ordinances. Those severe laws had a significant effect on women's rights. When we talk about democracy in Pakistan we should bear in mind the fact that the ordinances have not been fully revoked; but at least their implementation has been suspended under the new Government.

I support the pleas for more humane treatment of Pakistanis who visit the United Kingdom. I have in mind especially the women of Pakistani families living in this country who are seeking to bring their husbands or fiancés here to live with them and to share a life together. They face a great problem. Trick questions in interviews often work against people who have a language difficulty and are extremely anxious. If they are unable satisfactorily to meet the terms of the interview they may be unable to share a life with their loved one in this country. Pain and suffering is caused when families are kept apart by what I consider to be inhumane immigration laws.

Can the House debate the Bill in peace and tranquillity while the people of Kashmir suffer indiscriminate killings, arbitrary arrests, unlawful searches, unprovoked assaults as a result of peaceful demonstrations and a complete disruption of their normal lives? Many Kashmiris have suffered the imposition of an indefinite curfew for months. The are denied basic human rights. Surely it is time to debate the position in Kashmir. I know that you would rule me out of order, Mr. Deputy Speaker, if I attempted to introduce that issue in this debate. None the less, I feel that such a debate is long overdue. The Minister quoted the Simla agreement of 1972, but no Kashmiri representatives were consulted on or involved in that agreement between India and Pakistan.

Of course the Kashmir people want independence and the right of self-determination. Kashmir is not part of India or of Pakistan. The right of self-determination for 10 million people is something that the House should take extremely seriously.

I welcome the fragile democracy that exists in Pakistan. I also welcome the fact that Pakistan is back within the Commonwealth. I urge the Minister, and the Government as a whole, to take seriously what is happening in Kashmir, which is resulting in great suffering. I beg for an urgent debate on Kashmir on an occasion when you, Mr. Deputy Speaker, will not rule me out of order.

11.39 pm

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): It is a great pleasure, even at this hour, to say a few words in reply to what has been an excellent debate. A measure of the importance of the subject, and of our concern about improving relations between our two countries, is the number of hon. Members on both sides of the House who have participated in the debate even at this —as my hon. Friend the Member for Bradford, West (Mr. Madden) described it—ungodly hour. It is notable that those who have participated have included the principal official Opposition spokesman and the foreign affairs spokesman for the Liberal Democrats. I am afraid that I do not have the knowledge and experience to go down the gastronomical and matrimonial byways of my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman), so I shall concentrate on the five themes that seem to have emerged from the debate.

First, there has been a universal welcome for the Bill and, above all, for the return of Pakistan to the Commonwealth after a gap of 17 years. The Opposition are still positive about the Commonwealth, and none of the cynicism that seems to be beginning to creep in among Conservative Members exists among the Opposition.

Secondly, during the debate we have heard widespread respect and affection, which I share, for Benazir Bhutto, the Prime Minister of Pakistan. I had the privilege of meeting her when she visited in July, as did many other hon. Members. As one or two hon. Members said, she does not have to seek out the problems in Pakistan, and we wish her well in overcoming them.

The third theme is the need for the United Kingdom Government to increase our aid and assistance to Pakistan, in recognition not only of its membership of the Commonwealth and return to democracy, but of its needs. That was said eloquently by my hon. Friend the Member for Tooting (Mr. Cox), the right hon. Member for Tweeddale, Ettrick and Lauderdale (Sir D. Steel) and also the hon. Member for Ilford, South (Mr. Thorne). It is truly an all-party request to the Minister. On behalf of the official Opposition, I hope that the Minister will pass on to

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his right hon. Friend the Minister for Overseas Development that strong view, which has emerged from both sides of the House.

The fourth theme is the high regard in which all hon. Members, including myself, hold the high commissioner of Pakistan.

The fifth theme is concern about the position in Kashmir. Sometimes, when considering our problems in this not so United Kingdom, I recall the parable of the motes and beams. It is always easier to deal with other people's problems than one's own. The Opposition believe strongly that the problem of Kashmir should be resolved by discussion, not conflict. We hope that that difficult problem will not result once again in conflict between two countries, now two members of the Commonwealth. We hope that the Government will do all in their power to ensure that that does not happen.

The hon. Member for Ilford, South spoke eloquently. He is an active member of the Inter-Parliamentary Union, as is my hon. Friend the Member for Tooting. Pakistan will now rejoin the Commonwealth Parliamentary Association. I want to emphasise the importance of parliamentary contacts in re-establishing and further developing relations between our two countries.

My hon. Friends the Members for Bradford, West, for Tooting and for Halifax (Mrs. Mahon) all raised the issue of the difficulties experienced by people in Pakistan, particularly relatives of their constituents and relatives of others in the United Kingdom, in visiting this country. That was raised at Foreign Office Question Time, when several of my colleagues and I pressed the Minister strongly on that matter. The Minister's reply, although courteous, was not satisfactory. I urge him again to consider a sysematic review of the procedures and staffing at visa section not just in Pakistan, although that is important and relevant in this context, but in other parts of the Commonwealth.

The debate has been positive. As I said, a number of themes have come through strongly and we have all welcomed Pakistan back to the Commonwealth. The other place had a debate on this matter at midday, approaching Christmas, and perhaps our debate has not been as ebullient as that debate. However, it has certainly been serious and positive. I hope that the Minister will take from it some of the positive themes and translate them into policy. If he does that, he will certainly have the whole-hearted support of the Opposition.

11.45 pm

Mr. Sainsbury: The debate has been excellent and a rare degree of unanimity has been displayed by hon. Members in all parts of the House in welcoming not only the Bill but the return of Pakistan to the Commonwealth and democracy.

I am happy to echo the words of praise for the Prime Minister of Pakistan, Benazir Bhutto, for her contribution to her country. I am also happy fully to endorse the tributes paid by many hon. Members to the Pakistan high commissioner for his excellent contribution to United Kingdom-Pakistan relations. That was mentioned by my hon. Friends the Members for Ilford, South (Mr. Throne) and for Keighley (Mr. Waller), the right hon. Member for Tweeddale, Ettrick and Lauderdale (Sir D. Steel), the right hon. Member for Manchester, Gorton (Mr. Kaufman), the hon. Member for Tooting (Mr. Cox) and others.

Some hon. Members, including the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) spoke about aid. The aid programme to Pakistan has increased since the country's re-entry to the Commonwealth. It is planned to increase aid to £29 million this year and the bilateral aid programme has doubled in the past five years. It has increased from £18 million two years ago to £23 million last year and is our third largest programme in Asia.

We are increasing our contribution to the Commonwealth scholarship fellowship plan which we hope will enable the Commonwealth Scholarship Commission in the United Kingdom to provide a number of awards for Pakistan.

All 11 right hon. and hon. Members who spoke in the debate referred to Kashmir. I shall not incur your wrath, Mr. Deputy Speaker, by speaking at length on that matter, but I should like to emphasise that Britain's position of neutrality on the issue in no way implies indifference. Our long-standing position on Kashmir remains unchanged. We think that the dispute over the status of Kashmir can be settled only between the Governments of India and Pakistan, but we have made it clear that we would be prepared to play a role in settling the dispute if both sides wanted us to do that.

My hon. and learned Friend the Member for Feltham and Heston (Mr. Ground) spoke about the treatment of the Ahmadi community. We have long been concerned about that and have made our views clear. I assure my hon. and learned Friend that we shall continue to do that as and when appropriate.

Some hon. Members, including the hon. Member for Bradford, West (Mr. Madden), spoke about immigration. As I think most of them know, immigration policy is a matter for my right hon. and learned Friend the Home Secretary. It is a Home Department responsibility, and administration of that policy overseas is a matter for the Foreign and Commonwealth Office. However, I shall certainly look at the points made by hon. Members on immigration matters. I emphasise that about 90 per cent. of applications for visit visas are dealt with within 24 hours and we continually examine our procedures. We have been streamlining procedures in Islamabad to reduce queues.

Many hon. Members referred to the contribution made to the life of our country by citizens of Pakistani origin —corner shops were mentioned, as well as restaurants up and down the Wilmslow road. I thought for a moment that the right hon. Member for Gorton was rehearsing for a maiden speech when he waxed so eloquent about everything in Gortonia.

There is one issue of contention in the debate. I was rather concerned when Manchester and Lancashire tried to claim Imran Khan. I should remind the right hon. Member for Gorton that Imran Khan was a distinguished captain and player for Sussex, whose home ground I can see from my sitting room, if not from my bedroom, which faces the other way.

This has been an excellent debate and I thank all right hon. and hon. Members who contributed. The quality of the debate is a testimony to the value in which we hold Pakistan, the good wishes we have for her and the welcome we extend on her return to the Commonwealth and democracy.

I commend the Bill to the House.

Question put and agreed to.

Bill read a Second time and committed to a Standing Committee pursuant to Standing Order No. 61 (Committal of Bills).

Town and Country Planning Bill *[Lords]*

11.50 pm

The Solicitor-General (Sir Nicholas Lyell): I beg to move, That the Bill be now read a Second time.

There are four Bills relating to town and country planning matters before the House and, with permission, I shall speak to all four, as they should be considered as a unity.

The four Bills, taken together, amount to a consolidating measure. The Town and Country Planning Act 1971 was the last major consolidation of the Town and Country Planning Acts. The 1971 Act has been considerably amended by primary legislation, including the Town and Country Planning (Amendment) Act 1972, the Local Government Acts of 1972 and 1985, the Land Compensation Act 1973, and the Town and Country Planning Act 1984.

The result of the constant addition of material into the text of the 1971 Act and the repeal of extensive parts of it has been a loss of coherent structure. That is especially apparent in part IV of the 1971 Act dealing with special controls. The system of controls relating to listed buildings and conservation areas and to hazardous substances are so voluminous as to justify whole Bills relating to those topics alone. They have therefore been consolidated separately in the Planning (Listed Buildings and Conservation Areas) Bill and the Planning (Hazardous Substances) Bill.

In other respects, there is a broad correspondence between the Town and Country Planning Bill and the 1971 Act. The only difference is the creation of a new part which relates to Crown land and includes material from the Town and Country Planning Act 1984 and the Building Restrictions (War-time Contraventions) Act 1946. Finally, the Planning (Consequential Provisions) Bill, which is ancillary to the other three, deals with a number of technical and transitional matters, including repeals and consequential amendments.

In preparing the consolidation, the Law Commission issued a report in which it made a number of recommendations for amendments to and minor clarifications of the existing legislation, and those amendments appear in the Bills. All four Bills were referred in the usual way to the Joint Committee and on Consolidation Bills &c. during their passage in another place. The Committee reported that the recommendations of the Law Commission were necessary to produce a satisfactory consolidation of the law and that the four Bills, taken together, amounted to a single consolidation.

I should tell the House that a small number of further amendments will be brought forward.

As always, our thanks are due to the Law Commission and to the draftsmen for their excellent work in the process of keeping the statute book in modern and accessible form.

I commend the Bills to the House.

11.53 pm

Mr. John Fraser (Norwood): As usual, one welcomes consolidation legislation as it makes life easier for practitioners. This set of four Bills is a remarkable achievement.

Is the progress of consolidation now being speeded up by putting statutes and amendments to them on the equivalent of a word processor, albeit an extremely large one? Are statutes being computerised to any degree to

[Mr. John Fraser]

make that process easier and quicker in relation to the Bills before us and other heavy, voluminous, much-amended legislation that will come before us from time to time?

11.54 pm

Mr. Frank Haynes (Ashfield): I did not know whether you were going to call me, Mr. Deputy Speaker

Mr. Deputy Speaker (Mr. Harold Walker): The Standing Order says that the hon. Gentleman must rise in his place. His place is not in the middle of the Chamber. Does the hon. Member wish to speak?

Mr. Haynes: Are you having a go at me, Mr. Deputy Speaker? I am sorry. I get carried away from time to time when you are in the Chair. I wanted to contribute. I am not pulling your leg. I want to have a go at the Solicitor-General, because he is talking about hazardous substances. From time to time, I have had a go at the Secretary of State for the Environment because we have problems in my area——

Mr. Deputy Speaker: Order. I am sorry to check the hon. Member, but I am bound to tell him that we are discussing a consolidation measure and we cannot discuss the merits of the contents of Bills which are the subject of consolidation. We can only discuss whether it is appropriate to consolidate at this time. The hon. Member cannot discuss hazardous substances now. He has to look for another opportunity.

Mr. Haynes: I accept your ruling, Mr. Deputy Speaker, and I fully understand, but the consolidation measure is hiding a problem back home in my constituency, and I want to express myself here tonight.

Mr. Deputy Speaker: I am sorry, but the hon. Member will not be allowed to express himself on that subject tonight. If he seeks an early opportunity, I am sure that Mr. Speaker will look favourably on an Adjournment debate application. I wish that the hon. Member would not keep smiling at me in that way. I doubt whether the matter which he wishes to raise would be in order if he persisted in seeking to raise it. I hope that we will now allow me to put the question.

Mr. Haynes: I accept what you say, Mr. Deputy Speaker, but I hope that you will put in a good word for me upstairs.

Question put and agreed to.

Bill read a Second time and committed to a Committee of the whole House.

Committee tomorrow.

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) BILL *[LORDS]*

Order for Second Reading read.

Bill read a Second time and committed to a Committee of the whole House.

Committee tomorrow.

PLANNING (CONSEQUENTIAL PROVISIONS) BILL *[LORDS]*

Order for Second Reading read.

Bill read a Second time and committed to a Committee of the whole House.

Committee tomorrow.

PLANNING (HAZARDOUS SUBSTANCES) BILL *[LORDS]*

Order for Second Reading read.

Bill read a Second time and committed to a Committee of the whole House.

Committee tomorrow.

EUROPEAN COMMUNITY DOCUMENTS

Motion made and Question put forthwith pursuant to Standing Order No. 102(5) (Standing Committees on European Community documents)

COMMUNITY FINANCIAL PERSPECTIVE

That this House takes note of European Community Document No. 4963/90 plus COR 1 relating to revision and adjustment of the Community's financial perspective and the Supplementary Explanatory Memorandum submitted by Her Majesty's Treasury on 30th March 1990.—[*Mr. Nicholas Baker.*]

Question agreed to.

Community Charge

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Nicholas Baker.]*

11.57 pm

Mr. Graham Riddick (Colne Valley): My purpose in calling for this debate is twofold. First, I wish to raise some of the concerns and problems which many of my constituents have about the community charge. Secondly, now that the Government are committed to carrying out a review of the operation of the community charge, I wish to explore some of the changes which could be and need to be made. Before I do so, I welcome the appointment of my hon. Friend the Member for Enfield, Southgate (Mr. Portillo) as Minister for Local Government and Inner Cities, and I welcome his comments on his appointment that he is there to listen to other hon. Members and to councils for the various suggestions that they may have on how to improve the workings of the charge.

I do not think that I would be being particularly controversial or disloyal if I were to say that the way in which the community charge has been introduced this year has left something to be desired. Introducing a new charge or tax will always throw up problems—as, for example, some of the anomalies which have arisen over second homes, but some of the more serious problems should have been foreseen.

The Department of the Environment's experience of how local authorities operate, and the experience in Scotland last year, when the community charge was introduced there for the first time, should have alerted us to the likelihood that councils, and Labour councils in particular, would jack up budgets and with them community charge bills in the hope of blaming high bills on the Government who introduced the new system. Indeed, a number of councils, including my local Labour-controlled Kirklees council, went for creative accounting last year by using more of their reserves than was prudent, which inevitably meant that there was less in reserve to keep down community charge bills this year.

If rates were still in existence, this year Kirklees council would have needed to raise them by 35 per cent. to bring in the same amount of money as it is raising through the community charge. The fact that it has set such a high community charge is somewhat immoral; it is certainly highly cynical. It did so because it could then blame the Government for introducing the system, rather than placing the blame where it truly lies—with the council because of its profligacy and inefficiency.

We should have written it into the legislation that no council could increase its budget by more than the rate of inflation in the first year of the changeover to the new system of local government finance. It appears likely that more central Government grant will be provided for local authorities next year. It would make sense for the Government, and it would be acceptable to the public, to legislate so that no council can increase either its budget or its community charge next year by more than the rate of inflation. Obviously, there would be scope for prudent councils to reduce spending, but my proposal would ensure that additional money provided to reduce community charge bills would be used for that purpose.

I feel that the Treasury was unwise to refuse to pick up the cost of the safety net in the first year. Many of the councils that have had to fund that safety net are Conservative. The cost of that led to them having to levy a community charge higher than that warranted by the actual cost of local services. That diminished the accountability element. However, the greatest cause of concern has undoubtedly been the large increases in the amounts payable in community charges this year as against rates last year.

In my constituency where there are thousands of terraced houses with low rateable values, many patriotic Englishmen and women, especially pensioner couples and young married couples, have had their bills increased from between £200 and £250 last year to between £500 and £600 this year. That is a great deal of additional money for such people to find. Many pensioners do not qualify for rebate because they have been prudent during their lives and have savings which, while not providing a great deal of additional income, prohibit them from claiming rebates. That is especially so in Yorkshire, where folk tend to be rather canny and like to save for a rainy day.

I have to report to my hon. Friend the Minister that the transitional relief scheme, intended to soften the blow for such people, has not worked as intended. Whatever else the Government decide to do, they must provide proper, long-term help for them. I hope that my hon. Friend will examine closely the interplay between transitional relief and the safety-net in Kirklees and ensure that decisions related to them help to keep down community charge bills.

I have always supported the principle of the community charge—that is, that everyone should contribute to local government services. It is interesting to note that a recent Gallup poll showed that the majority of the general public also accept that principle. However, there are concerns —and two in particular—about the community charge. The first is that the levels set by local authorities are too high. Secondly, there is a perception that the community charge is not fair because it is a flat rate tax. Of course, the irony is that that wholly ignores the fact that some 25 per cent. of charge payers are in receipt of rebates and that the majority of local government finance comes from central Government, who raise most of their finance through progressive taxes such as income tax.

If community charge levels had been set at between £100 and £200, the public would have accepted its flat rate nature—but because they are so much higher, there is a feeling that the system is unfair. To secure the public acceptance that will ensure that the charge works properly, the Government must either substantially reduce charge levels or make it relate to people's ability to pay—or provide a combination of the two.

I should be happy to see police and fire expenditure taken from local financing, and the community charge reduced accordingly. However, to do that as well as provide extra grant to reduce charge levels across the board would be extremely costly for the Treasury. That is why I believe that it would be sensible to make the charge relate more to people's ability to pay. If the Government do that, they will negate overnight the political flak to which they are being subjected.

Two years ago, I supported the banding of the community charge when I supported the so-called Mates amendment to the Local Government Finance Bill. I still believe that banding would be the most appropriate change to make. It is always easy to argue for a general, uncosted principle, so I shall present a concrete idea. I advocate a three-band system. It would comprise a standard band of community charge payable by

[Mr. Graham Riddick]

individuals having an income above £8,500 and up to the threshold at which the top rate of income tax is payable. I use the figure of £8,500 because it is already a threshold figure used in tax law and in relation to benefits in kind.

The second band would be the standard community charge plus 25 per cent., payable by those paying the top rate of income tax. The third would be the standard charge, less 25 per cent., payable by those having incomes below £8,500. The rebate scheme would still be there to help those at the very bottom of the income scale.

Crucially, local authorities would not need to know the intimate details of people's incomes. Everyone would be liable to the highest rate, with the onus on the individual, in making an application to the local authority, to obtain an Inland Revenue certificate based on his previous year's income to prove eligibility for a lower charge rate.

Mr. Hugo Summerson (Walthamstow): How would a housewife, or some other person who stays at home, be treated under my hon. Friend's system? I refer to the individual who has neither income nor earnings of their own.

Mr. Riddick: My hon. Friend draws attention to one of the anomalies that is frequently raised at my own surgeries. The system that I propose would ensure that non-working mothers looking after their families at home, for example, would pay the lower band of community charge—which would be not only fair but widely welcomed.

The administration of the system I describe would not be too complex for local authorities or the Inland Revenue to undertake—contrary to the argument that might be made by some of my hon. Friends. If such a scheme were to be introduced, the current average community charge throughout England of £363, plus the average rate of inflation—which next year is likely to be in the region of 6 per cent.—could be used as the starting point for the top rate. In that way, no one would pay more in real terms next year than this year. The average top band level, indexed for inflation, would be £385, the middle band £307, and the lower band £231. In my own area of Kirklees, the figures would be £308, £246 and £185 respectively.

With the top band next year similar to this year's community charge, we would not produce the same yield as this year's community charge income of £13 billion. I am indebted to the House of Commons Library for its help with my figures. It estimates that there would be a shortfall of £3·2 billion, based on the figures I have quoted and taking into account the savings that would be made on rebates and transitional relief. The Library suggests that an average middle band of £350 per person could be achieved with an additional Government grant of only £2 million.

All sorts of figures have been bandied about in the press as to how much extra money the Secretary of State for the Environment is trying to get out of the Treasury. Quite a bit of flexibility is built into my system. I ask my hon. Friend to confirm that, contrary to what I have read in certain newspapers, the Government have not ruled out banding, and that the current review will consider my proposals.

A few other problems and anomalies must be sorted out. The Government are committed to introducing legislation to clear up the anomalies relating to caravans. I welcome that commitment. A constituent came to my surgery as recently as last Friday and told me that, having moved house a short while ago, she now has to pay the standard community charge on her previous home, despite the fact that she is trying to sell it—so far without success. That kind of problem must be addressed.

Service men are faced with a real problem. Recently, I have been lucky enough to spend some time with the Army in connection with the armed forces parliamentary scheme, and the problem was put to me on many occasions. Service men have to pay the full community charge, wherever they are based in barracks. Many of them have bought houses to provide them with a home base while leading such a nomadic life. In most cases, they have to pay the standard community charge times two on their homes. A number of bitter complaints have been made to me about that. The Minister must look into the problem, together with his Ministry of Defence colleagues.

I hope that the House and the Minister will accept that I have made constructive suggestions, in marked contrast to the normal style of our debates on the community charge. Opposition Members are interested only in scoring cheap party political points. They never submit alternative proposals. The public would accept the community charge if we made appropriate changes. We could then turn the spotlight on Labour's draconian alternative. Anyone in my constituency who owns his or her own home would pay substantially more under Labour's proposals for a roof tax than they now pay through the community charge. Only last week, I received a parliamentary answer which showed that a man on average earnings in Kirklees would pay well over £1,000 if a local income tax were to be levied.

There is no easy alternative to the community charge. I hope that my hon. Friend, the Cabinet and my right hon. Friend the Prime Minister will bear in mind and implement some of my proposals so that the community charge no longer looms large on the political agenda. There are two far more important and fundamental battles that the Prime Minister has to fight: first, to ensure that the regeneration of Britain's enterprise economy and industrial base continues and, secondly, to fight off the Euro-fanatics on the Continent who, in their quest for political union, wish to take power from the British people and Parliament. Let us get the community charge right so that these vital tasks are not blurred.

12.15 am

Mr. Tim Janman (Thurrock) *rose*——

Mr. Deputy Speaker (Mr. Harold Walker): Does the hon. Gentleman have the consent of both the hon. Member for Colne Valley (Mr. Riddick) and of the Minister?

Hon. Members: Yes.

Mr. Janman: I am grateful to my hon. Friend the Member for Colne Valley (Mr. Riddick) for giving me 30 seconds or so in which to make one or two comments on what he said.

The most important part of his speech related to the fairness of the community charge and to the ability to pay. As one who voted for the legislation on Second Reading but did not vote for the Mates amendment, I must say that my hon. Friend's basic philosophy—of dealing with this point through the creation of three bands, not based on

arbitrary income levels but on those who pay no tax, those who pay at the standard rate, and those who pay at the higher rate—is to be commended. My hon. Friend the Minister should look closely at the practicalities of moving in that direction.

I still believe, as I did on Second Reading, that the community charge is a much fairer system than were the rates, and with a slight touch on the tiller, I believe that we can show the British public that we are prepared to listen to their views on the charge, and to make it fairer. In that context, my hon. Friend's proposals are worthy of further scrutiny in detail. If the Government make the charge fairer, it will be to their great credit.

12.16 am

The Parliamentary Under-Secretary of State for the Environment (Mr. Christopher Chope): I am grateful to my hon. Friend the Member for Colne Valley (Mr. Riddick) for giving us this chance to discuss the community charge, and for the kind remarks that he made about my hon. Friend the Member for Enfield, Southgate (Mr. Portillo). I know that the latter has spent a great deal of time since taking up his post listening to views expressed by our right hon. and hon. Friends and by people outside the House —and taking their views seriously.

I sympathise with my hon. Friend's concern that household bills in Kirklees may in the long run be relatively higher than they were under the system of domestic rates. There is no good reason why they should in future be any higher than community charges elsewhere in the country, however. The aggregate external finance that we give to authorities each year should allow all authorities to levy the same community charge—before the safety net—for a standard level of service.

Historically, rateable values in Kirklees have been low, which, under the old rating system, would have meant that ratepayers in other authorities would have provided extra help through the grant equalisation scheme. The grant equalisation scheme was not universally popular, since it ignored the ability to pay of people in highly rated properties. More than 40 per cent. of homes which had above-average rateable values are occupied by households with below-average incomes.

The effect of the safety net, low rateable value grant and transitional relief is to ease the change in finance systems for authorities such as Kirklees. On the other hand, businesses in Kirklees stand to be significant gainers from the change in local government finance systems and the introduction of the uniform business rate. My hon. Friend did not mention this, but the general rate poundage for Kirklees in 1989-90 was 346·1p, compared with the average for all authorities of 258·3p. With the introduction of the uniform business rate, businesses in Kirklees will be able to look forward to a real reduction of some 25 per cent. in their rate bills.

My hon. Friend said that there would have been a 35 per cent. increase in domestic rates in Kirklees under the old system because of the council's spending policies as applied this year. I whole-heartedly endorse his condemnation of the spending policies of the council. He will know that Kirklees very narrowly missed being included on the charge-capped list of shame. Kirklees benefited considerably from support through the safety net. However, its response was to spend about £117 a head over its standard spending assessment. It escaped capping only by falling within the de minimis provision.

My hon. Friend will recall the meeting which he, my hon. Friend the Member for Batley and Spen (Mrs. Peacock) and a delegation from Kirklees council held in February with my right hon. Friend the then Minister for Local Government and Inner Cities. The meeting discussed in detail the application of the standard spending assessments to Kirklees, and as we have said before, we are prepared to listen to the evidence and arguments for any changes to the methodology of our spending assessments.

There has been substantial comment on either alternative methods of local taxation or variations on the theme of the community charge: indeed, even the Opposition have made a half-hearted attempt. I am grateful to my hon. Friend for the contribution he has made to the debate, and I agree with him and the vast majority of people in this country that the fairest method of raising money to pay for local government is a charge on individuals. That has the double attraction of spreading the burden on paying for local services and increasing accountability—something which has been sadly lacking in the past, but which I am sure in the longer run will greatly influence the local democratic process.

My hon. Friend spoke of the need for the Government to re-examine their policies. Of course, we are looking closely at how the community charge is working in its first year in England and Wales. As my right hon. Friend the Secretary of State has made clear, we are reviewing a wide range of issues, and it is important that, by the time that we make the rate support grant settlement for next year —that is, in a few months' time—we shall have resolved all those matters and announced our conclusions. The basic principle remains the same, however: almost everyone should make some contribution to the cost of local services from which all people benefit.

A system of capital value rates—which the Opposition have courted—would bear many of the less virtuous traits of the old rating system. It would reduce accountability, place a tax on home improvement and relate only poorly to the ability to pay. By no means does it follow that an increase in the capital value of a property is matched by a correlating increase in the income of the individual.

A local income tax would do little better. It would be exorbitantly expensive to administer, and even if a local income taxation system were to be integrated with the existing national taxation system, between 12,000 and 13,000 extra staff would be needed in the Inland Revenue alone. The number of those contributing to the cost of local government would be substantially reduced, and thoe who did have to pay could find themselves paying more than the lion's share. For example, we have calculated—and my hon. Friend has confirmed—that in Kirklees a local income tax bill for a person on a taxable income of £12,000 could have amounted to over £1,000 in 1990-91.

My hon. Friend has spoken about the attractions of banding the community charge. Those who promote the idea of banding will, however, have to address a formidable series of objections. Any scheme that involved basing the level of charge on the income tax status of the individual would be difficult and lengthy to implement. The vast bulk of income tax is collected through PAYE. The Inland Revenue does not have complete or up-to-date records of all taxpayers, as for most people it does not need

[Mr. Christopher Chope]

them—and it hardly needs to be said that it has no records of people who do not pay income tax. My hon. Friend addressed those problems in his speech.

All the models for banding that we have seen so far have suggested a fairly restricted number of bands, generally based on those who do not pay income tax, those who pay at the lower rate and those who pay at the higher rate. That, indeed, is what my hon. Friend has proposed this evening. In the first place, those who pay no income tax will generally be entitled to community charge benefit, which can reduce a person's bill by up to 80 per cent. As my hon. Friend will know, one in four people will receive benefit: some £2·5 billion will be distributed, around £1 billion more than was the case through rate rebates and community charge benefit in Scotland last year. That will mean that, for the least well-off in the community—to whom it matters most—the community charge will be related to the ability to pay.

In the second place, a banding system would have a cruelly punitive effect on those who cross the bands. Those who move from below the income tax level, or from the middle band to the higher band, would at worst risk a net drop in their disposable income—or, at least, a discouragingly high marginal tax rate until they had moved well above the threshold.

Those on high incomes already pay significantly more through income tax. In fact, the top 10 per cent. of households pay about 15 times more than the bottom 10 per cent. towards the cost of local services. If we were to ask all those who are on the higher-rate tax band to pay an additional 50 per cent. of their community charge, that would only raise revenue sufficient to reduce the bills of those on the standard rate tax band by some £10 a year. My hon. Friend recognised the fact that, notwithstanding his banding proposals, there would still be a significant shortfall in income from the community charge, which would have to be made up by the national Exchequer or, in effect, the national taxpayer.

Mr. Riddick: I should like to push my hon. Friend gently and ask him to confirm that the Government have not ruled out the possibility of banding the community charge, and that that is one option being considered under the review. Will he confrm that he will be happy to talk to me? Perhaps I can take him through some of my proposals in more detail.

Mr. Chope: The Government are listening to the points that are made, and I should be happy to discuss my hon. Friend's points in more detail.

Mr. Brian Wilson (Cunninghame, North): Will the hon. Gentleman give way?

Mr. Chope: If I may, I should like to continue, as this debate was introduced by my hon. Friend the Member for Colne Valley (Mr. Riddick) and the hon. Member for Cunninghame, North (Mr. Wilson) did not participate in it.

The measures which we have taken to ease the effects of the transition have been an important factor in respect of the uniform business rate and the community charge. The safety net provides assistance to people in those areas where rates have traditionally been very low. In Kirklees, people have benefited to the tune of £107 per head. Low rateable value grant provides an additional layer of protection, providing an extra £25 per head in Kirkless.

Transitional relief targets assistance on people in low-rated value properties, regardless of whether they are living in an area benefiting from the safety net. Because in Kirklees there is already substantial help through the safety net, the Government's assumed community charge for Kirklees is £220. This means that, where there were two or more charge payers in a household on 31 March, relief will have been awarded where the rates bill was less than about £280. More than 30,000 people in Kirklees will benefit from that relief.

Mr. Wilson: Will the hon. Gentleman give way?

Mr. Chope: I shall deal with a point made by my hon. Friend the Member for Colne Valley. He believes that extra protection over and above what has been given so far should be provided for people in low-rated properties. One option would be, of course, to base transitional relief on the actual charge that an authority sets. We have already made it clear, however, that the purpose of transitional relief is not to underwrite spending levels above those that we have assumed. The assumed charge for each authority, which was the basis of the transitional relief scheme, represents broadly what the charge would have been if authorities has sought to raise from their residents an amount consistent with their behaviour in 1989-90 and with the total standard spending figure of £32·8 billion.

The main problem in Kirklees is not that the SSAs have been incorrectly assessed; nor is it that the——

The motion having been made after Ten o'clock and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at twenty-seven minutes past Twelve o'clock.

House of Commons

Tuesday 15 May 1990

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

PENZANCE SOUTH PIER EXTENSION BILL

Queen's consent, on behalf of the Crown, signified.
Read the Third time, and passed.

BRITISH RAILWAYS (NO. 2) BILL

Order for consideration read.
To be considered on Thursday 17 May.

Oral Answers to Questions

DEFENCE

Low Flying

1. **Mrs. Margaret Ewing:** To ask the Secretary of State for Defence what steps he is taking to reduce the incidence of low-flying military aircraft over populated areas.

3. **Mr. Maclennan:** To ask the Secretary of State for Defence what proposals he has to review the flying of aircraft below 250 ft in the Scottish tactical training area.

The Parliamentary Under-Secretary of State for Defence Procurement (Mr. Michael Neubert): The operation of the United Kingdom military low-flying system is kept under continuous review as efforts are made to minimise the impact of low-flying training on those on the ground. This monitoring applies equally to the operation of the tactical training areas which provide essential work-up training for exercises in North America.

Mrs. Ewing: Given the broad welcome yesterday for the report by the Select Committee on Defence and especially for the proposal that flights under 250 ft should be phased out over two years, will the Minister tell us when the Government will give a measured response to the recommendations in that report and when they will ensure that hon. Members of all parties who are interested in the subject are given a full opportunity to debate the issues?

Mr. Neubert: We also welcome the fact that the Select Committee has concluded its comprehensive study of this important subject. The report deserves careful and considerable study, which it will receive. In accordance with parliamentary convention, we shall present our formal response in due course. Until then, I cannot respond to any particular recommendation in the report.

Mr. Maclennan: In considering the Select Committee's report, will the Minister pay particular attention to the evidence given by his own officials that it was possible to bring down flight training from 250 ft to 100 ft within two weeks? If the international climate persists, two weeks seems sufficient time in which to make the adjustment. Will the hon. Gentleman also pay particular attention to the fact that this country is paying a far smaller amount for research into simulators, especially on Tornado-type aeroplanes, than the Federal Republic of Germany? It would be appropriate to build up such research while phasing out very low flying.

Mr. Neubert: It is important to remember that very low flying, which occurs in the three tactical training areas, accounts for only 1 per cent. of low-flying training as a whole in the United Kingdom. It would also be as well not to underrate the need for that low-flying training because training in this country is carried out at far greater heights and slower speeds than would be necessary in conditions of war, when aircraft would need to fly lower and faster. I take into account all that the hon. Gentleman has said, but, as I mentioned earlier in response to the hon. Member for Moray (Mrs. Ewing), we shall first have to prepare a formal response to the Select Committee.

Mr. Hague: Will my hon. Friend take particular note of some of the useful and practical recommendations in the Select Committee report, such as better records of low flying in each area and the publicising of a telephone number and address to which members of the public could complain, as well as the other recommendations?

Mr. Neubert: Yes, my hon. Friend is right to recognise the constructive nature of the report and the fact that almost every aspect of low-flying training is covered in it. We shall certainly take account of what is suggested and we shall endeavour to be as positive as possible in reply.

Mr. Quentin Davies: Lincolnshire has the highest concentration of RAF stations in the country and, I believe, one of the highest concentrations of low-flying planes come over my house all the time. Lincolnshire also has a long tradition of great pride in the valour and skill of the RAF. Lincolnshire is totally committed to maintaining the RAF's tactical viability through proper low-flying training——

Mr. Speaker: Order. The hon. Member should ask a question, please.

Mr. Davies: If the young men in the RAF are prepared to risk their lives in our common defence, the least that we can do is to put up with a little noise occasionally. While naturally investigating any abuses, will my hon. Friend the Minister give very short shrift to the whingers?

Mr. Neubert: Lincolnshire has many claims to fame, as I am sure that my right hon. Friend the Prime Minister would be the first to acknowledge, and I am glad to hear that it is such a strong source of support for the Royal Air Force and the need to carry out necessary training. As the Select Committee acknowledged, low flying needs intensive training and regular practice. That is the sole purpose of low-flying training in this country.

Mr. Win Griffiths: Does the Minister accept that other countries seem to manage without the amount of low-flying training that we carry out here? Would not it be a sign of the Minister's good faith about the need for change, which my constituents in Porthcawl would welcome, that should there be a reduction not only in low

flying by military aircraft but in the number of training aircraft taking off from RAF St. Athan in the Vale of Glamorgan? Will the Minister make that commitment now?

Mr. Neubert: There are no commitments to be made this afternoon, as I made clear earlier. We are members of NATO and we make a major contribution to the defence of this country and that of western Europe. The hon. Gentleman would do well not to belittle the efforts of our highly professional pilots in that defensive system.

Mr. Bill Walker: Does my hon. Friend agree that Opposition Members who call for the abandonment of any stand-off capability for our low-flying aircraft expect RAF pilots to deliver old iron bombs with none of the security which comes from flying below radar? That is a recipe for disaster.

Mr. Neubert: My hon. Friend, with his long experience of the Royal Air Force and of defence matters generally, exposes the poverty of the Labour party's defence stance, which will no doubt bring dividends when it is put to the test at another general election in which the issue of defence will be foremost in people's minds when they make their decisions.

Mr. Rogers: Will the Minister inform his hon. Friend the Member for Stamford and Spalding (Mr. Davies) that Lincolnshire is not a designated low-flying area and that if any low flying is taking place in his constituency, the pilots are breaking the regulations? The Opposition welcome the Select Committee's recommendations, especially those that we have been urging on the Government for some time, but will the Minister assure the House that he will look urgently at the recommendations relating to ultra-low flying, especially that which affects the three areas in the United Kingdom subjected to flights at 100 ft?

Mr. Neubert: I fear that the Opposition spokesman shares the confusion demonstrated by half the nation's sub-editors in this morning's papers. We must be careful to distinguish between the three tactical training areas where low flying is allowed as low as 100 ft and general low-flying training, which accounts for 99 per cent. of low flying. The latter is spread fairly over the whole country and counties including Lincolnshire will see their share of low flying. The only quibble that I have with my hon. Friend the Member for Stamford and Spalding (Mr. Davies) is that he need not necessarily believe that he is getting an unfair share of that low flying.

Chieftain Tanks

2. **Mr. Batiste:** To ask the Secretary of State for Defence when he expects to make a decision concerning a replacement for the order of Chieftain tanks.

The Minister of State for Defence Procurement (Mr. Alan Clark): It remains our intention to reach a decision by the end of this year.

Mr. Batiste: My hon. Friend will be aware from his recent visit to Leeds of the skills, commitment and investment by Vickers and its work force in its objective to produce the best tank in the world for the British Army. Can my hon. Friend the Minister confirm that he has had an opportunity to examine the report on the second milestone and that that excellent company has passed that important test?

Mr. Clark: Yes. I am pleased to announce that Vickers Defence Systems has successfully passed the second milestone report. I am confident that if that progress is maintained, it will pass the third at the end of September. That process should allow completely fair competition, from which we shall select the tank best suited to the Army's requirements.

Mr. Menzies Campbell: In selecting the tank best suited to meet the Army's requirements, does the Minister accept that it is necessary to take account of the threat and the need to meet that threat? Does he agree that it is necessary to resist any attempt to exact a crude percentage decrease in the defence budget and that we should ensure that the defence budget is adequate to meet the United Kingdom's continuing requirements?

Mr. Clark: I very much welcome what the hon. and learned Gentleman has said. That thinking is in the forefront of my right hon. Friend's mind when examining the various options for change in our defence procurement and spending.

Mr. Wilkinson: In the future battlefield of central Europe—*[Interruption.]*—force levels may be less. Therefore, when reviewing what tank to select to replace the Chieftain, will my hon. Friend examine with the closest care the possibility of ordering dedicated anti-tank helicopters at an early date?

Mr. Clark: I do not go along with my hon. Friend's view that the next battlefield will necessarily be found in central Europe. However, Her Majesty's forces must be prepared to counter Her Majesty's enemies in any theatre. To give them the efficiency and capability that they need, it is necessary to address the correct mix between helicopters and armour.

Mr. Battle: What is the Government's present defence procurement policy? Does the Minister accept that the jobs of those who work in the defence industries, such as those at Barnbow, are proving to be the most precarious in the present climate of disarmament? If that company were not to get the contract, what practical alternatives would the Government suggest to ensure that there is job security for those people in Leeds?

Mr. Clark: To my knowledge, there have been no redundancies so far in either establishment. However, the issue of redundancies and work allocation is entirely a matter for the commercial judgment of the companies concerned.

Mr. Kirkhope: I congratulate my hon. Friend on what he has said about the stage that the replacement tank has reached at Barnbow. Does he agree that we are now in a state of such uncertainty in Europe that we must carefully consider replacing our weapons with the most modern systems that we can find to deal with any eventuality? Does he further agree that the comments of some Labour Members about the future of the Leeds tank factory—that it might be turned over to making dishwashers and washing machines in the future—is typical of the defence policies pursued by the Labour party?

Mr. Clark: Yes. None the less, the Labour party's concept of an arms conversion agency with a central corporate directive ideology remains an interesting concept echoed only in the Soviet Union, which is hardly an example of high economic efficiency.

Rosyth

4. **Mr. Douglas:** To ask the Secretary of State for Defence if he will make a statement on the nature and purpose of the recent visit of the Parliamentary Under-Secretary of State for Defence Procurement to Rosyth dockyard and naval base.

Mr. Neubert: I paid a routine briefing visit to Rosyth royal dockyard on 25 April as the Minister responsible for the dockyards.

Mr. Douglas: Will the Minister enlighten us about what reassurances he gave to the workers in the dockyard and with Babcock Thorn Ltd. with specific regard to radiation exposure? Will he assure the House that the levels of radiation exposure to which those workers have been subjected in the past will be reduced and that more stringent measures will be adopted in the industry—at Rosyth, Devonport and elsewhere—to ensure that such exposure is reduced and that the workers' health is safeguarded in future?

Mr. Neubert: We naturally take our workers' health and safety extremely seriously. That applies also to the work force in the royal dockyards who are the initial responsibility of the dockyards' contractors. Ministry of Defence policy is that exposure of our employees to radiation should occur only where it is justified, that it should come within the statutory limit of 50 mSv per year and our own much lower self-imposed limit of 30 mSv per year, and that the level should be as low as is reasonably practicable. As a result, the trend for exposure levels has been downwards. If it is any reassurance, 98 per cent. of all dockyard workers have an average exposure of less than 15 mSv and, on average, for all dockyard workers, the exposure is only 2 mSv.

NATO Nuclear Planning Group

5. **Mr. Flannery:** To ask the Secretary of State for Defence what decisions were made at the recent NATO nuclear planning group meeting in Alberta, Canada.

The Minister of State for the Armed Forces (Mr. Archie Hamilton): The meeting discussed a wide range of nuclear issues. In particular, nuclear planning group Ministers were able formally to welcome President Bush's recently announced decisions to terminate the follow-on to Lance development and nuclear artillery shell modernisation programmes. A copy of the final communiqués from the NPG has been placed in the Library.

Mr. Flannery: Is not it a fact that tension throughout the world has eased a great deal and at the highest level of the super-powers there is new thinking about nuclear armaments? Will the Minister assure us that we are not the odd man—perhaps I should say the odd woman—out in recognising that fact, but are ready to meet all the other nations who are ready to bring down their nuclear armaments, or are we going to stand out as though the Russians are expected to attack next Thursday afternoon at 3 o'clock?

Mr. Hamilton: Of course, things have changed in the past 12 months. It is a recognition of the fact that the Warsaw pact's capability is much reduced, and the threat from the east European countries is probably no longer there, that it does not seem to be as necessary now as it was to make sure that short-range nuclear systems are modernised. However, I believe that the North Atlantic Treaty Organisation will continue to recognise the need for a flexible nuclear response and to accept the fact that the Soviet Union is still a military super-power with a large nuclear capability and is likely to remain so for the foreseeable future.

Mr. Brazier: I congratulate my hon. Friend on his answer. Does he agree that the Soviet Union not only has more nuclear weapons than the whole of NATO put together but, more importantly, that nuclear weapons are spreading to an increasing number of Third world countries? Does he agree that it is inconceivable that western Europe should shed the only nuclear defences which currently belong in European hands by Britain and France relinquishing their small strategic nuclear deterrents?

Mr. Hamilton: That is quite right. As my hon. Friend has said, our deterrent is a minimum deterrent, so it is not a matter of embarking on a massive arms race. We have the minimum deterrent necessary to give us a nuclear capability. It is a tragedy that the nuclear non-prolification treaty has not been so successful as it might have been and there are other countries developing nuclear capability in addition to the original five powers, including China, which have nuclear weapons.

Mr. O'Neill: In relation to President Bush's welcome statement, will the Minister state whether his right hon. Friend the Secretary of State or the Prime Minister was consulted, or merely informed, before the statement was made?

Mr. Hamilton: Yes, there was consultation, and we were kept in touch about the intentions of the United States before the announcement was made.

Mr. David Evans: Does the Minister agree that although there is a lessening of aggression and tension coming from eastern countries, including the Soviet Union, there seems to be an increase in aggression and tension coming from the middle east, particularly Iraq and Libya? Will he therefore assure me and the people of this country that we shall keep up our vigilance and continue to develop our conventional forces and modernise our nuclear deterrent—unlike the Labour party which, at the last Labour party conference, agreed to a reduction in defence spending of £5 billion or, to put it another way, the complete removal of the Royal Air Force? May I ask the Labour party whether £5 billion is the price of protecting our loved ones?

Mr. Hamilton: My hon. Friend is absolutely right. It is essential that we keep a defence capability, because we live in an extremely uncertain world. Many of the recent developments that have led to the easing of tension

actually create new dangers, so it is important that we should have a nuclear capability as part of our defence capability, and it is essential to keep it up to date.

Ministry Stores (Security)

6. **Mr. John Evans:** To ask the Secretary of State for Defence if he has any plans to increase security at Ministry of Defence stores in the United Kingdom.

Mr. Archie Hamilton: Security at all defence establishments is kept under regular review. We look carefully at any general lessons which can be drawn from incidents such as yesterday's at Eltham.

Mr. Evans: Will the Minister confirm that £3·5 billion worth of military equipment is still stored in depots which do not meet Ministry of Defence fire regulations? Given the previous fires at Donnington which destroyed hundreds of millions of pounds worth of equipment, is not that criminal complacency?

Mr. Hamilton: We have a continuing programme to improve the ability of our stores to withstand fires. It costs considerable sums and cannot be done overnight.

Mr. David Martin: Although I appreciate that the IRA will always use its cowardly methods regardless of the amount of security that we maintain at our bases, and that it will just aim for ever softer targets, will my hon. Friend assure me that as far as possible we shall draw service personnel and activities within secure premises and that when we come to think of selling off MOD establishments which are surplus to requirements we shall bear in mind above all the requirements of security?

Mr. Hamilton: Yes, we always bear the need for security in mind when we relocate military establishments. If we ended up with a number of enormous military bases incorporating all our different military establishments, the IRA could claim a victory.

Mr. Molyneaux: Does the Minister agree that there is little point in strengthening the outer defences if potential terrorists can gain access to the very heart of defence installations? Is there not an overwhelming case for a truly effective method of screening all who have access to those establishments?

Mr. Hamilton: I must point out to the right hon. Gentleman that there are about 2,000 military establishments in the United Kingdom, and it is extremely difficult to provide a high degree of security at all of them. He would not expect me to go into details of the security measures that we have taken, but it is significant that lives were saved and injuries avoided at Eltham by the precautions that had been taken. The laminated windows that had been put in stopped glass splintering across the room.

Sir Michael McNair-Wilson: Has my hon. Friend any plans to replace with something rather more effective the current wire mesh fencing that is so commonly used around military establishments and which is so obviously not intruder-proof?

Mr. Hamilton: When my hon. Friend asks for something more effective he is talking about an incredible increase in expenditure on security fencing, if we are to use all the different available sensors and so on that are needed to make them effective. It worries me that people think that security can be enhanced merely by installing perimeter fences, which may create the illusion of security even though it is easy for people to break through them.

Arms Reduction

7. **Ms. Primarolo:** To ask the Secretary of State for Defence what United Kingdom forces have been offered for inclusion in the proposed START agreement; and if he will make a statement on the defence implications.

Mr. Archie Hamilton: The START negotiations are bilateral between the United States and the Soviet Union —British nuclear forces would therefore not be included in any agreement.

Ms. Primarolo: Why have none of Britain's nuclear forces been included in the START agreement? Is it because the Government are made up of closet warmongers who do not believe in the principle or practice of arms control? Do the Government remember their commitment to the nuclear non-proliferation treaty and to negotiate away our nuclear weapons in good faith? Why, when the time is right, are the Government not prepared to make any reductions?

Mr. Hamilton: The hon. Lady is a bit wrong about this. The START treaty was between the United States and the Soviet Union. We were never part of it and it was not intended that we should be. I remind the hon. Lady that the Government's policy is to have the minimum independent nuclear deterrent that we need. We differ from the Opposition, who would like that deterrent negotiated away as soon as possible. I am sure that the hon. Lady supports that stance. There is a major difference in our attitudes. We want Britain to have a minimum nuclear deterrent and I hope that that will remain the position for a long time.

Mr. Mans: Does my hon. Friend agree that it would be foolish to include any British nuclear weapons in the START treaty until the Soviet Union's nuclear arsenal is reduced to the extent that it no longer poses a threat to this country?

Mr. Hamilton: I totally accept what my hon. Friend says. It is difficult to envisage a time when the Soviet nuclear capability would be reduced to that degree. That certainly has to be one criterion. We must also remember earlier contributions to the effect that the non-proliferation treaty has not worked as well as it might and that other countries are now achieving a nuclear capability. We should not be concerned solely about the nuclear capability of the Soviet Union.

Mr. Cohen: Why cannot Trident be included in the START agreement? Is not Trident an eight times increase in capability over Polaris at a time when world tension is reducing? Would not cancellation of the fourth Trident save Britain about £1 billion per annum? Why will not the Government cancel that?

Mr. Hamilton: As I have already explained, Trident is merely an uprating of our nuclear capability, and that is the minimum deterrent that we think we need. It is important for us to maintain Trident because if we did not we would cease to be a nuclear-capable nation. It is not the intention of the Government that we should be in that

position, although I know that, in the unlikely event of a Labour Government, the Opposition would negotiate away as early as possible our independent nuclear deterrent.

Mr. Ian Bruce: Following the START treaty, may we look forward to a reduction in nuclear weapons throughout the world? Do the principles of those reductions—that they should be balanced, mutual and verifiable—hold good today and will the Government have nothing to do with the unilateralism about which we still hear from the Opposition?

Mr. Hamilton: Yes, indeed, and the basic preliminary agreements of the START treaty are ceilings of 6,000 warheads on 1,600 strategic offensive delivery systems. That would certainly lead to significant reductions. My hon. Friend talks about a reduction in nuclear weapons throughout the world. But other nations are trying to develop nuclear capability and there is a difficulty about making the non-proliferation treaty stronger and have verification in such countries.

Defence Companies

8. **Mr. Nigel Griffiths:** To ask the Secretary of State for Defence if he will list the five largest British defence companies providing defence equipment to the United Kingdom armed forces.

Mr. Alan Clark: The Ministry of Defence does not maintain separate information on the size of companies, but the five largest British companies by turnover and providing equipment to the United Kingdom armed forces in 1989-90 were BP, Shell, ICI, BAT Industries and British Telecom.

Mr. Griffiths: The Minister told the House on 9 January that issues of defence diversity were purely matters for the commercial judgment of the companies concerned. Does not he realise that the Government, private firms and public enterprise must all play a part in the profound changes that are affecting our defence industries? The Government cannot wash their hands and leave the matter purely to commercial considerations.

Mr. Clark: The hon. Gentleman distinguished himself as being the only hon. Member who tried to get a whinge-up going on the occasion of the European fighter aircraft statement by my right hon. Friend last week. Therefore, I do not feel particularly disposed to join him in a philosophical discourse.

Sir Jim Spicer: Does my hon. Friend agree that the question just put to him was absolute nonsense? Would not it be much better to talk about which companies are most important to our defence capability and, in that context, would he include Westland?

Mr. Clark: Plainly, as our principal helicopter manufacturer, Westland will have an important role in the provison of helicopters for the armed forces in the next decade.

Mr. Campbell-Savours: Will the Minister advise the five companies to which he referred to avoid getting into bed with SGL Defence Ltd., whose paid hack in the House of Commons is the Chairman of the Select Committee on Defence?

Mr. Speaker: Order. The hon. Gentleman knows that he cannot say that. We dealt with the matter yesterday. The hon. Gentleman must not cast aspersions of that kind across the Chamber. Will he please withdraw that charge?

Mr. Campbell-Savours: I am not aware of what I can withdraw. The Register of Members' Interests shows that the hon. Gentleman is a paid hack of SGL Defence Ltd.

Mr. Speaker: Order. The phrase to which I object is "paid hack". That is not a parliamentary expression. *[Interruption.]* Order. This takes up a lot of time. Will the hon. Gentleman please withdraw the phrase "paid hack"? It is unparliamentary.

Mr. Campbell-Savours: Would paid servant be in order, Mr. Speaker?

Mr. Speaker: Order. The hon. Gentleman knows that he must not bandy words of that kind. I want him to withdraw that charge. If it was levelled against an Opposition Member, he would feel strongly about it. Withdraw it, please.

Mr. Allen: On a point of order, Mr. Speaker.

Mr. Speaker: Order. I am dealing with the hon. Member for Workington (Mr. Campbell-Savours).

Mr. Allen: On a point of order, Mr. Speaker.

Mr. Speaker: I am not dealing with another point while I am on my feet. I am asking the hon. Member for Workington to withdraw that phrase.

Mr. Campbell-Savours: I am a little concerned that my credibility among my hon. Friends might drop if I withdraw it.

Mr. Speaker: The hon. Gentleman should be far more concerned that his credibility in this place may be compromised. Withdraw the charge, please.

Mr. Campbell-Savours *rose*——

Mr. Speaker: Order. The hon. Gentleman does not need to consult his hon. Friends.

Mr. Campbell-Savours: I withdraw it.

Mr. Clark: One thing that I have never done is to tell anyone whom he should go to bed with.

Infantry

9. **Mr. Speller:** To ask the Secretary of State for Defence how many infantry battalions, both Regular and Territorial Army, are in existence at present; and if he will estimate the number of infantry battalions in 1995.

Mr. Archie Hamilton: At present, there are 55 Regular and 41 Territorial Army infantry battalions in the British Army. The total number of battalions in 1995 will depend on the circumstances at the time. However, we recognise that the changing circumstances in Europe will have implications for the deployment and structure of our forces and we are therefore examining options for change.

Mr. Speller: Does my hon. Friend agree that, as the next five years will show, the defence of the realm in the near future is more likely to depend on soldiers on the ground than on the intercontinental ballistic missile? Will he undertake to preserve the county infantry regiment with

its territorial battalion as the logical military bobby on the beat which we are likely to need in the face of increased urban terrorism?

Mr. Hamilton: I accept my hon. Friend's view that we shall continue to need the capability to meet the terrorist threat in Northern Ireland, and that that capability will continue. However, we are now moving into a period when arms control agreements are likely to be signed and I cannot anticipate what the effects of those will be on the size and shape of the British Army.

Mr. Dalyell: If a major in an infantry battalion were to get into any kind of dismissal or resignation difficulty, would his case be confined, like paragraph 19A of the report on Colin Wallace's case in relation to his statement, to a very few senior officials? Would that be the position?

Mr. Hamilton: I cannot comment on what parallels can be drawn between the question and Colin Wallace.

Mr. Patrick Thompson: When my hon. Friend is considering the future and number of infantry battalions, will he consider all the ways in which he can enhance the strength and quality of the volunteer reserves and Territorial Army? Will he continue to emphasise the importance of links between infantry battalions and their local area, county, and so on?

Mr. Hamilton: I am grateful to my hon. Friend. We are well aware of the importance of links between infantry battalions and various parts of the country. If there are changes, there is no doubt in my mind that the role of the Territorial Army and the volunteer reserves will become more important—in terms of reinforcement plans in Germany, for example.

Lance Missile

10. **Mr. Patchett:** To ask the Secretary of State for Defence whether Her Majesty's Government will abandon their support for a replacement to the Lance short-range nuclear missile.

Mr. Archie Hamilton: The Government were consulted on the decision not to proceed with the development of a follow-on to Lance, and we fully support it.

Mr. Patchett: How do the Government justify their isolation in that respect? Will they stop blocking proposed cuts in short-range nuclear weapons at the next meeting of NATO?

Mr. Hamilton: We are not blocking any SNF negotiations, because the alliance's position on that has not yet been agreed. But there is no question of our blocking it. As to going along with the decision not to have a follow-on to Lance, we must accept that over the past year the position in eastern Europe has radically changed and that the need for short-range nuclear systems is not what it was.

Mr. Wilkinson: In these important considerations, will my hon. Friend bear it in mind that the alliance needs to maintain the capability rather than a particular category of weapons systems?

Mr. Hamilton: That is absolutely right. I am sure that my hon. Friend agrees that we need to maintain the flexibility of nuclear response. Therefore, I sincerely hope that a tactical air-to-surface missile will be introduced as part of that—*[Interruption.]*

Mr. Speaker: Order. I ask the House to settle down, please.

Mr. O'Neill: In view of the Minister's commitment to a mix of short-range nuclear weapons, will he say where they will be deployed and against whom, given the shortness of their range in Europe?

Mr. Hamilton: It is obvious that the hon. Gentleman is addressing his question to the wrong person. Why does the Soviet Union have both a shorter-range and ballistic missile capability? As long as it has that capability, and the ability to administer nuclear weapons at different ranges, we must be able to respond and thus maintain the nuclear stalemate in Europe.

Mr. Dickens: Does my hon. Friend agree that what distinguishes the Conservative party from all other parties is that we are not prepared to drop our guard in defence matters? It is very important to be able to counter-punch when necessary. Mr. Gorbachev may not always be there, and we must keep up our defences.

Mr. Hamilton: My hon. Friend is absolutely right. We are entering a period of great uncertainty, and it would be foolish during that time to drop our guard.

Merchant Ships

11. **Mr. Buckley:** To ask the Secretary of State for Defence if he will make it his policy to use only British merchant ships for Ministry of Defence charter; and if he will make a statement.

Mr. Neubert: It is the Government's policy to charter vessels on the basis of availability, suitability and cost—and, subject to those conditions, to give preference to British ship operators.

Mr. Buckley: Is the Minister aware that British-owned and registered merchant shipping has slumped from 1,143 vessels to 336, and that that is the lowest figure this century? Is the hon. Gentleman prepared, as a Defence Minister, to sustain the British merchant fleet by accepting the recommendation that it should be the only fleet to which the Ministry of Defence gives charter work?

Mr. Neubert: There has been a decline in the size of the British merchant fleet, but that decline has been slowing down and profitability has picked up in the past few years. Most forecasters see some scope for expansion in merchant shipping worldwide. In the meantime, the Ministry of Defence—we are obviously responsible for that aspect—is chartering vessels from the merchant fleet. In 1988-89 out of 60 that were chartered, 45 were British —75 per cent.—and in the 15 months from 1 January last year until the end of March this year, of the 40 vessels chartered 32 were British. Of the eight that were not British, five of the ships were not available on the British register.

Mr. Leigh: What are the defence implications of the present shrinkage?

Mr. Neubert: If the decline were to continue and to gather speed, there would be grounds for concern. At

present, we have no reason to believe that, with the different arrangements that we have made, the armed forces would not have their shipping needs met in time of war.

PRIME MINISTER

Engagements

Q1. **Mr. Worthington:** To ask the Prime Minister if she will list her official engagements for Tuesday 15 May.

The Prime Minister (Mrs. Margaret Thatcher): This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall have further meetings later today. This evening I shall attend a memorial service for the late Lord Rothschild.

Mr. Worthington: 1990 started in January—

Hon. Members: Hear, hear!

Mr. Speaker: Order. This takes up a lot of time.

Mr. Worthington: 1990—*[Interruption.]*

Mr. Speaker: Order. This is to the detriment of hon. Members whom I shall not be able to call.

Mr. Worthington: This is now May—

Hon. Members: Hurrah!

Mr. Speaker: Order. Hon. Members know that this takes a lot of time from others who wish to be called.

Mr. Worthington: Why is it therefore that the Department of Employment has not yet issued application forms to voluntary organisations for European social fund money that was available from January? Why is it that 11,000 training places and £25 million are put at stake in that way? Why is it that organisations such as the Scottish Association for Mental Health and the organisation for the disabled in Glasgow, Goodwill, have their existence endangered by the Government's failure to use European social fund money? Why is it—*[Interruption.]*.

Mr. Speaker: Order. This is a very long question.

Mr. Worthington: Why is it that every training scheme in this country is endangered by the incompetence and inefficiency of the Department of Employment?

The Prime Minister: It would seem from what the hon. Gentleman said at the beginning of his question that there is still time for forms to be issued and for applications to be made for those forms. I remind the hon. Gentleman that the people who attempted to defeat training schemes in this country were the trade unions which fought the youth training scheme and the employment training schemes.

Q2. **Sir William Clark:** To ask the Prime Minister if she will list her official engagements for Tuesday 15 May.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Sir William Clark: Will my right hon. Friend today compare the actions of Hillingdon council and Merton council? Is she aware that in Hillingdon, which has just become Conservative controlled, the community charge is being reduced by £70 this year, whereas Merton, which has just become Labour-controlled, has promised to double the charge next year? Does my right hon. Friend agree that in Labour-controlled councils in London the average community charge is £445, whereas for Conservative-controlled councils the figure is £294? Therefore, living in a Labour-controlled council area means an extra bill of about £3 a week.

The Prime Minister: I am grateful to my hon. Friend. Hillingdon has increased the amount spent on education, the elderly and the handicapped. That proves that Conservative councils cost less and give much better service than do Labour councils.

Mr. Kinnock: Does the Prime Minister acknowledge that last week's higher inflation figures were largely the result of higher interest and mortgage rates, higher rents and the poll tax? Will she confirm that that is the direct result of her policies? Does she therefore accept that she is not just the Prime Minister of inflation but the prime causer of inflation?

The Prime Minister: I remind the right hon. Gentleman that local councils set the community charge. If local councils had not overspent to the tune of £3 billion, the retail prices index would be 1 per cent. lower. The biggest overspenders were Labour, so the right hon. Gentleman bears some of the blame.

Mr. Kinnock: Is not that typical? The major components of the rise in inflation have been identified as the consequence of Government policies, yet the right hon. Lady is trying to blame everyone else. It is a wonder that she did not get the right hon. Members for Blaby (Mr. Lawson) and for Old Bexley and Sidcup (Mr. Heath) and everybody else into that excuse. If the Prime Minister is trying, as she says, to squeeze out inflation, why does she spend so much time cramming inflation in, with higher interest rates, higher mortgage rates, higher rents and the poll tax?

The Prime Minister: And why was it Labour's policy to persuade Labour councils to set the community charge as high as they could get away with? Yes, the retail prices index would be very much lower but for the community charge. It would also have been lower if the community charge had had the rebates taken off it and if housing rent rebates had also been deducted from it, as they were in Labour's time.

Mr. Mates: Will my right hon. Friend take this opportunity to congratulate the leaders of Fine Gael and the Progressive Democrats in the Republic of Ireland on their robust condemnation of their country's extradition laws? When she next meets the Irish Prime Minister, will she convey to him the utter disgust of most citizens of this country—Great Britain and Northern Ireland—at the fact that those who are wanted to answer charges for terrorist offences continue to be set free in the Irish Republic because the judges say that their offences are political?

The Prime Minister: I agree with my hon. Friend. Extradition is a very important part of upholding the rule of law and ensuring that people are brought before the courts so that they can properly hear the case and pronounce them innocent or guilty.

Q3. **Ms. Short:** To ask the Prime Minister if she will list her official engagements for Tuesday 15 May.

The Prime Minister: I refer the hon. Lady to the reply that I gave some moments ago.

Ms. Short: Why have the Government done nothing about paedophiles who are posing as social workers and seeking to molest children throughout the country—for example, by issuing passes to genuine social workers and health visitors? Recently I visited the vice squad at New Scotland Yard. The unit that deals with child pornography and other illegal pornography is so overworked that it is unable to follow up leads that would take it to people who are sexually abusing children. Will the Prime Minister take action to strengthen that unit?

The Prime Minister: I do not accept what the hon. Lady says. She knows full well that every hon. Member is doing his or her level best to stop child abuse and to prevent people from molesting children or women. The police are deeply concerned. Many social services departments are also doing their level best to deal with the problem. I suggest that the Opposition are playing at cheap party politics.

Q4. **Mr. Yeo:** To ask the Prime Minister if she will list her official engagements for Tuesday 15 May.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Yeo: Without pre-empting the conclusions of the welcome review of the community charge that is being carried out, can my right hon. Friend assure the House that the Government are not contemplating the introduction of either a roof tax or a local income tax into any part of the United Kingdom? Can she further assure the House that—as reported in the newspapers—such matters will be considered by Ministers for longer that the two minutes that it apparently took for the roof tax to be endorsed by Labour Members?

The Prime Minister: I assure my hon. Friend that the Government believe that we should not introduce either a roof tax or a local income tax. It would be the worst of all worlds to have a tax on capital values augmented by a tax on income. It would be a high tax for all citizens. We are considering modifications to the present community charge, and we shall be in a position to announce them in a few weeks. They would not include the problem of the structure of local authorities, which is for longer-term consideration.

Mr. Ashdown: Does the Prime Minister agree with her Chancellor's forecast of two months ago that interest rates will be "materially lower" by the end of the year, or with the statement of the Chief Secretary to the Treasury two days ago that in the present dire economic circumstances any such forecast would be foolish? Which statement is right, and which is wrong?

The Prime Minister: I do not think that the statements are as opposite as the right hon. Gentleman suggests. I agree with my right hon. Friend the Chancellor of the Exchequer, and I also agree with my right hon. Friend the Chief Secretary to the Treasury, whose message, which was never understood or acted upon by Opposition Members on either the Front or the Back Benches, was that we must always keep public spending firmly under control. That is the essence of sound policy.

Q5. **Mr. Janman:** To ask the Prime Minister if she will list her official engagements for Tuesday 15 May.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Janman: Is my right hon. Friend aware of a document, publicised today, that rules out statutory incomes policy and abandons the goal of full employment? Given the publicly stated support for low interest rates and high public spending by leading members of the Labour party, is my right hon. Friend surprised to learn that that document was prepared for the home policy committee of the Labour party?

Mr. Speaker: Order. I do not think that the Prime Minister can have any responsibility for Labour party policy.

Q6. **Mr. Winnick:** To ask the Prime Minister if she will list her official engagements for Tuesday 15 May.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Winnick: May we take it from the answers given to my right hon. Friend the Leader of the Opposition that the one person who is not to blame for the high interest and inflation rates is the same person who has headed this wretched Administration for the past 11 years? Are we to take it that when those policies were decided upon she was simply absent, as she was when the leak occurred over Westland?

The Prime Minister: The hon. Gentleman can take it from my replies that I am glad that it was not I who was responsible for the 26·9 per cent. inflation rate under Labour: it was Harold Wilson and the right hon. Member for Leeds, East (Mr. Healey).

Q9. **Mr. Favell:** To ask the Prime Minister if she will list her official engagements for Tuesday 15 May.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Favell: The hon. Member for Birmingham, Ladywood (Ms. Short) referred to the problem of people posing as social workers. It is becoming an increasing crime problem, with bogus gas and electricity men preying on pensioners and others. The problem is that identification can be bogus, too. Is not it time for another look at the possibility of a national identity card scheme?

The Prime Minister: My hon. Friend has presented his own solution, but I think that he will agree that it is up to everyone to do all that they can to support the police in their inquiries, and to be on their guard to watch for people who may come round. They must check with their local social services departments at once if they have any suspicion. That is the only way to protect the children and the family.

Q11. **Mr. Leighton:** To ask the Prime Minister if she will list her official engagements for Tuesday 15 May.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Leighton: Now that there is only one member of her original Cabinet left—the rather forlorn and semi-detached deputy Prime Minister—why does not the

Prime Minister consider sacking him as well, and then she could shout "Bingo!" And if she were to take the message of the current public opinion polls and go, we could shout "Bingo!"

The Prime Minister: We do not take quite such a light-hearted view of politics. We believe in having the best Cabinet, and that is what I have.

Nuclear Dumping (Dounreay)

3.30 pm

Mr. Alex Salmond (Banff and Buchan): I beg to ask leave to move the Adjournment of the House, under Standing Order No. 20, for the purpose of discussing a specific and important matter that should have urgent consideration, namely,

"the decision today by the Secretary of State for Scotland to allow test boring for nuclear dumping at Dounreay."

This disgraceful decision—*[Interruption.]*

Mr. Speaker: Order. Will hon. Members who are not staying for this Standing Order No. 20 application please leave quietly?

Mr. Salmond: This disgraceful decision is made all the more offensive by the fact that, yet again, important announcements concerning Scotland have not been made to the House of Commons, and yet again the Secretary of State is hiding from Opposition Members. We need a debate to force the Government to defend their decision before Scotland's elected representatives. The real importance of the matter lies in the fact that, once again, the Secretary of State for Scotland has shown his contempt for the clearly expressed wishes of the Scottish people.

In granting planning permission to Nirex, the Government are overriding not only the decision of the elected representatives of Highland region but also the overwhelming vote against Nirex by the people of Caithness in the referendum last November. At that time, despite the attempt to buy votes with the deep pockets of Nirex and the claims that Caithness would be a soft touch for dumping, the people said no to Nirex by a majority of 3:1.

At that time, even Nirex claimed that the views of the people would be taken into account along with other factors when the Secretary of State reached his decision. In fact, today, neither in the brief statement from the Scottish Office nor in the letter to the Nirex lawyers, is there any mention of the views of the people of Caithness. They have been dismissed as irrelevant to the consideration of the planning commission. Given that the only reason Nirex is investigating Caithness is that it claimed public support for its plans, this is a display of breath-taking hypocrisy.

The Secretary of State may claim the fiction that test drilling for nuclear dumping is a separate matter from dumping itself, but nobody in Scotland is likely to be fooled. The Government and Nirex are lining Scotland up to be Europe's No. 1 dumping ground for nuclear waste. As "Spitting Image" once noted, the Tory party seems to envisage an energy exchange between Scotland and England: we give England our oil and gas and England gives us its nuclear waste.

It has not escaped our attention that the Secretary of State for Energy was unwilling to allow the dumping of low-level waste in his constituency. But the Secretary of State for Scotland seems prepared to allow major waste dumping in Scotland.

The Secretary of State may wish to run away from the wrath of Scottish Members, but his party will not be able to avoid the political consequences of his decision today. The campaigns that will be launched against the proposals in Scotland, by the SNP and by Scotland Against Nuclear Dumping, will equal in strength—*[Interruption.]*

Mr. Speaker: Order. May I take it that the hon. Member has finished? I was about to say that, in view of the fact that I had to interrupt him, I will let him have another half minute.

Mr. Salmond: We need a debate so that the arguments deployed by local councils and local people cannot be ignored by the Secretary of State for Scotland. We know the real dangers and problems associated with the deep-level storage of nuclear waste, the inevitable risk in the transportation of that material through Scotland and the potential damage to the core industries of the north of Scotland—fishing, farming and tourism—if the public perception of our clean environment is tarnished.

We need the Secretary of State for Scotland to explain his decisions to the Scottish people, and we should like him to do that from the Treasury Bench.

Mr. Speaker: The hon. Member for Banff and Buchan (Mr. Salmond) seeks leave to move the Adjournment of the House under Standing Order No. 20, for the purpose of discussing a specific and important matter that he thinks should have urgent consideration, namely,

"the granting of permission for test bore hole drilling at Dounreay."

I have listened with care to what the hon. Member has said, but, as he knows, I have to decide only whether to give it precedence over the business set down for today or for tomorrow. I regret that the matter he has raised does not meet the requirements of the Standing Order, and I therefore cannot submit his application to the House.

Points of Order

3.35 pm

Mr. Dick Douglas (Dunfermline, West): On a point of order, Mr. Speaker.

Dr. David Clark (South Shields): On a point of order, Mr. Speaker.

Mr. Speaker: Dr. David Clark.

Mr. Douglas: Why? I was before him.

Mr. Speaker: Order. I have called the hon. Member on the Front Bench.

Mr. Douglas: What about looking after minorities?

Mr. Speaker: Order. This is very out of character for the hon. Gentleman, who is a long-standing Member of the House. Dr. David Clark.

Dr. Clark: The House knows, Mr. Speaker, that you have repeatedly deprecated the fact that certain Ministers have made major announcements on matters of policy outside the confines of the House, thus allowing hon. Members no opportunity to cross-examine them. Have you noticed that there is a question on the Order Paper from the hon. Member for Richmond, Yorks (Mr. Hague) which was not there yesterday—in other words, it is a planted question—and that this morning the Ministry of Agriculture, Fisheries and Food and No. 10 Downing street have been briefing the press about that question, which asks whether the Minister

"has any plans to add to his previous statement on bovine spongiform encephalopathy in the light of recent events."

In view of the considerable concern outside the House, which has been exacerbated by the announcement in the last half hour that Tory-controlled Westminster city council has banned the use of British beef in school meals, I wonder whether you have received any application from the Minister of Agriculture, Fisheries and Food to make a statement in the House, and if not, whether you would use your good offices to prevail upon the Minister to come to the House at 7 o'clock to tell us his latest plans to tackle the problem.

Mr. Speaker: I see that there is a question on the Order Paper in the name of the hon. Member for Richmond, Yorks (Mr. Hague), but that is not a statement made outside the House; it is part of our parliamentary proceedings. I have not received any requests for a statement, but I remind the hon. Gentleman that there is a prime opportunity to put questions to the Minister on Thursday in Agriculture questions.

Mr. Bill Walker (Tayside, North): On a point of order, Mr. Speaker. May I draw your attention to columns 692 and 693 of yesterday's *Official Report*? Can you confirm that the contents in these columns were relevant to the comments by the hon. Member for Falkirk, East (Mr. Ewing), and can you tell the House whether an apology has been received for the discourteous and appalling comments about the Chair last night?

Mr. Speaker: I of course study *Hansard* every morning when I have not been in the Chair, and I have not received any such request.

Mr. Max Madden (Bradford, West): On a point of order, Mr. Speaker.

Mr. Douglas: On a point of order, Mr. Speaker.

Mr. Speaker: I will take Mr. Dick Douglas *[Interruption.]* Order. I call the hon. Gentleman to speak from where he was when I called him. It is a convention of the House.

Mr. Douglas: This is a convention. I have appointed myself the leader of my party.

Mr. Speaker: Order. I shall call the hon. Member when he goes back to his seat.

Mr. Douglas: In deference to you, Mr. Speaker——

Mr. Speaker: No more bandying words with me, please. When the hon. Gentleman goes back to his seat, I will call him.

Mr. Douglas: With great deference to you, Mr. Speaker, occupation of the Front Bench is a convention. I notice that the hon. Member for East Lothian (Mr. Home Robertson), who is about to replace me as a member of the Select Committee on Defence, is still sitting on the Front Bench.

My point of order is about the Select Committee on Defence. You will have noticed, Mr. Speaker, that, after many years as a member of the Select Committee on Defence, I am to be replaced by a member of the official Opposition. I make no quarrel——

Mr. Geoffrey Dickens (Littleborough and Saddleworth): He has gone into retreat.

Mr. Speaker: Order.

Mr. Douglas: I am not going to be deflected from the point I wish to make. I recognise the rules, the obligations and the establishment in the House, but the establishment on both sides protects itself.

The Chairman of the Select Committee on Defence, for whom I had great respect in the past, has an interest in defence-related organisations. I have taken the view—the Chairman of the Select Committee on Procedure has written to me that it is a personal view, so I accept the onus of the fact that it is a personal view—that anyone appearing before a Select Committee of the House should have the understanding in his or her mind that the evidence that he or she gives should be used for the purpose of that Select Committee and for no other purpose.

That may be a personal view, but I innocently—perhaps naively—thought that the House would uphold that principle. I understand that the House, the Select Committee on Procedure and the Select Committee on Members' Interests do not necessarily take that view. The Chairman of the Select Committee——

Mr. Speaker: Order. What is the point of order?

Mr. Douglas: I am coming to the point of order. It is that no Chairman of a Select Committee of the House should hold interests which place that principle in jeopardy. I take the view that the interest of the Chairman of the Select Committee on Defence in defence-related companies places that principle in jeopardy. If that is not an issue for the House, I do not know what is.

Mr. Speaker: It is not a matter for me. [HON. MEMBERS: "Why?"] Well, the hon. Gentleman knows the route he should follow. He should make his strongly held views known to the Chairman of the Select Committee concerned. As to the first point that the hon. Member raised, I know that for many years he has been a valuable member of the Select Committee on Defence. It is not a matter for me that he has been taken off, although I may have my own regret about it.

Mr. Richard Holt (Langbaurgh): Further to the point raised by my hon. Friend the Member for Tayside, North (Mr. Walker) on column 692, Mr. Speaker. I was here during the debate. I have told the hon. Member for Falkirk, East (Mr. Ewing) that I intended to raise the matter this afternoon. If standards are to mean anything in the House, when your deputy is in the Chair, he must be afforded courtesy and protection. The hon. Member for Falkirk, East has every opportunity to apologise now. If he refuses, will you please order him to do so, Mr. Speaker?

Mr. Speaker: If representations had been brought to me by the First Deputy Chairman of Ways and Means, who is a stalwart character and, I think, well able to look after his own interests, I would certainly have done that. But no such representation has been made to me.

Mr. Harry Ewing (Falkirk, East): Further to the point of order. First, may I say that I am grateful to the hon. Member for Langbaurgh (Mr. Holt) for raising the point of order; he spoke to me earlier on the Terrace of the House. One of my great weaknesses in life is attractive company. I was so distracted by the absolutely beautiful and attractive company that he was keeping on the Terrace that I missed completely what he was saying to me. I am very grateful to him now that he has raised it as a point of order. That is more than I can say for the hon. Member for Tayside, North (Mr. Walker), who did not have sufficient decency or courtesy—or the good fortune to be sharing that attractive company. He did not, therefore, bother to tell me. I have know the hon. Gentleman since his pre-House of Commons days, so nothing about him surprises me.

If I felt for one minute that I was wrong in what I said last night—[HON. MEMBERS: "You were."] I have no cause to apologise. I have a great advantage over you, Mr. Speaker, today of all days. I was here last night when the exchanges took place and you were not. I am perfectly satisfied that my attitude last night reflected my anger and the fact that I felt I had been wrongly treated, that the House had been wrongly treated and that the debate had been mishandled by the Chair.

Mr. Speaker: I will not comment on that. I have had a report from the Deputy Chairman of Ways and Means on the matter. As to the hon. Gentleman's—*[Interruption.]* Will he listen to me, please? On his first point, I hope that he will spend more time in the Chamber, where he will find plenty of attractive company.

Mr. Tam Dalyell (Linlithgow): Further to the point of order of the hon. Member for Dunfermline, West (Mr. Douglas), Mr. Speaker. On 3 May, the hon. Member for Hampshire, East (Mr. Mates), the Chairman of the Select Committee on Defence, wrote a courteous letter to me asking for an apology in relation to a question of mine —he said "allegation", but I think that it was in question form—and he sent you a copy of the letter.

Before we take any further action—and we feel that proceedings should be kept on the Floor of the House—some of us would like to know a great deal more about the issue. Is it not highly desirable that there should be time for a debate and for some kind of explanation? Will you use your influence with the Leader of the House to try to get the matter cleared up one way or another? It is not a matter for slogans or points of order; it is a deep issue of principle and should be resolved in a civilised way.

Mr. Speaker: I do not in any way disagree with what the hon. Gentleman has said. As he well knows, the Select Committee on Members' Interests is looking at this matter——

Mr. Douglas: It is not.

Mr. Speaker: —and I hope that we shall shortly receive a report about it.

Mr. Madden: On a point of order, Mr. Speaker. At 7 pm yesterday, I sought on a point of order of which I gave notice to raise the case of 33 young Chinese, including a girl who is eight months pregnant, who have sought political asylum in Britain and who are now threatened by the Home Office with deportation to Panama where, undoubtedly they would be returned to mainland China with all the risks that that would involve. I am surprised that the Home Office and the Home Secretary did not seek to make a statement about the matter today. It is unprecedented for the Home Office to seek to deport without allowing an application for a judicial review of the refusal to be heard in the courts.

Nevertheless, I ask you now, Mr. Speaker, for advice. Would it be possible for us to raise the matter with the Home Office Minister who will speak on immigration changes tonight—at a late hour, I fear—in such a way that time is not deducted from the hour and a half which has been allocated for the debate on changes to rules and procedures? If that was possible, it would be welcome to all hon. Members who are concerned about the important implications of this extraordinary behaviour and decision by the Home Office.

Mr. David Winnick (Walsall, North): On the same point——

Mr. Speaker: Order. Allow me to deal with the matter so that we can move on to the next business.

I can tell the hon. Member for Bradford, West (Mr. Madden) that it would not be within the scope of the debate on immigration rules to raise that matter. The debate deals with the imposition of visa requirements on citizens of Morocco, Algeria and Tunisia, except for those who are qualified as residents of the United Kingdom.

Mr. Michael Mates (Hampshire, East): Further to the point of order raised by the hon. Member for Linlithgow (Mr. Dalyell). While he and you, Mr. Speaker, were absolutely right in that the wider issue of Members' interests in general is a legitimate subject for debate—[HON. MEMBERS: "Thank you."]—I have never denied it —the subject of the allegation made by the hon. Member for Linlithgow was specific and wild. Had there been the remotest scintilla of truth in it, it would have been shameful if I had been behaving in the way that the hon.

Gentleman alleges. He asked for an answer. He has had an unequivocal answer from my right hon. Friend the Secretary of State for Defence stating that the hon. Gentleman's allegations are totally without foundation. It was on that narrow point that I consulted you, Mr. Speaker, and I have written to the hon. Member for Linlithgow asking him to withdraw his wild allegation, which received much currency, and also to apologise for the implications behind his allegation.

Mr. Dalyell: Further to that point of order, Mr. Speaker. This is part of the trouble. It was not an unequivocal answer. It was the kind of answer that was about as unequivocal—if I can put it this way—as the answers that I have received on Colin Wallace. It was that kind of Ministry of Defence answer from the Secretary of State which, if one looked at it very carefully, was very ambiguous. That is part of the trouble and why we need a debate.

Mr. Speaker: That is just the point. I think that we should best leave the matter to the Select Committee.

Mr. Douglas *rose*——

Mr. Speaker: Order. I am on my feet.

Mr. Douglas: I understand that, Mr. Speaker.

Mr. Speaker: Order. We should best leave the matter to the Select Committee on Members' Interests, which is looking into that very matter. I call Mr. Winnick.

Mr. Winnick: I wonder whether I can remind you, Mr. Speaker, that last June unanimous concern was expressed in the House—there was no dissent—about the crushing of the pro-democracy movement in China. We paid tribute to the people who were fighting in a terrorist dictatorship for the principles in which we believe. [HON. MEMBERS: "What is the point of order?"] My point of order is simply this: following the point made by my hon. Friend the Member for Bradford, West (Mr. Madden), there is undoubtedly much concern that the people to whom my hon. Friend referred may well be genuine political refugees. There is a question whether they would be subject, if they were here, to judicial review. That has been denied them at the moment, and there is a great possibility that they simply will not be in the United Kingdom when the time comes. Is there not an inconsistency in that, last June, we paid tribute to the courage of those people in China while a year later in Britain we are denying some of those people the right to political asylum?

Mr. Speaker: That may well be. However, the hon. Gentleman will have to take up that matter with the Minister concerned. As I understand it, those people arrived here on Canadian visas.

Mr. Allan Stewart (Eastwood): Further to the point of order raised by my hon. Friend the Member for Tayside, North (Mr. Walker) and by the hon. Member for Falkirk, East (Mr. Ewing), surely the situation cannot be allowed to stand. Yesterday evening, the hon. Member for Falkirk, East said, among other things:

> "You seem to make up the rules as you go along, Mr. Deputy Speaker".—[*Official Report*, 14 May 1990; Vol. 172, c. 692.]

The hon. Gentleman has refused to apologise for that attack on the Chair, which was made without a thread of justification. One fully accepts that he may have been in an excitable frame of mind last night, but he looked perfectly normal this afternoon. Surely the hon. Gentleman must apologise for a completely unjustified attack on the Chair.

Mr. Douglas *rose*——

Mr. Speaker: Order.

I say again that I discussed the matter with the First Deputy Chairman of Ways and Means this morning. He did not feel that there had been any slur or attack on him. *[Interruption.]* That is what he told me. His view was that he had dealt with the matter in an adequate and proper fashion, and I am sure that he did.

Mr. Douglas: Further to that point of order, Mr. Speaker.

Mr. Speaker: Order. I do not know whether it will be helpful.

Mr. Harry Ewing *rose*——

Mr. Speaker: Is the hon. Member now going to say something helpful?

Mr. Ewing: I just want to say, Mr. Speaker, that I am grateful that you have put it on the record that the First Deputy Chairman of Ways and Means, unlike irresponsible Conservative Members, did not think that there was anything untoward about the exchange last night. I am grateful also to the hon. Member for Eastwood (Mr. Stewart), who described me as being excited last night, but perfectly ordinary this afternoon. That is more than I can say for him. He was incompetent last night and even more incompetent this afternoon.

Mr. Douglas: Further to that point of order, Mr. Speaker.

Mr. Speaker: No. I remind the House that we have a very long day ahead of us, including the debate on the immigration rules. I propose to hear the ten-minute Bill —the Control of Toxic Waste Residues Bill. I call Mr. Frank Cook.

Control of Toxic Waste Residues

3.54 pm

Mr. Frank Cook (Stockton, North): I beg to move,

That leave be given to bring in a Bill to protect the environment by controlling the manufacture and by regulating the disposal of toxic chemical waste residues; and for connected purposes.

I am as aware as most hon. Members that the times when ten-minute Bills have made it to the statute book are about as rare as rocking horse droppings.

My proposals can be described as two-pronged. First, I am seeking to achieve the agreement of the Secretary of State for the Environment that he should set a timetable within which chemical manufacturers should design new chemical plants with toxic neutralising units of an appropriate character and capacity at the end of each production chain. Secondly, I am asking the Secretary of State to require chemical manufacturers to fit such units on existing plants, where practical.

That twofold approach would deal with the existing problem of the stockpiles of toxic residues and go some way towards resolving the problem of the production of further toxic waste later. The irony of the dilemma with which society is faced is that, if we had neutralising units within the processed chain, which would render the residue non-toxic before it became a residue, no-one would be worried about it, whether the neutralising unit was some form of incineration unit or simply a chemical process. The problem arises when we allow a residue to become toxic and then refer to it as a toxic residue. When attention is drawn to that, people's anxieties are raised. That is why it is necessary to design new plants in such a way as I have described. That is possible, and should be encouraged. The Treasury should give some incentive for units to be retrofitted to existing plants if they are young enough.

The Bill also seeks to contain toxic wastes within the region in which they are generated. That means that each region that derives an economic benefit from the creation of the chemicals that are produced in making the waste would be saddled with the responsibility of disposing of the waste thus created. It also means that we could dispense with the necessity of transporting toxic waste from one region to another.

A further advantage of adopting that course of action would be that toxic wastes—the residues that give rise to the anxiety—would be dealt with by communities that know the character and behaviour of the chemical compounds that are causing worry. Those communities know best how to draw up a disposal specification and how to ensure that that specification is adhered to stringently and responsibly.

It may not be necessary to deal with such toxic waste residues by incineration, but because many of the toxic residues come into existence through some form of heat application in a technical chemical process, many can also be disposed of by the application of heat. Incineration is a proven, safe and effective system for some chemicals, when carried out at appropriate temperatures under adequate pressure, in suitable plants, by qualified staff, using correct procedures, under proper supervision, applying constant monitoring in complete accordance with the predetermined approved specification to which I have referred.

I realise that this is an altruistic proposal and that it is pie in the sky, but I offer the Bill to the House as a means of discussing an issue that is causing great disquiet throughout the country and beyond our national borders. I offer it as a means of aiming at something better than what we already have, which is precious little.

For a start, we do not even know the size and character of the problem. I give credit to the Government, because I know they are conducting a survey. However, I do not think that it will go far enough. The audit should be more far-reaching and more specific about the nature of the chemicals and how they are dismantled. The adoption of my proposals would go some way towards meeting the requirements of society today, and I commend them to the House.

Question put and agreed to.

Bill ordered to be brought in by Mr. Frank Cook, Ms. Marjorie Mowlam, Mr. Ted Leadbitter, Ms. Joyce Quin, Mr. John Cummings, Ms. Hilary Armstrong, Mr. Don Dixon, Ms. Joan Ruddock, Mr. Tony Lloyd, Ms. Joan Walley, Mr. David Winnick and Mr. Gerald Bermingham.

CONTROL OF TOXIC WASTE RESIDUES

Mr. Frank Cook accordingly presented a Bill to protect the environment by controlling the manufacture and by regulating the disposal of toxic chemical waste residues; and for connected purposes: And the same was read the First time; and ordered to be read a Second time upon Friday 6 July and to be printed. [Bill 140.]

Orders of the Day

Finance Bill

(Clauses 3, 9, 10, 20, 23, 25 and 68)
Considered in Committee
[MR. HAROLD WALKER *in the Chair*]

Ordered,

That the order in which proceedings in Committee of the whole House on the Finance Bill are to be taken shall be Clause 68, Clause 9, Clause 10, Clause 3, Clause 20, Clause 23 and Clause 25—*[Mr. Lilley.]*

Clause 68

CONTRIBUTIONS TO TRAINING AND ENTERPRISE COUNCILS

4.2 pm

The Financial Secretary to the Treasury (Mr. Peter Lilley); I beg to move amendment No. 34, in Clause 68, page 55, line 34, after 'council', insert
'or a local enterprise company'.

The Chairman of Ways and Means (Mr. Harold Walker): With this it will be convenient to take the following amendments; No. 35, in Clause 68, line 49, after 'council', insert 'or company'.

No. 36, in Clause 68, page 56, line 17, at end insert
'and
(b) "local enterprise company" means a company with which an agreement (not being one which has terminated) under which it is agreed that the company shall carry out the functions of a local enterprise company has been made by the Scottish Development Agency, the Highlands and Islands Development Board, Scottish Enterprise or Highlands and Islands Enterprise.'.

Mr. Lilley: In line with the statement on Budget day, we announced last week that the new tax relief proposed in the clause for business contributions to training and enterprise councils in England and Wales will also be available for contributions to local enterprise companies in Scotland. The amendments simply achieve that result. They provide that the relief for contributions to LECs will be on the same basis and for the same period as that for TECs. I hope that they will be welcomed by all hon. Members. As TECs and LECs will have many similar functions, it is clearly right that the same tax relief should be available to both.

Mr. Gerald Bermingham (St. Helens, South): I apologise for the intrusion into the Minister's brief opening remarks, but will he reassure me that tax relief granted in respect of investments in training and welfare will extend beyond what is considered to be the normal business sector, for example into professions and other such spheres, so that the broadest possible tax relief is given to training and investment in those sectors?

Mr. Lilley: I reassure the hon. Gentleman that there is no discrimination between different sectors of industry. As long as the contribution meets the conditions of the clause, whether it is in England, Wales or Scotland, it will attract relief.

Amendment agreed to.

Mrs. Margaret Beckett (Derby, South): I beg to move amendment No. 21, in page 55, line 45, leave out 'if' and insert 'to the extent that'.

The Chairman: With this it will be convenient to take the following amendments: No. 19, in line 47, leave out 'of any kind whatsoever' and insert
'in money or money's worth.'.

No. 20, in line 49, at end insert
'provided that neither this subsection nor subsection (4)(b) below shall apply where the benefit in question comprises the training of employees of the person making the contribution and that training is wholly or mainly for the purpose of enabling those employees to better perform the duties of their employment.'.

Mrs. Beckett: As a first priority in the debates on the Finance Bill, we sought to examine the clause that confers tax relief on contributions to training and enterprise councils. The Opposition deliberately intended to make that the first issue we raised because we share the almost universal view that good training and retraining, for employed and unemployed alike is not only beneficial and desirable for the individual, but vital for a strong economy.

We seek by means of the amendment to probe the Government's intentions in the clause and perhaps even to improve the Bill. We do not oppose the clause itself but we believe that the more one studies it the more it throws into sharp relief the defects and inadequacies of the Government's training programme—if one can dignify it with such a name.

The background to the clause and to our amendment is also one of almost universal agreement about the terrifying inadequacies of the scale of training in this country and of the Government's approach to that training, not to mention the inadequacies—in the view of the Opposition—of such solutions as the Government propose.

It is rather difficult to tell to what degree the Government share our concern about the state of training, that state being identified by the fact that between 65 and 69 per cent. of 16 to 19-year olds are in training in this country, whereas in Germany more than 90 per cent. are, in Belgium more than 80 per cent. are, and in the United States and Japan similar figures obtain. The same imbalance applies to specific industries which need crafts-people to bring them up to strength.

We thought that the Government shared this view—all the more so because on 6 December the former Secretary of State for Employment, the right hon. Member for Sutton Coldfield (Sir N. Fowler), said that Britain's training position was "mind-boggling" and because in *Employment News* a few months ago the word was that "we have a mountain to climb."

The former Secretary of State set targets for training: that by the end of 1992 no young person should be employed without training; that two thirds of them should get to National Council for Vocational Qualifications level and a quarter to level 3; and that by 1995 all of them should be at least at level 2, and half at level 3. He went on to say:

"Unless we set outselves these kinds of stretching targets we shall not meet the need for upgrading and multi-skilling in a decade of continuing and rapid change."

The new Secretary of State, however, said in March:

"My predecessor offered a framework of objectives for training . . . Progress . . . depends . . . on action by

[Mrs. Beckett]

organisations outside Government; they cannot be specific Government targets."—*[Official Report, 8 March 1990; Vol. 168, c. 804.]*

Moreover, the consistent theme of the new Secretary of State has been not the great need for improved training but how well we are doing. That is a substantial shift of emphasis. As I said a few moments ago, that shift of emphasis is not universally shared. The CBI said a few months ago:

"Britain's skill levels are lower than those in most of its competitor countries and the gap is widening."

The head of the Training Agency, Roger Dawe, said:

"At every level we are towards the bottom of the training league table, whether it is in education, youth training, higher level skills training or in management."

A most interesting recent edition of "The Money Programme" had a number of comments to make on our training policies. On the programme, the chair of the Blackburn TEC said:

"The situation is desperate. We are falling further down the ladder."

Apart from the move away from targets, the new Secretary of State's second, equally alarming, shift of emphasis was to be found in the words that I have already quoted:

"Progress on meeting the objectives"—

for the development of training—

"depends primarily on action by organisations outside Government; they cannot be specific Government targets."—*[Official Report, 8 March 1990, Vol. 168, c. 804.]*

It seems to us that the Government are in terrible danger of repeating a mistake that they have made in other areas. The one that always springs to mind is community care. It is the mistake of picking up a perfectly reasonable policy which is in itself a good idea—in this case the idea of encouraging employers to make greater efforts to provide training—and using it as an excuse to shuffle off that part of the responsibility for the policy that properly belongs to Government and use that transfer as an excuse for cuts. Therein lies the danger, and it is one that the Government are running in community care, of discrediting the whole of a policy that might otherwise be acceptable.

On the first occasion on which I met a senior business man who was involved in the early stages of setting up TECs, he talked about his enthusiasm for the idea. He spoke about the challenge of the needs of training and of the way in which he and his colleagues hoped to be able to begin to tackle it. However, he went on almost immediately to say anxiously that, although he thought it was a good idea and that he was looking forward to being involved, he hoped that the Government did not intend to transfer the entire responsibility for training to the shoulders of private industry.

That concern is widely shared and was well expressed in the edition of "The Money Programme" to which I referred. One of the people interviewed said:

"Somebody has to do it. I do not think we are necessarily the best but there is no one else."

That was a sad commentary on that person's view of the Government initiative. However, there is still a good deal of enthusiasm in some quarters for the TEC initiative, just as there might still be some enthusiasm for the intention behind the clause if the Government had not pulled the rug from under TECs by taking away with one hand what they seemed initially to be giving with the other. I refer, of course, to the cuts made by the Government in the support from public funds that were previously allotted to training. In a sense that was the unkindest cut of all and it was made without consultation with those on whom the burden of greater responsibility would inevitably devolve.

There is almost no doubt that, for most of those involved in TECs, the cut in funding was a devastating blow. They were also shattered when it took place without consultation and dismayed at the timing. Even as they warmed to their task, they were already expressing concern about the restrictions placed on the flexibility that they hoped to use to develop training and to meet the training needs in their areas. They expressed the view that reductions in scope followed directly from their duty to run the existing Government programmes of employment and youth training while their initial funding seemed to be too restrictive. It did not offer the flexibility to go further and bring in new initiatives in which they were particularly interested.

The decision substantially to cut funding has undoubtedly created immense disillusionment. In its economic report in April, the Employment Institute said that the cuts in funding are visible every year, beginning in 1988-89 with a real terms cut of 9 per cent. It was 11 per cent. in the estimate for 1989-90 and there is to be a continuing series of percentage cuts in the years ahead. The institute draws attention to the fact that, between March 1989 and March 1990, £500 million was cut from the funding of TECs.

Apart from that overall and substantial cut, individual industries are seeing the impact on the way in which they operate. I quote again from "The Money Programme" in which reference was made to the abolition of the electrical contracting industry board, its replacement by a voluntary body, and then Government money being cut in terms of the amount per head. An industrialist appearing on the programme said:

"It baffles me sometimes, the inconsistency of policies. Government can have a policy of encouraging and then the next minute, a bolt from the blue, cuts in funding."

Mr. Alan Bartlett of the Association of British Chambers of Commerce said:

"I understand what the Government are trying to do but the general feeling is that it was not appropriate for it to turn its funding taps off long before most employers had been persuaded to turn their investment taps fully on."

An editorial in the *Financial Times* said:

"The Government are right to argue that industry should spend more on training, but it is sending the wrong signals by sharply cutting its own spending just as TECs are trying to mobilise support."

The Government's usual excuse is that those cuts in training are justified because unemployment has been falling. Leaving aside, if one can, the fact that that fall is likely shortly to be reversed, not only have the Government cut those substantial sums, but they have cut funding per head. Even though the numbers are smaller, funding is less per head in every sector of training that the Government are in any way supporting—in employment training for the long-term unemployed, in youth training and even in training for the employed or for people such as the disabled.

4.15 pm

Nor will the clause, even amended, do much to redress the balance. The National Council for Voluntary Organisations estimated from its survey the impact of what is taking place. Again, it identifies the fact that in its

view—after all, it is a training provider—employer contributions would have to treble to make good the fall in Government funding for employment training alone.

It would be interesting to know—I hope that the Financial Secretary will be able to tell us—just what impact the Government expect the clause to have. I am sure that most hon. Members will be aware that, in the Red Book, the entry for this clause is marked with an asterisk, showing that it is of insignificant proportions, which I think usually means that it is expected to be less than £3 million. That is against cuts of at least £500 million which I have already identified.

Let me give a final quote from "The Money Programme":

"If the cuts prevent us from doing something worthwhile, most of us will think it is time to go. We will give up trying to persuade the others."

That is a good employer who is concerned about training and who is prepared to give up time which, as we all know, is money, to try to promote training; to do the very thing that the Government want and which the Government are claiming to encourage. Such employers are now saying that they are prepared to give that time to try to encourage others to train, but they are not prepared to do so if the Government pull the rug from under them. Even as it stands, the clause is somewhat restrictive, whether intentionally or otherwise.

The Financial Secretary will recognise, as I expect will hon. Members, that tax deductions are already available for training. The scope will be a little greater because of the impact of the clause, but there will not be a vast change. Under section 84 of the Income and Corporation Taxes Act 1988, a deduction is available to be used for the purposes of technical education at universities and similar institutions. In sections 588 and 589, there is already a deduction for the cost of retraining employees, although with limits, and elsewhere, in section 74 under the general rules for training deductions and section 75 under expenses management, there is provision for some tax deduction.

We presume that most TEC contributions by an employer would be allocated to the local initiative fund, where the greatest flexibility exists in the operation of the TEC and where the activities are most likely to be tailored to the needs of local industry. Again, it is likely that existing law would have given a deduction for some part of the contribution and, although the relief is a little greater, it is not as generous a relief as some hon. Members might have assumed when the Chancellor announced it.

We are particularly concerned about clause 68(3), which says that the provisions identified in subsection (1) do not apply in relation to a contribution if he—the person making a contribution or an associate—

"receives or is entitled to receive a benefit of any kind whatsoever for or in connection with the making of that contribution".

We interpret that as meaning that even the smallest benefit of any kind, from anyone, will result in the whole contribution being disqualified for the purpose of tax relief. We share the Government's wish to make effective anti-avoidance law, but that provision appears to go too wide. I shall explain why that is so.

As clause 68 is worded, if a TEC agreed to train local youngsters in word processing, say, and offered free places on such a course to the employees of a particular company that had made an annual contribution of £100,000 to that TEC, because the company was receiving a benefit from those free places, it could, as a result of its past support, lose £35,000 of tax relief on its current year's contribution.

If clause 68 really means what it says, if a TEC offers contributors free access to its video production facilities, those companies might lose their right to tax relief—even though they might seldom, if ever, use the facilities.

Amendment No. 21 seeks to deal with some of those issues. Clause 68(4) says that, where relief has been given and a benefit has subsequently been received, the value of that benefit shall be chargeable for tax purposes. That implies that the Government intended in subsection (3) that only the amount of the contribution equal to the value of the benefit should be denied relief. Amendment No. 21 seeks to deny relief not if a benefit has been received but only "to the extent that" a benefit has been received. We hope and believe that that was the Government's intention.

Amendment No. 20 raises the question of whether the provision of training for a contributor's employees should be regarded as a benefit. It seems to us that it should not be so regarded, and should not result in the employer losing tax relief. If the contributing company had incurred training costs, they would have been tax deductible. If the excess of the contribution over the training costs had been paid to the TEC as a no-strings contribution, it seems that, under clause 68, tax relief would have been given. We see no reason for a different rule applying if the whole sum is given to the TEC and then it provides employee training.

Amendment No. 19 concerns a narrower issue. We understand that the Inland Revenue may be concerned in cases where a company enjoys a tax deduction by contributing a certain sum of money and is then refunded it in a tax-free form. If that is the intention of subsection (3), it can be narrowed by applying it only if the contributor receives the benefit in cash or in money's worth from the TEC, leaving intangible benefits such as the use of facilities, advertising support, and so on, untouched.

I refer finally to a possible drafting error, on which we have not tabled an amendment. I do not expect the Minister necessarily to answer the point today, but perhaps he will consider writing to me. We are concerned about interaction between subsections (1) and (2). Subsection (1) specifies that

"the contributions may be deducted as an expense in computing the profits or gains of the trade"

and subsection (2) refers to any such contribution

"made by an investment company"

being deductible as a management expense. Again, it appears that expenditure will not be allowable as a tax deduction under subsection (1) because it is not made by a trader for the purposes of his trade. It appears to deny the relief that subsection (2) seeks to give. If contributions are allowable under subsection (1), why is subsection (2) needed in addition?

It may be that the intention is to interpret subsection (2) as it is meant to be interpreted—but we are concerned whether the clause as drafted gives effect to the Government's intentions. Perhaps the Financial Secretary will give us an assurance that if, on re-examination, the clause is found to be defective in that respect, it will be remedied by the Government later in the Bill.

The Opposition do not oppose the clause, but the issues that it highlights expose the Government's short-term and short-sighted approach and the weakness of their case as regards the provision of training.

The Government seem to recognise no interest wider than that of the individual, which is perhaps a practical expression of the Prime Minister's view that there is no such thing as society. The Government seem to be seeing no interest wider than that of the individual employer or the group of employers and others from the locality who share representation on the training and enterprise councils. That may be the Government's view, but employers do not believe that—they have more sense. It is not the employers but the Government who are charged with the duty of defending the public interest in training, and employers recognise that.

Opposition Members commend the amendments to the Committee because they represent a small improvement to a flawed policy, but they do not affect the fact that the Government's overall policy and intention is being defeated by their actions and mistakes, and that the Bill makes only a minor contribution to our substantial training needs.

Mr. Ian Gow (Eastbourne): I shall take up some of the words which have flowed from the lips of the hon. Member for Derby, South (Mrs. Beckett) when she quoted my right hon. Friend the Prime Minister as having said that there is no such thing as society. I am not sure of the context in which the hon. Lady suggests that my right hon. Friend made those remarks.

Mr. D. N. Campbell-Savours (Workington): She did say that.

Mr. Gow: Yes, but I am not sure of the context in which, according to the hon. Lady, she made that assertion.

I shall begin my remarks by quoting with approval, what a former Conservative Prime Minister said at a St. George's day dinner. Stanley Baldwin started his speech by saying:

"The responsibility for progress rests not only with the Government but upon evey man and woman in the country."

That theme seems to underline the approach of my right hon. and hon. Friends on the Treasury Bench to training responsibilities.

The clause grants tax relief for the current year which did not exist for the past year in respect of contributions made to training. The hon. Member for Derby, South made it clear that the Labour party would not oppose clause 68. She said perfectly properly that her amendments are probing amendments. The hon. Lady, the Labour party and I think even the two representatives of the once-mighty Liberal Party will not oppose clause 68. Therefore, the issue before the Committee this afternoon is whether the clause is an improvement upon the law which existed hitherto or whether the Government should go further, as the hon. Lady believes. She believes that the Government—which means her fellow countrymen and mine—ought to make further direct contributions towards training. My right hon. and hon. Friends on the Treasury Bench believe that there should be a partnership between the Government and industry for responsibility for training.

I welcome clause 68 because it will give additional tax relief and additional encouragement to those who have a responsibility for training—the employers. The responsibility for training rests upon employers and management. That responsibility cannot be foisted on the Government. As clause 68 provides further encouragement and additional fiscal incentives to managers and employers to carry out their responsibilities, it is a significant improvement upon the law up to 5 April 1990.

The hon. Member for Derby, South made a compelling speech, but her philosophical proposition seemed to be that the responsibility for training rests exclusively with the Government.

Mr. Paul Boateng (Brent, South): Nonsense.

Mr. Gow: That was the impression that I formed when I listened to the hon. Lady's speech. Her proposition is, I believe, misconceived. If, therefore, she presses her amendment to Division, we shall resist it.

Mrs. Beckett: If I gave that impression, let me correct it at once. The Opposition do not believe that the Government have the sole responsibility for training; we believe that it is the responsibility of many employers to train. Therefore, we regret the fact that so many employers in this country do not do so, but instead poach those who have been trained by others. We believe also that the partnership to which the hon. Gentleman referred is perfectly proper and that one side of that partnership—the Government side—is being dissolved.

4.30 pm

Mr. John Battle (Leeds, West): A partnership is crucial, and many believe that the Government are not keeping to their side of the deal. We have to consider the matter in the context of the approaches to the Treasury by the spending Departments. We have read in the press that the spending Departments have put in bids worth £12 billion and that the Chief Secretary to the Treasury has said that he will be hard-pressed to pay out the £3 billion that is needed to cushion the effects of the poll tax if reductions are not made in the budgets of other spending Departments.

It is interesting to consider which Departments would bear the brunt of those reductions. It was suggested yesterday in the *Financial Times* that one of the budgets that would be reduced in an attempt to cushion the effects of the poll tax was the training budget. Therefore, it is fair to question the Government's real commitment to properly funded training.

The Government have cut this year's training budget by £190 million. Spending on the Department of Employment's main training programmes will be £212 million less than in 1988-89. The Government are quick to tell us at Question Time that that is due to the fall in the number of young people, but that is not the reason for the reduction. Spending per head on youth training has been cut by £8 a week.

It is widely believed that the training and enterprise councils have been set up by the Government in an attempt to get training done privately and to keep it in the background. They are not interested in ensuring that it is properly supported by a partnership between the state and industry. It is an attempt by the Government to shuffle off their responsibilities and hope that the private sector will pick up the tab, and at the same time leave the Government the leeway to carry through further reductions. That is the prevailing view, even within the TECs.

The TECs were relatively unpopular and hard to get off the ground when they were first introduced. The tax reductions and concessions in clause 68 are an attempt to increase the incentives—a bigger carrot—in the hope that enterprises will continue to contribute to TECs on a scale that will make up for Government reductions. It is clear that the initial enthusiasm of some employers is waning, and the scheme needs a boost.

That is the purpose of the clause. The promised levels of public funding for TECs have not been forthcoming, and participating employers are becoming reluctant to contribute to TECs when they see that the public budget —the Government's commitment to that partnership— has been cut back, squeezed and reduced.

I hope that the Financial Secretary can assure the House that the Chief Secretary to the Treasury will not cut the Department of Employment's training budget, and that training will not pay the price for the cushioning of the poll tax. Already the Employment Institute is calling for "an increased public contribution to each TEC."

Mr. Russ Mason of the Thames Valley TEC has said that TECs are a

"picture of inadequate funding, particularly in the start-up year".

That is precisely the year when they need guarantees of investment and income.

Dorset TEC has had its funding for 1990-91 cut by 18 per cent. As a result, it has been forced to cut its programmes. While the Labour party would be keen and eager to back genuine training that is properly supported in a partnership between Government and business, the Government must ensure that they underpin their commitment to that partnership rather than undermining it. We know that Secretaries of State and other Ministers are in the background, bidding with the Treasury to ensure that their Departments' budgets are not reduced in these difficult times.

The TECs have not been built on principles of partnership, or democratic principles; there are no employee representatives on their boards. There is no policy underwriting to ensure that the special needs of people with disabilities, women—whom the Government now claim that they are eager to bring into the work force —and ethnic minorities are provided for in the TECs. Positive action and programmes for such people would be welcome. They would turn the Government's training policies into genuine training policies. Such policies require a high level of commitment through public funding: that is part of the partnership.

I hope that the Government will accept their responsibility. It would be nonsense for them to suggest that TECs are providing employment opportunities for all when they cannot do that as their budgets are being persistently cut and undermined.

Mr. James Wallace (Orkney and Shetland): Other speakers, especially the hon. Member for Derby, South (Mrs. Beckett), have already pointed out that we are debating training at a time when our provision is at a low ebb compared with that of our competitors. That can be illustrated by reference to statistics. Only about 32 per cent. of young people in Britain stay on at school until they are 18, compared to some 76 per cent. in the United States and 95 per cent. in Japan. Figures show that about 39 per cent. of 16 and 17-year-olds are currently in full-time education; 9 per cent. are unemployed; 24 per cent. are on youth training schemes; and 30 per cent. are in employment. Those in employment often receive no training. A recent survey suggested that only 5 per cent. were on day release schemes. So we start at a competitive disadvantage compared with those with whom we shall shortly be competing on even more equal terms once the single market becomes further established.

Against that background, the Government's response in recent White Papers has been to set up TECs in England and Wales and local enterprise companies in Scotland. Just as they are getting under way in England and Wales and are about to be inaugurated in Scotland, the Government introduce the new clause, which my hon. Friends and I will not oppose. But what the Government are giving by way of tax incentives they are taking away through the cuts that are about to take place in the training budget.

Hon. Members who, like me, are not members of the Select Committee on Employment will have seen recent televised exchanges in that Committee with the chairman of the Training Agency who, when put under pressure, eventually admitted that, with training already in a poor state in Britain, the amount actually to be spent on training, once one removed all the frills, would be cut. I understand that the youth training budget will be cut by 25 per cent. over three years, which in real terms approximates to 45 per cent.

The Financial Secretary will probably reply by referring to the demographic changes that are taking place and the fact that there are fewer youngsters in the age group to which youth training applies. But as we accept that more should be spent on training, we have a wonderful opportunity to take advantage of those demographic changes and increase in real terms the amount that we spend on training.

Mr. A. J. Beith (Berwick-upon-Tweed): My hon. Friend may recall that, when the Treasury and Civil Service Select Committee examined witnesses on that point, they claimed that expenditure could be reduced on training because there were now fewer people unemployed, which, apart from being a doubtful prophecy for the months ahead, suggests that the Government's view is that training is necessary only when people are out of work. That represents an extraordinary failure to grasp the training problems that we face.

Mr. Wallace: My hon. Friend, who is a distinguished member of that Select Committee, makes a valid point to which I shall return. The TECs and LECs are about to be given a remit for training, a substantial part of which is taken up with their being administrators of national training schemes—youth and employment training— which, in different parts of the country and in their own ways, no doubt have some merit, but which go nowhere near to addressing the real problems of training, in particular the need to train those who are already in employment.

We must consider the effects of the cuts in training expenditure. Figures I was given last week by the Shetland Islands council show that, in the current year, there will be a 10 per cent. cut there in training. About £21,000 per annum will be withdrawn from training in Shetland. I understand that a similar cut will apply in the Orkney Islands council part of my constituency. That is the first of a number of instalments, and further cuts are to take place next year.

[Mr. Wallace]

Although cuts are taking place and new contracts are coming into operation at the end of this month, there has been precious little consultation up to now about how the transition is to be achieved. One wonders, with the Government putting greater emphasis on TECs and LECs in the provision of training, what role the Government see for local authority involvement in training.

4.45 pm

In my constituency, the role of the local authority in pump-priming and giving additional funds to assist with training has been important, not least in helping those with special needs. If the Government see no real role for local authorities and continue to put pressure on their expenditure in other directions, we are in danger of handing over responsibility to the private sector and losing what has been a valuable partnership with the involvement of local authorities. How does the Minister see the future role of local authorities in supporting training in their localities?

Coming to the TECs and LECs, with which the clause is concerned, the Government are taking a risk. If training is vital to our country's interests and they represent the main mechanism by which training is to be delivered, it must be in the interests of all hon. Members to be sure that that mechanism works. There is no point in wishing the TECs and LECs ill, and to the extent that the clause tries to assist what they are doing, it is to be welcomed.

As I say, it is a risk. After all, in its White Paper entitled "Scottish Enterprise", the Scottish Office was more blunt than its English and Welsh counterparts about the role of the private sector up to now. That White Paper said:

> "Efforts to date to persuade the private sector to take greater interest in and responsibility for training have had disappointing results. Far too many firms take little interest in assessing and training for their own future needs, assuming that supply will always be there to meet demand."

Now, having admitted the failure of the private sector, the Government are putting so many eggs in that basket that one hopes that they have properly weighed up the risk involved.

As I said in response to the intervention by my hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith), we have training that will be particularly geared to employment training and the youth training scheme, with not enough attention being given to what can be done to provide training for those who are already in employment, for those with special needs and, as the hon. Member for Leeds, West (Mr. Battle) pointed out, for the training and encouragement of women.

An obvious example is the special allowances for employment training that are available to single parents but are not available to married women. A number of married women in my constituency have made representations to me that they would be only too willing to take up employment training if they had that additional resource. It is a short-term attitude—we frequently see such an attitude being taken by the Government—to encourage more women into the workplace without providing additional incentives. Will the TECs have flexibility to encourage training for women?

The prospectus for the 1990s entitled "Training and Enterprise Councils", issued by the Department of Employment last year, stated:

> "At least two-thirds of the directors . . . must be local business leaders . . . who are 'chairmen, chief executives or top operational managers at local level of major companies.'"

I welcome the effort that is being made to encourage local top people from business to take that interest, although I sometimes wonder whether they are sure of the level of commitment that they are making.

There could be an inadequacy in going for chief executives and top business leaders. We accept that, over the years, British business has been woefully inadequate in providing training. The trouble is that many of those at the top know precious little about training. They do not have expertise and skill in training. I hope that that point will be taken on board by those running the TECs and LECs.

We need to provide for trainers, not just for trainees. We need people with skill and experience in training. The editorial in the *Financial Times* of 9 May 1990, to which the hon. Member for Derby, South (Mrs. Beckett) referred, pointed out:

> "The UK's educational reforms are threatened by a lack of qualified teachers. The same constraint applies in youth and adult training; the difference is that it is almost certainly more severe. After decades of neglect and the near disappearance of traditional apprenticeships in many industries, the UK lacks the human resources required for a training revolution."

It is important for the TECs to address that problem.

Linked to that is the need to stimulate a culture of training. People must want to learn, and I agree with those who say that this matter cannot be left entirely to the state, the Government or local authorities. They cannot command people to learn and train. It is up to all concerned—industry, parents and the schools—to generate an atmosphere in which young people see it as worth their while to stay on and achieve educational attainment or to go on a training course, and at the end of whatever they do they must see some reward for their training efforts.

We must examine the experience of other countries. For example, firms in France that provide less training than the average in their sector pay the extra costs of the firms that provide above-average amounts of training.

As I said in my opening remarks, other countries seem to manage training so much better than we do. We should not be ashamed or hesitant about looking at their experience and adapting some of what they do. By setting so much store by TECs and LECs, the Government are taking a risk which, if it does not come off, will put us even further behind.

Mr. Lilley: First, I welcome the good will that has been shown by hon. Members on both sides of the House towards the substance of the clauses, although there is disagreement about what has been omitted from them and concern about some matters which the amendments address. Before I continue, let me make one general observation. Although we have had a great deal of talk about the amount of money dedicated to training, and the involvement of the public and private sectors, so far in the debate there has been no mention of specific skills or the training curriculum.

Perhaps it is an indictment of us all, and the difference between our attitude and that on the continent, that when we talk about training we think about how much money we spend and not about the output of training, which is crucial. That is why the Government attach so much importance to TECs. We believe that the involvement of industry in the process of providing and managing training will ensure that it is orientated more to the generation of

training suitable to the needs of people and businesses, and not simply to abstract management and spending a certain amount of money.

The hon. Member for Derby, South (Mrs. Beckett) began with an accurate description of the training desert and the total lack of Government provision for school leavers that we inherited from the last Labour Government. At that time there was no youth training scheme or equivalent of employment training, there was no direct involvement of industry in the provision and management of training, there were no training credits, for which pilot schemes are now being announced, and there was little or no contact between schools and industry. There has been a huge change on all those fronts.

Mrs. Beckett: The Minister is right in listing all those provisions which did not exist then, but there also was not mass unemployment on a scale that made a training scheme necessary to take people off the unemployment registers. There was also a substantial number of high-quality apprenticeships run by private companies. From memory, I believe that a training company initiative to promote further training in the private sector was one of the first things that the present Government cancelled when they took office, and there was a campaign of co-operation between industry and schools. Another thing that the Government cancelled when they took office was the programme that we had started to put computers into schools, but they later reversed that decision. Whatever the Minister may imagine, I assure him that the picture he paints does not represent what was happening under the last Labour Government.

Mr. Lilley: The hon. Lady is entitled to her view that everything was all right then, but I am inclined to think that there has been a long-term weakness. We have taken a decade to get it right, but we are now getting it right.

We are now spending £900 million a year on youth training and £1·2 billion on employment training, and we have announced pilot programmes for training credits. The LECs will control some £2 billion out of a total budget of £2·5 billion of Government money to be spent on training. That is all good news, but the real improvement on a much larger scale has occurred in the private provision and expenditure on training. One estimate mentioned by my right hon. Friend the Chancellor of the Exchequer in his Budget speech is that no less than £20 billion a year is being spent by private industry on training. I am sure that we all welcome that.

Last night, the hon. Member for Newcastle upon Tyne, East (Mr. Brown) reminded us of the hon. Lady's assurance that the Labour party has no spending demands beyond the two commitments to social security spending. Some scepticism was expressed in the House about whether the Labour party would be able to limit its demands for extra spending to those two commitments and, sure enough, the hon. Lady has broken her own self-denying ordinance today and called for more spending on training. The hon. Member for Leeds, West (Mr. Battle) joined in.

Mr. Battle: The Minister will have read the account in the *Financial Times*—perhaps he will say that it is a speculative newspaper report—that the budget for training in the Department of Employment was to be reduced. What action did he take when he read that report?

Mr. Lilley: I certainly do not take action every time I read reports in the *Financial Times;* if I did, I should be hyperactive.

The public expenditure round proceeds on its stately course every year and all sorts of reports are made in the newspapers in ignorance of what is really happening. However, it is clear that the number of young people requiring post-school training and, happily, the number of people who have been long-term unemployed is diminishing. That means that more people are in work where they should be receiving training from employers in private companies and in the state sector, and that is what is happening.

The hon. Lady asked specifically what is the likely impact of the clause. Obviously, that is impossible to assess as it is an enabling clause which will remove the disincentive to companies from making contributions to local employment companies.

Mr. Wallace: The Minister said that young people who are in work should be receiving their training there and that is what is happening. What is his evidence for that? Does he contradict the recent survey that I quoted showing that only 5 per cent. of 16 and 17-year olds in employment were getting day release to undertake further training? What is his information?

Mr. Lilley: I recall hearing one of my colleagues in the Department of Employment referring to some European statistics showing that a high and rising proportion of people in Britain are receiving training, and that we are beginning to compare favourably with a number of our continental competitors. That is good news.

It is impossible to assess the likely response to the removal of a disincentive, but a similar incentive exists for contributions to local enterprise agencies which have raised some £35 million in recent years. Therefore, a significant but by no means enormous sum of money may be raised. The contributions that companies are making are very good news and demonstrate their sense of responsibility to their neighbourhoods and their recognition of the benefits that ultimately flow back to them from a better training environment.

The hon. Lady asked whether a company would lose relief if it received training after making a gift, and particularly if it were the condition of making a gift. I reassure the hon. Lady that it would not. There is already full relief for any expenditure by a company on the provision of training for its own staff, whether it provides it on its own premises or whether it buys in training from a LEC or elsewhere. The clause will simply ensure that there will be relief for purely altruistic contributions which might not otherwise exist as LECs are not charities. The hon. Lady suggested in her amendments—which are helpful and well-intentioned; we accept their underlying spirit—that relief should be removed only in so far as there is any benefit. I thought about that, but it does not seem necessary and it would certainly add an extra burden of complexity.

The hon. Lady also asked about a possible drafting error in subsections (1) and (2). I shall examine the point and write to her, although I have been given a preliminary indication that there is no problem. It is a tribute to her assiduity that she should have discovered a potential error.

5 pm

The hon. Member for Leeds, West rightly referred to the importance of provision for the handicapped and other special needs groups. I assure him that training and enterprise councils must set out plans for the provision that they will make for the handicapped and others before they can sign a contract. Obviously that matter will be considered carefully before a contract is signed.

The hon. Member for Orkney and Shetland (Mr. Wallace) said that other countries managed their training much better than us and that we should learn from them. Training and enterprise councils are being established partly because of the lessons we learned abroad. Germany has been successful: a major part in managing and providing training there is played by chambers of commerce. We do not have the same network of statutory chambers of commerce, but TECs will essentially involve business in the provision and management of training in a similar way, so we hope that we are learning from others.

Technically we are discussing simply the amendments before us. I have responded specifically to those by saying that we accept their spirit but feel that they are unnecessary and might lead to unnecessary complications. I hope that the Committee will not take them to a vote.

Mr. Battle: I found it surprising that the Minister said that the amendments would be too complicated. He said that, if a company gained benefit, it would lose the whole carrot and that it was not possible to find a way round that. We should encourage employers to come forward. Their record in the past has been bleak. That is why the Government have had to take the lead.

The skills shortage is not a new phenomenon. In 1982, when I served as a councillor on Leeds city council, it was involved, with the local chambers of commerce, in examining the skills needs of the future. Those were the years of recession in the engineering industry and in clothing and textiles. With the dismantling of some training boards, a shortage of some skills emerged precisely in the industries with new technology. The skills shortage was being identified then, eight or nine years ago, so it is not a new phenomenon. Yet the record of companies in providing training has not been commendable. The Government have been forced to offer tax concessions to employers to encourage them to take training seriously.

I welcome the Minister's response to the points about the disabled, women and ethnic minorities, but they need stronger emphasis. I am interested in the background to the clause and what will have to be agreed before a contract is signed. In the past companies have not been ready to provide schemes to train the disabled and women, and we may have to cajole them again. I hope the Minister agrees that it is not the case of the Government's saying, "We will have a partnership now."

There are problems about the Government's sticking to their funding contribution. I was not happy with the Minister's response on budget speculation. There should be hard bids. If the Secretary of State for Employment believes that he should work in partnership with companies, he should defend the employment and training budget and ensure that the Treasury will not cut the provision in order to cushion the poll tax.

Mrs. Alice Mahon (Halifax): My hon. Friend has referred to gaps in training. Did he see "The Money Programme" to which my hon. Friend the Member for Derby, South (Mrs. Beckett) has referred? In that programme we heard that invisibles had declined since 1986 and that, for the first time since the Napoleonic wars, we had a deficit in our invisible trade. One reason was that there was very little organised training for specialist functions in the financial sector. I do not think that the Minister can blame that on a Labour Government.

Mr. Battle: My hon. Friend makes a telling point.

The identification of skills shortages has not been a new phenomenon. As industry has changed, there has been a shift from manufacturing to service. In Leeds, we set up training institutes to train women, people from the ethnic minorities and the disabled to enable them to enter jobs requiring new technology skills.

The Government are trying to cajole employers to fall in with their plans. Unless the Government are prepared to keep their side of the partnership bargain and give a real commitment that the training will not be subject to annual budget dealing which may put the partnership at risk, how can employers be persuaded to put in cash? We agree with the clause, but we think that our amendment should be acceptable. The Financial Secretary said that he accepted the spirit of our proposals. Why can he not accept the content?

Mr. Lilley: I shall respond specifically to the initial concern of the hon. Member for Leeds, West (Mr. Battle) about whether the amendments are necessary to avoid frightening people off. These subsections are essentially about avoidance. They are to prevent abuse of the scheme; there is nothing particularly novel about it. There is an identical provision in the legislation that provides tax relief for contributions to local enterprise agencies. Its purpose is to ensure that relief is not available for contributions with strings attached—for example, a contribution made on the understanding that the training and enterprise council would later provide training for a member of the contributor's family in something not connected with the contributor's business. We do not want abuse where a firm will make a gift, with a rider attached that a nephew will get training on something wholly unconnected with the business. The purpose of the subsections is to see off that potential abuse.

We did not find difficulties in the case of an almost identical provision for local enterprise agencies. I do not imagine difficulties will arise in this case. Precisely because the provision is to see off improper strings being attached to gifts, there is no case for saying that, as the improper string cost only £4,000, tax relief should be lost on only £4,000. If there is abuse and an attempt at nepotism, it is better that it should be seen off outright by the loss of tax relief in its entirety. That is why the provision is set out as it is. I am sorry that I did not spell it out at greater lengths earlier. I am glad to have had the opportunity to do so in response to the hon. Gentleman's request for further clarification.

Mrs. Beckett: We have had an interesting though short debate. The hon. Member for Eastbourne (Mr. Gow), whose courtesy I appreciate, made, as always, a telling and effective speech. The hon. Gentleman said that responsibility for progress in training—and I think that he said that he was quoting Balfour, or perhaps it was Baldwin—rests with every man and woman in the country and, of course, we do not dispute that. He also said that there was a need

to maintain a partnership between Government and industry in the provision of training. I am happy to place on record once more the point that I made in an intervention in his speech. We recognise, of course, that it has always been the case—and we hope that it always will be—that there is a great need for industry to provide good training. Nevertheless, we believe, as industry does, that the provision of such training is a partnership between Government and industry. There is a growing belief and concern that the Government are failing to provide their side of the partnership.

My hon. Friend the Member for Leeds, West (Mr. Battle) remarked in his first contribution on the way in which the cuts in training have been made not just in the overall budget, but in the provision of training and the cost of training being allowed per head. Again, the answer is giving in Cm 1006. In paragraph 26, table 6.5, which refers to youth training—frequently quoted in the House and outside—shows clearly the decline in the gross public cost per trainee week, not only in the estimated outturn for 1989-90, but in the coming year and the two succeeding years. It estimates a fall from about £50 per head in 1989-90 to about £33 a head by 1992-93. There is no doubt that that will be a substantial cut and will have a damaging effect.

The *Financial Times* editorial, which I quoted earlier, made explicitly the point that the Opposition so often try to make to the Government and which they tend to contest —that it is not possible to provide high quality training on the cheap, which the Government are attempting to do.

The hon. Member for Orkney and Shetland (Mr. Wallace) talked especially about the training needs and problems identified in Scotland, and about the training needs of women and the disabled which, of course, we very much endorse.

The Financial Secretary has shown previously a trait —and I am not sure whether it is because he writes his speeches in advance and does not like to amend them——

Mr. Lilley: No.

Mrs. Beckett: If I have insulted the Financial Secretary, I apologise. However, he has a tendency to make remarks that do not seem to some of us to be borne out by the debate. In this case, he said that the only worry expressed by the Opposition was about the provision of public funds and that nothing had been said about the detail of training.

That is not wholly accurate. I referred to the various targets that were needed. It is certainly the case that the Opposition in a variety of ways, including through our members of the Select Committee on Employment, have studied and been alarmed by the detail of what is happening in training. My hon. Friend the Member for Sedgefield (Mr. Blair) gave some examples in the Budget debate which were taken from studies of sector training organisations obtained by our hon. Friend the Member for Newham, North-East (Mr. Leighton), who is Chairman of the Select Committee on Employment.

It is worth reminding the House of one or two of the points that my hon. Friend the Member for Sedgefield identified. There is likely to be a shortfall by the middle of the 1990s of 50,000 trained people in information technology. The computer services industry council presently covers 44,000 people and that number is soon to increase substantially. At present, it has five full-time staff only, although it is an area of great need in which we have a substantial deficit. The national retailing training council covers 2·5 million people, but it has only five full-time staff. The United Kingdom Agricultural Supply Trade Association has 1·25 people covering the entire association. Only 0·6 of a person—and I do not know how the figure was arrived at—covers the National Association of Master Bakers, Confectioners and Caterers. The detailed studies of training confirm the alarm we expressed in the debate. I believe that only one in four companies train.

The Financial Secretary then referred to the training desert. I thought that we were experiencing a wholly new phenomenon of commendable frankness, with Ministers admitting to sins of commission or omission, but I should have known better. He was talking about the previous Labour Government. I seem to recall that you, Mr. Walker, were a luminary adorning the Department of Employment. The Financial Secretary is fortunate that you are not in a position to set him straight by joining in our debate. Few who had any experience in the area would recognise the Financial Secretary's picture of the state of training then.

5.15 pm

The Financial Secretary referred to Opposition pressure on the Government to restore cuts in the provision of training to which we have referred in the debate. I am not sure whether it is deliberate on the part of the Ministers, or whether they simply have not grasped the distinction. In case it is the latter, let me make it plain. When we talk about the present public expenditure White Paper, about the present Budget or about Government policies, we set those remarks in the context of what we think that the Government should be doing now. We think that they should now be restoring the cuts they made in the training budget. It was in that context——

Mr. Lilley: Spending more?

Mrs. Beckett: Yes, spending more. The Government should spend enough to restore the cuts they made in the training budget in the public expenditure White Paper. The Minister should recall that I made a similar point earlier, although I am not sure that he was paying quite the close attention that I should have liked to every word I said. I drew his attention then to the fact that, in the debate on the public expenditure White Paper, when we called for the restoration of the cuts in spending, we made several proposals about areas in which we thought that the Government were making mistaken choices in spending money and in which we would not spend money, and several other proposals about areas in which the Government were making cuts and in which we would not make cuts.

Ms. Diane Abbott (Hackney, North and Stoke Newington): Does my hon. Friend agree that our concern for a full-hearted Government partnership for training is not just with the overall level of spending? We are concerned that training should be carried out not as a privatised entity, but within the framework of overall social objectives. In my constituency, the unemployment rate among young black males is one in two. Society will pay a terrible price for the Government's policy. The Government seek to back away from their responsibility for training. The training needs of young men in areas such as Hackney, inner London, Manchester and Birmingham

[Ms. Diane Abbott]

are ignored. This country will pay a terrible price for the Government's lack of seriousness on training, not just in terms of overall finance, but in terms of the overall social objectives which a serious Government policy on training should have.

Mrs. Beckett: Yes, I whole-heartedly endorse what my hon. Friend has said. Her observations about the way in which all of us draw on our experience of our constituencies and the problems there challenge the Government's view about the problems and the nature of the difficulties.

I reiterate for the benefit of the Financial Secretary, and in the perhaps vain hope that we shall not need to have these conversations over and over again that we proposed the restoration of the cuts in the public expenditure White Paper and that we also proposed cuts in spending in areas where we thought that the Government were misdirecting. I assure the hon. Gentleman that, broadly speaking, the cuts that we proposed and the cuts that we opposed balanced out. I assure him that there was no net increase in public expenditure in our package, which fits into the context of my remarks about our plans.

That brings me to my second point on the issue. The training cuts that we were discussing were in the context of what the Government are doing this year and what we think that they should be doing. When we referred to what a Labour Government would do, possibly in one year or two years—neither the Financial Secretary nor I can predict that—we were referring to a different framework. At the moment we have a couple of specific, clearly identified commitments which are our priorities. Beyond them, there are several desirable directions in which we should like public expenditure to move, but which we cannot quantify now. There is a clear distinction there and I assure the Financial Secretary that there was no contradiction in the points made by Opposition Members.

As we have identified, the overall context of clause 68 is one of encouraging business, through tax reliefs, to contribute to training programmes in TECs. It has been suggested in the press, and I am not aware that the Government have contradicted it, that the Government are drawing on the American experience. I remind the Financial Secretary of an article that appeared in *The Economist* on 21 April 1990. The article included several not very encouraging remarks about the Government's plans. It said that business men had responded to the Government's arguments with glum faces and that they were complaining that the Government might have shifted expenditure rather than reduced total investment. The article continued:

"A glance across the Atlantic"

at the models for these proposals

"deepens the gloom. Despite a strong American tradition of corporate largesse,"

the equivalent proposal in the United States

"has never received more than a tiny proportion of their money from private industry."

The article explains that one of the most successful training schemes in the country, in Philadelphia, raises only about 5 per cent. of its budget from the private sector.

The Economist, which is not exactly a left-wing magazine, stated that the Secretary of State

"and his colleagues could hardly have chosen a more effective way"—

that is, through the cuts—

"of sending a negative signal to a movement which stands or falls on voluntary effort. Some businessemen are asking themselves why they should be generous with their time and energy when the public budget is being squeezed and their own discretion to spend it is being so tightly constrained."

The Economist suggests that some more cynical souls are wondering whether the Government are trying to offload responsibility, even for the training schemes that they run at present.

Mrs. Mahon: Is my hon. Friend aware that the chairman of the Blackburn TEC threatened to resign because of the cuts in funding?

Mrs. Beckett: I was not aware that the chairman of the Blackburn TEC had threatened to resign. However, judging from the strength of his remarks and his depressed tone that he revealed in a television programme that I saw, I am sorry to say that I am not surprised to learn that he has threatened to resign.

An article in *The Guardian* on 21 March 1990 referred to the leader of a midlands TEC. The article said that the Government were trying to place responsibility on the private sector for providing training. The article was lukewarm about the proposals in clause 68.

I listened with care to the observations made by the Financial Secretary, and I am glad that the Government do not believe that people would lose as a result of the difficulties that we identified and which we sought to address in amendment No. 21. The Financial Secretary believes that our amendment is unnecessary. However, we are not entirely convinced. I do not mean to criticise the Financial Secretary when I say that the drafting of legislation is an issue on which the Government's record is, how can I put it——

Ms. Abbott: Shocking?

Mrs. Beckett: Shocking is probably the best way to put it. I was going to be more gentle than that. However, my hon. Friend the Member for Hackney, North and Stoke Newington (Ms. Abbott) has probably described it better.

We have extensive experience of the Government assuring the House, in all good faith, that this or that provision in a clause meant this or that and was correctly drafted. However, we then discovered, sometimes before a Bill had completed all its stages and sometimes not until a subsequent year, that that was not so. I believe that there are some clauses in this Bill that correct something that the Government said did not need correcting from last year's Finance Act.

With respect to the Minister, if amendment No. 21 would do no harm and is merely regarded as unnecessary, we are inclined to press it to a Division. We have reservations about whether payment, not "wholly and exclusively", as needed by section 74 of the Act will cover the case to which the Financial Secretary referred. Of course, we understand his point about drafting the clause to stop people, according to his example, providing training or education for a nephew. We would not want people to avoid tax. However, although we share the Financial Secretary's desire to rule out tax avoidance—we wish that the Government shared our view about that more often—we believe that the Bill as drafted goes over the top. I intend to advise my hon. Friends to vote for amendment No. 21.

In conclusion, I want to quote from the ubiquitous and extremely useful "Money Programme". That programme placed the context of this debate in a clear light. One of the contributors to the programme said:

"We are moving away from the practices of our most successful competitors who supplement the market in training and regulate it heavily. We are moving towards complete dependence on the market."

Unfortunately, that is the answer for the hon. Member for Eastbourne. We are very concerned about that and that is why we raise the issue and why I advise my hon. Friends, despite the assurance from the Financial Secretary, to be on the safe side and support amendment No. 21.

Mr. Frank Haynes (Ashfield): With regard to this so-called incentive that the Government are giving to businesses in the form of tax relief to encourage them to take on their responsibilities for training, I must tell the Financial Secretary that we were telling the Government years ago that they were destroying the training of this nation.

Ms. Abbott: And would they listen?

Mr. Haynes: No, they would not. In fact, we were saying that before the young Minister became a Member of this House. I am sure that you, Mr. Walker, will remember this. I remember you at the Dispatch Box telling the Government of the day where they were going wrong on training.

The Financial Secretary should listen to these things, which have had to be said about training. The Government have missed the boat. They are trying to pour a little money into the pockets of the employers to have what the Government believe will be a sensible and successful training programme. I was a member of the Standing Committee that considered the Employment Bill, the Report stage of which we will debate on Thursday. In that Committee, Ministers tried to tell us what they were going to do about training. They are part of a Government who have almost destroyed training in this country.

Ministers now squeal at the Dispatch Box that we do not have enough people with the skills to do the new jobs that are becoming available in the new technologies. They are bawling their eyes out. Even the Prime Minister at No. 10 is doing that. The Prime Minister and the Ministers on the Treasury Bench have some lessons to learn. I am sure that, like me, Mr. Walker, you remember the training programmes that we used to have. The responsibility then was where it should be. This Government have a responsibility, but they are trying to duck out of it by chucking a bit of corn down. It will not work, and it will not help the Government to stay in office at the next general election. The Government have failed the people who need training, especially youngsters coming out of school.

In the Minister's constituency as well as in mine, young people are put on so-called "training programmes", when they push brushes around a factory floor for about two years, but there is no job at the end of it for them, and we are now finding out that there will be an increase in unemployment because of the Government's policies.

The Government have wasted money, and that has been at the expense of the ordinary folk that the Financial Secretary is supposed to represent and I certainly represent, back in the beautiful country of Nottinghamshire, where the Government have destroyed industry. Our mining industry used to have a first-class training programme, but what did that lot on the Treasury Bench do? They closed the pits, with the result that the training programme has been lost as well.

5.30 pm

As I have said, the Government are chucking a bit of corn on to the floor of the Chamber in the hope that the employers will pick it up. The Ministers and the Government have another think coming because that will not happen. The Financial Secretary must have heard what my hon. Friend the Member for Derby, South (Mrs. Beckett) has just said about only one in four employers being interested in training. That is shocking. All of them should be involved. The Government should be encouraging employers to train.

The Financial Secretary has a little grin on his face, but I am trying to be serious for a change. Let us face it, from time to time I have sat in the Chamber and been bored to tears. The Government have poured out statistics until I am sick of hearing them. Sometimes we hear a speech that livens up the debate and which hon. Members enjoy, including you, Mr. Walker. I have seen you with a smile on your face sometimes. Indeed, you are smiling right now.

Nevertheless, training is a serious matter. It is all very well to dangle a carrot before the people who are supposed to be providing a proper training, but the Government have ducked their real responsibiiity for a number of years.

I shall give an example of an industry in my constituency that encourages the training of disabled people without any encouragement from that lot on the Treasury Bench. It has done so ever since I have been a Member of the House. Provisions governing the employment of disabled people are supposed to be on the statute book. Although firms do not have to follow the provisions, it is recommended that about 3 per cent. of the work force should comprise disabled people. In the firm that I am talking about, disabled people make up 3·5 per cent. of the work force and they are trained, which is how it should work but, oh no, training has gone down, down, and downhill under the Government.

Give us the opportunity at the next general election —I am sure that it is coming—and my party will sit on the Government Benches and do something about training programmes. My hon. Friend the Member for Derby, South has spelt out what should be done, but I do not think that the Financial Secretary was listening to her. He was gas-bagging to whoever was sitting next to him——

Mr. Lilley: Withdraw.

Mr. Haynes: No, I shall not withdraw that, because it is true. With my own eyes I saw the Financial Secretary gas-bagging instead of listening to the serious points being made. I am pleased that he is listening to me when I am trying to be serious because we are discussing a serious subject.

The Financial Secretary was lucky enough to have a bit of training in finance—at least, that is the impression I get when I listen to him speak from the Dispatch Box. Nevertheless, he has a lot to learn. I said the same thing last night, but from a sedentary position. The young Minister has a lot to learn—he has not lived yet. I was in industry for many years and I am now 64, so the Minister can understand the point of what I am saying. I have seen good industry and good training within industry. Indeed, I participated in that training.

[Mr. Haynes]

The Government ducked their responsibilities when they took over in 1979. Come the next election, we shall change all that. The sooner the Prime Minister calls the election, the better off will be those people who need proper training—without the incentives and the corn that the Government are chucking down to employers.

Several Hon. Members *rose*——

The Chairman of Ways and Means (Mr. Harold Walker): The debate is now getting wide, and although I have allowed a wide debate, I shall obviously have to have regard to the extent to which we have debated the general matters relating to the clause when we come to debate clause stand part. I call Mr. Martlew.

Mr. Haynes: On a point of order, Mr. Walker. I promised earlier not to raise any points of order, but you have forced me to my feet. I hope that on Thursday when we debate the Employment Bill you will not say that I have gone wide of the scope of the debate.

Mr. Walker: Thursday is a long way off. I call Mr. Martlew.

Mr. Eric Martlew (Carlisle): I shall try to stick to the scope of our amendments and the need for them. Eleven years of this Government have reduced us from a skilled to a semi-skilled nation. I am afraid that, if the Conservative party won another election, we would be reduced to being an unskilled nation.

If one wants to consider the decline in training in this country, one most go back to the legislation that destroyed the training boards. A Labour Government in the 1960s put in place a system that did not give incentives to employers, but approached training from the other direction. A levy was imposed on employers who had to provide training of a certain standard to receive a rebate.

That immediately created the position of training officer. I was one for quite a while. Originally, the function of a training officer was to recoup the amount of the levy, but they soon went beyond that and started to look at companies' training needs. We found that very little training had been done between 1951, when the Conservatives took over, and 1964. Therefore, there was a need for Government intervention and the training boards were set up.

I was involved with the food, drink and tobacco training board, which began as a bureaucratic organisation, but which created a high standard of skills in many of the companies involved. Unfortunately, that training board was destroyed. I recently served on the Committee considering the Food Safety Bill, a major proposal of which was that training in the food industry should be dramatically increased because the lack of training has contributed to the food poisoning epidemic in this country. That lack of training in the industry was caused by the Government allowing the industry to stop training.

At one time, we used to have the right number of skilled people to match the number of jobs, but in the many years since, the Government have decimated our apprenticeships. Industry thought in the short term; because it was expensive to train an apprentice—it could amount to about £20,000 per year—firms decided to recruit direct from the labour market. Those industries are paying for that now, because there is a skills shortage and people with skills are rightly selling them to the highest bidder.

The Chancellor of the Exchequer stands at the Dispatch Box complaining about the high level of wage increases, but one reason is that the Government themselves have created a skills shortage, by destroying our training systems, which in turn means that those with the skills are demanding the highest price for them.

Mrs. Mahon: Does my hon. Friend agree that it is ironic that the Government, who are attempting to privatise training with the formation of the TECs, have put in charge of the TECs the very people who failed to provide the training in the first place?

Mr. Martlew: I could not agree more with my hon. Friend. I was discussing this matter about a year ago with one of the senior managers of a Carlisle company, who asked me what I thought about TECs. I said that I was concerned that those in charge would be the very people who had neglected training in their own companies over many years. Fortunately, one or two of the individuals on the board of the Cumbrian TEC are of a high calibre, and hopefully they will be able to carry on the job. However, one of their worries, which I share, is that they will not be given the tools and money to carry out the job. In addition, they will not have the support of the work force for TECs, because there are no workers' representatives on the TECs boards, which is another mistake, and is based on dogma, not common sense.

A common-sense Government who were concerned about improving training and getting the TECs off the ground would have gone for a consensus approach, but the word "consensus" has been struck out of the dictionaries of Conservative Members. I think that the Prime Minister struck out the word, but I think that the Government will rue the day.

The Opposition have said many harsh words about youth training schemes over the years, some of which have been justified. I used to be what was called a managing agent for a youth training scheme, and I used to take great pride in helping youngsters who came to my company through that initial period from school to work.

I was not a great believer in the idea that the YTS was an ideal way to train youths, but it was better than the dole. There was no doubt that it made youngsters aware of the work ethic—it got them up in the morning, coming to work and used to working with other people. Given a reasonable level of resources and a company that did not want to make a profit out of YTS kids, the scheme just about managed to give them a decent, reasonable level of training. The company that I worked for did so; many of the youngsters continued to work for that company, and some got apprenticeships afterwards.

To start to reduce in real terms the amount of money put into YTS schemes is an insult to those youngsters who have been unable to find employment but do not want to opt out. Many youngsters decide that they do not want to be exploited by youth training schemes and do not become involved. The youngsters who will be penalised are those who have decided to get up in the morning and do something. The Government are saying to them that they will get second-rate training, in a scheme that was not ideal to start with. The reason for reducing the amount of

money will be lost. I hope that the Minister will tell us why he proposes a reduction in the amount of money spent on YTS youngsters.

We should have been building on the resources already there, and putting in more. Most of our youngsters not going on to higher education should be going into training schemes, highly geared to giving us the skilled work force required for the 1990s. This country does not have the natural resources of many of its competitors. North sea oil will run out before long. How will we adjust our balance of payments problems if we do not have a skilled work force?

Are we to become screwdriver workers in screwdriver factories for the Japanese? Why are we not opening car factories in Japan? The reason is that the Government have got the training wrong. We have not got the skills, either managerial or further down. Unless the Government start to apply themselves seriously to where the country is going and what sort of work force it will need in future, we shall become an unskilled work force, depending on Japanese, Germans and Swedes, to provide not only the factories, but the quality training. That is what we have lost.

5.45 pm

I do not believe the TECs will work. We must be more interventionist than that. We must say to employers that they must make a contribution—not a voluntary one, but a levy that they will receive back when they reach the standard required. The free market will fail this country every time in training, because it takes the short view; training needs a long view, because it is a long-term investment. The Government give us no encouragement to believe that they have grasped that lesson. TECs are the best we have and that is why we have tabled an amendment to improve them and give them more money.

When the Labour party returns to power, which we hope will not be too long, we shall hve to provide radical solutions to revive the skills. The Conservative Government left a mess over training for us to deal with the last time we came to power. We must support TECs, which are being short-changed. I am sure that the managers and directors who came forward to help the Government feel that they have been kicked in the teeth. They were the better managers from the more progressive companies.

The ones who do not give a damn will never be caught sitting on the boards. They might be seen at the Rotary club, or somewhere like that, complaining about the standard of education that their children are getting, but they will not be among the school managers or on the TEC boards. Those people who have come forward have been kicked in the teeth and not been given the necessary money. They know that, and the Government know it. This provision provides a stop-gap solution to a long-term problem, and I hope that hon. Members will support the amendment.

Mr. Lilley: Perhaps with your compliance, Mr. Deputy Speaker, I may wind up this debate by treating it as a discussion on the amendments and the clause stand part combined, by summarising the background to TECs and responding to some of the arguments that have been raised since I previously detained the House with my thoughts.

TECs are a major new initiative designed to promote local participation in training and enterprise activities. They are private companies with boards consisting mainly of local business, and will work under contract to the Department of Employment's Training Agency. The first TECs signed contracts in April 1990. Much of the TECs' activity will cover existing Government training programmes, such as youth training, but there will also be a discretionary local initiative fund that TECs can spend on projects of their own choice to promote training or local enterprise activities.

The first 12 TECs signed contracts in April 1990, and a further 70 are at various stages of development. It is expected that over the next year, a national network of TECs will be established. TECs will work in conjunction with local enterprise agencies, where those already exist.

Mr. Ian Taylor (Esher): Has my hon. Friend noted that one of the TECs that has been given permission under this scheme is one covering my constituency and the region of Kingston and Elmbridge? The measure before us has been welcomed by businesses in that area because it should enable them to give additional help to the TEC's training programmes that are being set up.

Mr. Lilley: I am happy to recognise that, and I am sure that it reflects the interests of the local Member. I am also happy that Hertfordshire is another area in which TECs have been established, and there are a number of others that have already made good progress.

In the absence of the special relief that the clause introduces, some TECs might have sought charitable status so that businesses could obtain tax relief on donations under existing legislation. However, not all the TECs' activities would qualify as charitable. In general, training activities could be regarded as charitable, but certain enterprise activities would not, and TECs would need to divide their activities and functions to ensure that charitable status could be obtained for the relevant part of their work, which would involve increased administrative burdens on the TECs. Hence our decision to introduce the clause.

Overall, the Government are spending £2·5 billion a year on training programmes, and the value of tax relief on companies spending must be at least as much again. The main responsibility for training must lie with employers, who need to invest in their work force. That is a message which we cannot emphasise too much. It is employers, not Government, who are best placed to judge the skills needed in their business, and to organise training accordingly. Happily, the evidence proves that that is precisely what they are increasingly doing.

The 1989 labour force survey, published on 9 March, showed that the number of employees receiving training increased by more than 70 per cent. in the five years up to 1989. Employers in both private and public sectors have been investing £20 billion a year in training.

Mr. Martlew: How does the Minister get these statistics? Are they collected in forms that land on the desks of personnel managers, who then just fill them in? If so, his jubilation is misplaced.

Mr. Lilley: The figure that I gave—£20 billion—was based on a Department of Employment publication of last year, which in turn was based on a survey originally carried out in 1986-87. It estimated the total costs of training borne by public and private employers. It was a one-off survey and a fairly significant one, which is why it

[Mr. Lilley]

is not repeated every year. The estimate has been updated modestly to allow for a little inflation; the actual sum could now be more than £20 billion.

It is important to recognise that companies are now spending more—a fact which should be welcomed. Such spending is a duty of companies; and it is in their interests —that is why they are spending more. They do not do it, by and large, out of altruism. However, they can spend the money because they are now profitable. There were a number of reasons that led to the inadequacies of private provision for training, one of which was that, for a long time, industries, profits were simply not sufficient. As profits have recovered, so has spending on training.

The hon. Member for Derby, South mentioned our frequent and pleasurable exchanges on the subject of spending. I must disappoint her by saying that I enjoy them so much that I intend them to continue. The fact is that she has advocated spending more, and her hon. Friends have done so even more emphatically. She referred to the debate on public expenditure earlier this year when she claimed that her spending bids were offset by her proposals for cuts. I read the debate afterwards because I was not quite sure whether I had missed something.

It seemed to me from the text of *Hansard* that most of the spending cuts that she was proposing were to do with the cost of achieving privatisations. I do not agree that those amount to cuts, because if the Government were not carrying out privatisations they would lose all the revenues

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Mrs. Beckett: It looks as if I had better read the debate too, but I did talk about the way in which the Government have wasted money, particularly on marketing privatisations. From memory, the sort of areas that I had in mind were, for example, what the Government call the 2 per cent. incentive on personal pensions and what we call the 2 per cent. bribe; the granting of tax relief on health insurance; and so on.

Mr. Lilley: Not much would have been gained from the hon. Lady's latter point. If she is proposing more spending in the current year, which can be accommodated in the current public expenditure round, she will have to go through the same painful processes as my right hon. Friend the Chief Secretary to the Treasury and propose more cuts. We look forward with interest to what she has to offer. Otherwise, I suppose that we can only assume that she is following the old dictum that more means less.

The hon. Member for Halifax (Mrs. Mahon) said that the chair, as she referred to him, of the Blackburn TEC had threatened to resign. I understand that there has been no threat of resignation. Blackburn TEC is still negotiating its first budget, and as it is its first budget it cannot yet have been cut.

I listened to the hon. Member for Ashfield (Mr. Haynes)—he is very much the Labour party's answer to my hon. Friend the Member for Eastbourne (Mr. Gow), and I listened to him with almost as much pleasure as I do to my hon. Friend—and found everything that he said beyond criticism, except in one respect: he described me as young. I regret that that is no longer so.

The hon. Member for Carlisle (Mr. Martlew) made an interesting speech in which he referred to the old apprenticeship scheme. There is a lot of regret about its disappearance over the years, but it is worth considering why it disappeared. One reason was the pressure on profitability, which was of two sorts—the overall lack of profitability of British industry, and the increasing insistence on adult wages for those undergoing training. That is in marked contrast to the experience in most continental countries in which there has been a far greater differential between the pay of those undergoing training and of those who are trained and on adult wages. So we were moving in the opposite direction, with the obvious consequences.

Mr. Martlew: I would not disagree with what the Minister has said. The old apprenticeship scheme needed changing from a time-served basis to a skill basis. The fact that the wages of apprentices became nearer those of skilled workers was the fault of weak management in British industry at the time.

Mr. Lilley: I am quite prepared to agree with the hon. Gentleman. I hope that industry is listening and will respond to our consensus of wisdom. None the less, we have to replace what has passed, and that is what the Government have been doing in the major programmes that they have announced.

I commend the clause to the House. I believe that it provides a useful change to the legislation; it will allow a relief for altruistic contributions to TEC and LECs. We understand the reasons for the amendment. We have no disagreement in principle or substance, but we believe that the amendment would prove onerous if it were agreed to, so I shall be asking my hon. Friends to oppose it, albeit in a fairly friendly spirit.

Question put, That the amendment be made:—

The Committee divided: Ayes 152, Noes 244.

Division No. 207] **[5.56 pm**

AYES

Abbott, Ms Diane	Cunningham, Dr John
Allen, Graham	Dalyell, Tam
Anderson, Donald	Darling, Alistair
Archer, Rt Hon Peter	Davies, Ron *(Caerphilly)*
Armstrong, Hilary	Davis, Terry *(B'ham Hodge H'l)*
Ashdown, Rt Hon Paddy	Dewar, Donald
Ashley, Rt Hon Jack	Dixon, Don
Barnes, Harry *(Derbyshire NE)*	Dobson, Frank
Barnes, Mrs Rosie *(Greenwich)*	Doran, Frank
Barron, Kevin	Dunwoody, Hon Mrs Gwyneth
Battle, John	Eadie, Alexander
Beckett, Margaret	Eastham, Ken
Beith, A. J.	Ewing, Harry *(Falkirk E)*
Bidwell, Sydney	Fearn, Ronald
Boateng, Paul	Field, Frank *(Birkenhead)*
Boyes, Roland	Fisher, Mark
Bradley, Keith	Flannery, Martin
Brown, Gordon *(D'mline E)*	Foot, Rt Hon Michael
Brown, Nicholas *(Newcastle E)*	Foster, Derek
Buchan, Norman	Foulkes, George
Buckley, George J.	Fyfe, Maria
Callaghan, Jim	Garrett, John *(Norwich South)*
Campbell, Menzies *(Fife NE)*	Garrett, Ted *(Wallsend)*
Campbell, Ron *(Blyth Valley)*	Golding, Mrs Llin
Campbell-Savours, D. N.	Griffiths, Nigel *(Edinburgh S)*
Carlile, Alex *(Mont'g)*	Griffiths, Win *(Bridgend)*
Cartwright, John	Grocott, Bruce
Clark, Dr David *(S Shields)*	Harman, Ms Harriet
Clarke, Tom *(Monklands W)*	Heal, Mrs Sylvia
Clelland, David	Henderson, Doug
Cohen, Harry	Hoey, Ms Kate *(Vauxhall)*
Cook, Frank *(Stockton N)*	Hogg, N. *(C'nauld & Kilsyth)*
Corbyn, Jeremy	Home Robertson, John
Cox, Tom	Hood, Jimmy
Cryer, Bob	Howells, Geraint

Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Ingram, Adam
Johnston, Sir Russell
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kilfedder, James
Leighton, Ron
Lewis, Terry
Litherland, Robert
Lloyd, Tony *(Stretford)*
McAvoy, Thomas
McKay, Allen *(Barnsley West)*
McLeish, Henry
Maclennan, Robert
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(G't Grimsby)*
Molyneaux, Rt Hon James
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, William
Orme, Rt Hon Stanley
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Redmond, Martin
Rees, Rt Hon Merlyn
Richardson, Jo
Robertson, George
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, J. P. *(Vale of Glam)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steel, Rt Hon Sir David
Steinberg, Gerry
Strang, Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Thompson, Jack *(Wansbeck)*
Wallace, James
Walley, Joan
Wareing, Robert N.
Welsh, Andrew *(Angus E)*
Wigley, Dafydd
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Frank Haynes and
Mr. Jimmy Dunnachie.

NOES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Aspinwall, Jack
Atkins, Robert
Atkinson, David
Baker, Nicholas *(Dorset N)*
Banks, Robert *(Harrogate)*
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Chalker, Rt Hon Mrs Lynda
Chope, Christopher
Clark, Hon Alan *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Couchman, James
Currie, Mrs Edwina
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Dicks, Terry
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Dykes, Hugh
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fairbairn, Sir Nicholas
Fallon, Michael
Favell, Tony
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Sir Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Grylls, Michael
Hague, William
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heseltine, Rt Hon Michael
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hill, James
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, Sir John *(Ravensbourne)*
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Janman, Tim
Jessel, Toby
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
Key, Robert
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Latham, Michael
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lightbown, David
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Lyell, Rt Hon Sir Nicholas
McCrindle, Robert
Macfarlane, Sir Neil
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Maude, Hon Francis
Mayhew, Rt Hon Sir Patrick
Mellor, David
Miller, Sir Hal
Mitchell, Andrew *(Gedling)*
Moate, Roger
Montgomery, Sir Fergus
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Moss, Malcolm
Mudd, David
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Patnick, Irvine
Patten, Rt Hon John
Pawsey, James
Peacock, Mrs Elizabeth
Portillo, Michael
Raison, Rt Hon Timothy
Riddick, Graham
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Roberts, Wyn *(Conwy)*
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Ryder, Richard
Sackville, Hon Tom
Sainsbury, Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speed, Keith
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stokes, Sir John
Stradling Thomas, Sir John
Sumberg, David
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thornton, Malcolm
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Waddington, Rt Hon David
Walker, Bill *(T'side North)*

Waller, Gary	Wolfson, Mark
Wardle, Charles *(Bexhill)*	Wood, Timothy
Watts, John	Woodcock, Dr. Mike
Wells, Bowen	Yeo, Tim
Whitney, Ray	Young, Sir George *(Acton)*
Widdecombe, Ann	Younger, Rt Hon George
Wiggin, Jerry	
Wilkinson, John	**Tellers for the Noes:**
Wilshire, David	**Mr. John M. Taylor and**
Winterton, Mrs Ann	**Mr. Sydney Chapman.**

Question accordingly negatived.

Amendments made: No. 35, in page 55, line 49, after 'council', insert 'or company'.

No. 36, in page 56, line 17, at end insert

(b) "local enterprise company" means a company with which an agreement (not being one which has terminated) under which it is agreed that the company shall carry out the functions of a local enterprise company has been made by the Scottish Development Agency, the Highlands and Islands Development Board, Scottish Enterprise or Highlands and Islands Enterprise.'.—*[Mr. Lilley.]*

Clause 68, as amended, ordered to stand part of the Bill.

Clause 9

REGISTRATION

Question proposed, That the clause stand part of the Bill.

Mr. Chris Smith (Islington, South and Finsbury): Clause 9 simplifies the procedures by which businesses determine whether they must register for VAT.

I must begin by taking slight issue with the notes on clauses issued by the Treasury, which are intended to simplify and to explain clauses. It was with some surprise and concern that I came across the following note on clause 9:

"Sub-paragraph 1(1) provides reference to the new sub-paragraphs (3) to (5) and continues to cite the revised sub-paragraph 1(a). The revised sub-paragraph 1(1)(a) replaces the current sub-paragraphs 1(1)(a) (i) and (ii)".

That is impenetrable and does not enlighten our consideration of the clause. I hope that in future the notes on clauses will be clearer than the clause, not less clear.

Clause 9 has already been welcomed by many small traders, and we intend to support it. There has long been discontent that the tests to determine whether a small trader should register for VAT were too complex. Even before the new regime for VAT penalties and interest which has just been introduced, the cost of not registering when one should have done so could have been punitive, and that has become more so with the recent new system of penalties.

Before the changes proposed in clause 9, a trader had to apply four different tests in order to see whether he should register. The first was a test of the past year's turnover exceeding a specified threshold; the second was a test of the past quarter's turnover exceeding another specified threshold; the third a test of the next month's anticipated turnover being likely to exceed a third threshold; and the fourth a test of the next year's turnover being likely to exceed a fourth threshold. Those four tests all had to be undertaken regularly by a small business in order to ascertain whether it should register. It was a complex bureaucratic procedure, which was resented by many small businesses.

Clause 9 effectively removes two of those tests—the test of the past quarter's turnover and the test of the next year's turnover. The removal of those two tests is welcome, but I have two questions for the Economic Secretary. First, it appears from the clause that a trader must register at the end of a month if the previous year's turnover exceeded £25,400. In other words, the trader has to make an assessment on a rolling 12-month basis with a new assessment having to be made each month about whether the two remaining tests will be exceeded. That is somewhat onerous and I hope that, in a spirit of bipartisanship, the Government will consider some change, perhaps to a calendar quarter rather than the existing calendar month with the rolling provision.

6.15 pm

Secondly, the increase in the threshold that the Government are introducing in the clause is an increase from £23,600 to £25,400—an increase of 7·6 per cent. Under the European Community sixth directive, the increase must be limited to a rise in real terms—that is, allowing for inflation. However, I am sure that the Government will be aware that inflation is currently running at considerably more than 7·6 per cent. It would be useful to know from the Government whether it might be possible to allow a slightly greater increase in the VAT threshold in the light of the rising level of inflation that we faced at the time of the Budget and that we certainly face now.

I raise those two small points, but in broad terms we support the general thrust of clause 9 and wish to see it included in the Bill.

Mr. Tim Smith (Beaconsfield): I welcome clause 9 because it considerably simplifies the arrangements for the registration of VAT traders. We have had VAT now for about 20 years, and ever since it was introduced the registration requirements have caused difficulties for small businesses. Small businesses are inevitably affected, because the threshold is so low.

There was no great problem until 1985, when the new Keith-type default provisions were introduced. Since then, a number of cases have been decided which many felt were penal in their outcome. Therefore, clause 9 is good news and I congratulate Treasury Ministers on it. It is obviously always difficult to anticipate turnover, and it makes so much more sense to have a registration requirement based on turnover recorded in the books of a business.

I have seen the representations made by the Institute of Taxation, to which I think the hon. Member for Islington, South and Finsbury (Mr. Smith) referred, which suggested that, despite a simplification, there was an increase in the compliance burden, because a business would have to look at its turnover at the end of each month rather than at the end of each quarter under the previous arrangement.

I always think that small businesses are ambivalent about VAT. They complain about the compliance burden that VAT imposes, but I was interested to note that, when annual VAT accounting was introduced a couple of years ago to lessen the burden on small businesses, take-up was low. I believe that one reason is that small businesses find the obligation to complete a VAT return once every quarter a useful discipline. They are usually busy trying to make a success of themselves and do not keep their books much up-to-date. However, every quarter they are compelled to bring their books up to date by the end of the

following month, for the purpose of completing their VAT return. That is probably why take-up of monthly VAT accounting has been less than anticipated.

I have read the views of the Institute of Taxation, but I imagine that a small and growing business would want to know fairly soon after the end of any particular month what its turnover was in the preceding four weeks. That is not a difficult figure to calculate. Although I have some sympathy with the suggestion that, in subsection (2)(1)(a), the word "month" should be replaced by the word "quarter", the new obligation is not terribly onerous. Clause 9 offers a valuable simplification for small businesses that has already been widely welcomed.

Mr. Beith: I welcome the improvement that clause 9 represents. We should not get too excited when we remember that these days the VAT registration limit is such that any small business employing two people and paying some rent is likely to be over the threshold anyway. Therefore, we are taking only about the smallest businesses, to which monthly VAT accounting would be of advantage in many cases. It will allow some to remain free even of the threat of the requirement to register and offer them more peace of mind. Nevertheless, the complex problems of VAT, as they relate to other aspects such as bad debts, to which we shall return later, remain for a large number of other businesses. For a few, the clause will be most helpful.

Mr. Jeremy Hanley (Richmond and Barnes): I first declare an interest as parliamentary adviser to the Institute of Chartered Accountants in England and Wales. I hope that the submissions that the institute lodged with the Treasury will prove helpful, not only to the Committee of the whole House but when right hon. and hon. Members repair to the Standing Committee later this week.

There are three technical questions that I want to put to my hon. Friend the Economic Secretary, but first I echo the remarks of my hon. Friend the Member for Beaconsfield (Mr. Smith), who congratulated Treasury Ministers on simplifying the registration procedure, which will be warmly welcomed by small businesses. My only gripe was that raised also by my hon. Friend the Member for Beaconsfield and by the hon. Member for Islington, South and Finsbury (Mr. Smith): that monthly accounting could prove onerous for some businesses and that a quarterly calculation might be fairer.

My hon. Friend the Member for Beaconsfield put his finger on the button when he argued that, as a result of hardware that was not available even four or five years ago, small businesses can calculate their monthly turnover. If they do not do so, their bank would probably be extremely interested.

The institute suggests that, as a counterweight to the requirement placed on small businesses to monitor turnover monthly, the time limit for notifying a liability to register might be extended to two or three months. That would seem a fair bargain.

I turn now to my three technical points. I suggest that if the words

"in the period then ending not exceeding one year"

was substituted for the words

"in the period of one year then ending"

in subsection (1)(1)(a), that would make it clear that the period does not have to be a full year. The existing words suggest that a full year must be taken into account, and I am not sure that that is what is intended.

Secondly, I know some chartered accountants who would like confirmation that the word "business" in subsection (1)(2) includes part of a business, to align with the wording that appears in article 12(1)(b) in the Value Added Tax (Special Provisions) Order 1981.

Finally, it is not clear, having regard to section 33 (1)(a) of the Valued Added Tax Act 1983 whether the words "his taxable supplies" in subsection (2)(a) refer to the transferee or include the supplies of the transferor now transferred to the transferee.

I acknowledge that these purely technical points may be extremely boring to the Committee, but they are important. I shall be happy if my hon. Friend the Economic Secretary will write to me about them.

Mr. Graham Allen (Nottingham, North): In common with right hon. and hon. Members in all parts of the House, I believe that clause 9 is to be welcomed. I hope that it sets a precedent in establishing cross-party agreement on such matters, and that when my right hon. and hon. Friends present new clauses that are equally reasonable, they will similarly receive a fair hearing from Government Members. I understand from right hon. and hon. Members who served on previous Committees that that has not always been the case, but I am sure that open-minded Members of the Government Front Bench will want to prove their good will at an early point in the Committee proceedings, by accepting reasoned and reasonable amendments.

In the past, businesses had to check their turnover on a quarterly and full-year basis, and guess at their possible future turnover, to establish whether they needed to register for VAT. The new system will provide for registration only if the turnover threshold was achieved in the previous 12 months, which is a helpful and useful improvement.

The old system was extremely complicated, so any change that simplifies it must be welcomed. I hope that the Government will consider extending the principle to other areas—such as to people trying to complete housing benefit forms, which are also very complicated. Disposing of red tape in respect of small businesses will always have the support of my right hon. and hon. Friends. Equally, I hope that there will be support for simplifying the forms that must be completed for the purpose of poll tax rebates. I am sure that right hon. and hon. Members in all parts of the House have received letters from their constituents complaining about the complicated procedure that must be observed to obtain a rebate. I hope that clause 9 sets a precedent in simplifying procedures in that respect.

Small busineses constitute a vociferous local lobby, and rightly so. However, if one asks them for a list of the provisions in the Finance Bill that should be reconsidered, the imposition and complexities of VAT would probably come fairly low down on it. Other matters need to be examined in some detail, particularly interest rates. Certainly the chamber of commerce and small business organisations in my constituency have made endless representations to me—and I have no doubt to the Government and the Treasury—regarding the effect on their businesses of high interest rates and the uncertainty about whether the rates will go higher.

The one-club policy that the Government are adopting over interest rates is not merely a club but a sledge-hammer, and an ineffective one at that. The Government should show more diversity and flexibility in

[Mr. Graham Allen]

their policies for dealing with the present state of the economy. High interest rates alone are not the answer—they need to be part of a more comprehensive attack on inflation and the other problems that beset us, and which particularly beset small business people. They would benefit from an attack on high interest rates and the continued development of some of the things that hon. Members mentioned earlier, such as training to ensure that the skill levels in our communities guarantee higher levels of employment and income so that small businesses can continue to grow and flourish.

6.30 pm

If asked to list their priorities, while small business people would welcome clarification and simplification of VAT registration, they would probably put it fairly low on the list compared with other issues that we need to consider. In Committee those other issues will be important. Small business people will make representations in Committee and, among other things, they will concentrate on the economic indicators, which show the stagnant output that undoubtedly afflicts our economy, and the need to drive the economy back towards growth with sensible rather than obsessive and dogmatic policies on interest rates.

Small businesses have also been particularly affected by the uniform business rate. It would be remiss of us to discuss the clause without putting on record what UBR has meant to many small businesses. The Inland Revenue estimates that 252,000 businesses will face increases in bills. They are small businesses. While clarifying VAT for small businesses, surely we should consider all the other things that afflict them and VAT may not——

The Temporary Chairman (Mr. Geoffrey Lofthouse): Order. The hon. Gentleman is going rather wide of the subject. We may discuss some of these issues at a later date, but at present we should be discussing whether clause 9 should stand part of the Bill.

Mr. Allen: The last thing that I wish to do is to get on the wrong side of you at this early juncture, Mr. Lofthouse. Unfortunately that may happen later—who knows? In view of your comments, I shall conclude my remarks.

Mr. Neil Hamilton (Tatton): I am sure that all hon. Members present will be disappointed to learn that I shall not be serving on the Standing Committee this year as I have already sat for 270 hours in Committee on the King's Cross Bill—in which the hon. Member for Islington, South and Finsbury (Mr. Smith) has some interest. I have enjoyed Committees enough this year and should allow others, such as the hon. Member for Nottingham, North (Mr. Allen), the privilege of enjoying the Finance Bill Committee.

Mr. Beith: Who is to assist me in scourging the Government over retrospective legislation, on which the hon. Gentleman had such a distinguished record on previous Committees?

Mr. Hamilton: I recall the fight that the hon. Member for Berwick-upon-Tweed (Mr. Beith) and I had last year on the Standing Committee to support what I believed to be the true Conservative principles in respect of retrospective legislation. I regret to say that even all the eloquence at his command, in addition to the few small words that fell from my lips, was not sufficient to persuade the Government of the merits of our cause. Virtually every week we had cause to join forces on the Select Committee on the Treasury and Civil Service and I hope that that will suffice in the hon. Gentleman's mind to sustain the alliance which we have held together across the Floor, which was perhaps in rather better shape than the alliance he had with his own colleagues.

I welcome clause 9, because it increases the certainty of rules for the trader in an ingenious way and increases the effective level of registration threshold within the constraints of European Community legislation.

One of the complaints of small businesses, as the hon. Member for Nottingham, North said, has been the onerous burden of VAT compliance over the years. Until 1984 or 1985, I recall that the annual report of Customs and Excise used to contain a useful table which revealed the yield of VAT from traders within different bands of turnover threshold. I cannot recall the figures exactly, but the overwhelming bulk of VAT receipts come not from small businesses but from relatively large businesses, although the majority of registered traders are small businesses. Therefore, it is an expensive way to collect revenue, and the expense falls not on the public departments, but on small businesses who are responsible by and large, for administration of the tax. It is a great shame that that table is no longer published. I do not know whether it caused too much embarrassment and therefore had to be removed, but I should like to see it published once again.

Although I know that the arguments against raising the threshold too much are that it introduces inequities in competition between businesses, in particular when the VAT rate is 15 per cent., as it is in this country, we should have regard to the compliance costs of such a tax on small businesses. I am pleased that the Government have borne that in mind over the years and have made a number of useful reforms—perhaps this is one of them.

The clause demonstrates once again that the maximum registration threshold permitted by the European Community under the sixth directive is unrealistically low. It is a great shame that we are constrained in such a way. I am certain that if we had complete freedom of action on the matter we would not choose to have such a low VAT threshold. It amazes me that we have been unable to persuade our partners in the European Community of the rightness of our arguments in favour of raising the threshold significantly. One mystifying aspect of the European Community is that so many sensible ideas put forward by the Government are not accepted by our colleagues across the water.

The large increase in the compliance burden alluded to by my hon. Friend the Member for Beaconsfield (Mr. Smith), following the Keith report recommendations—now enshrined in legislation—and the risk that small businesses will incur penalties, make it all the more urgent for the Government to reopen in Brussels the question of a substantially increased threshold. It is not fair to expect the smallest businesses to have the same sort of resources available to understand and administer complex legislation as larger firms, which can afford to maintain their own in-house accounts and tax administrators. Consequently, it would be a great misfortune if the issue of the VAT threshold were to decline in importance over the years.

I hope that the Economic Secretary will redouble his efforts to raise the VAT threshold or to persuade our EC partners to support our campaign to raise it. That will lift a significant burden in administration and costs from businesses that are ill-equipped to carry the costs, particularly when other costs have been rising recently, as the hon. Member for Nottingham, North pointed out in his somewhat wide-ranging and discursive remarks on the community charge. I welcome the clause, and I shall support it if there is a Division.

Mr. Haynes: I remember the last exchanges with the Economic Secretary to the Treasury. We were talking about the good old British banger. They tried to take that away from us at the other end of the building. However, we got in first.

The hon. Member for Beaconsfield (Mr. Smith) referred to the need for small businesses to show discipline. You and I, Mr. Lofthouse, knows what discipline means. We worked in the bowels of the earth. Discipline was all about saving life and limb. The hon. Member for Beaconsfield knows that there are many small businesses in my constituency. My constituents come to see me about their financial problems, some of which are the direct result of measures introduced by this Government.

One of my constituents with a fairly small business employed an accountant. I employ an accountant; I am no financial wizard. My constituent was in serious difficulty over VAT. He was told by the Inland Revenue that he was in deep trouble, so he came to my surgery and asked for help. I told him that I was no financial wizard and that I could not work it out for him but that I would write to Sir Lawrence Airey, who was the chairman of the Board of Inland Revenue at that time. We found out that the accountant had not done his job and that therefore his business owed the Inland Revenue £6,000 in VAT.

Shortly afterwards, Sir Lawrence Airey was summoned before the Select Committee on the Parliamentary Commissioner for Administration to give evidence. I am a member of the Select Committee, so I had a word with him after the meeting. It turned out that although the accountant had not done his job properly, my constituent had been overcharged for VAT, so he got some of his money back. My constituent told me that he had always voted Conservative but that because he had got some of his money back he had decided to vote for me at the next election.

Local people who have left the pits have set themselves up in small businesses with their redundancy money. They are screaming like hell back home about the way this Government are taxing small businesses. They are hitting small firms hard and VAT involves them in more and more work. I agree with the hon. Member for Beaconsfield that self-discipline is needed—that small business men ought to do their books regularly and not wait until the end of the year to sort it all out. The Government must not, however, clobber the small business man. The Prime Minister told us a long time ago that small businesses create jobs and that small businesses ought to be encouraged. However, the Government must be fairer when it comes to taxing them. I appeal to the Government to help them. Small businesses make a valuable contribution to the economy.

6.45 pm

Mr. Tim Smith: The hon. Gentleman says that the VAT burden is far greater now than it was 10 years ago. Will he, however, remind the Committee of the number of boxes that the registered trader had to fill in on his VAT return 10 years ago and how many he has to fill in today?

Mr. Haynes: The hon. Gentleman referred earlier to discipline; now he talks about burdens. I remember the time when the Chancellor of the Exchequer came to the House and said that he intended to double VAT. The hon. Gentleman has forgotten that; he was not here at the time. The hon. Gentleman talks about burdens, but it is the Government who have imposed burdens on small businesses. That is why my constituents come squealing to my surgery. When the Chancellor of the Exchequer doubled VAT it caused more and more work for small business people. They are sick of it.

In the case of some small businesses, the men still work in the pits. There are only three pits left in my constituency. The wife looks after the small business. They have to get their heads together to work out the VAT and to fill in all the flipping forms that this Government have imposed on them so that they can get in all their money. These poor souls have been down the pit all day. You know what it is like, Mr. Lofthouse, to be down the pit for eight hours a day.

The Temporary Chairman: Order. I am fully aware of the conditions in the pits. I am also fully aware of the contents of clause 9. I hope that the hon. Gentleman will stick to it.

Mr. Haynes: I am talking about small businesses. I hope that you are listening, Mr. Lofthouse.

The Temporary Chairman: The hon. Gentleman is going pretty wide of the clause.

Mr. Haynes: I do not think so, but I do not intend to have an argument with you.

The Temporary Chairman: Order. I happen to think so.

Mr. James Arbuthnot (Wanstead and Woodford): I am enjoying the hon. Gentleman's speech so much that I almost hate to do this, but does he have any views on the commendable relaxation and simplification of the VAT rules that the clause introduces?

Mr. Haynes: I welcome that change. However, the Government have imposed a great burden on small businesses. The hon. Member for Beaconsfield then dragged me into debating the burden on small businesses. The VAT burden on small businesses is being increased by the Government.

Mr. Hanley: Does the hon. Gentleman know how many miners in his constituency who work eight hours a day down the pit then come out of the pit and do a part-time job with a turnover in excess of £25,000?

Mr. Haynes: Would I be in order if I answered that question, Mr. Lofthouse?

The Temporary Chairman: The hon. Gentleman can answer the question.

Mr. Haynes: I had to ask because I did not know whether you would step in and rule me out of order if I tried to answer it.

I am in the House five days a week so how can I keep track of everyone? What a stupid question. The matter is not funny. However, I think that I have said enough.

The Economic Secretary to the Treasury (Mr. Richard Ryder): The hon. Member for Ashfield (Mr. Haynes) and I have been a powerful force in defence of the British banger. I am happy to say that, although there may be a mad cow disease, as yet there is no mad pig disease—not even among the Gadarene swine. If one did develop, perhaps the hon. Member for Ashfield and I should get together again to save the British banger. Millions of people are grateful to the hon. Gentleman and me for ensuring that it is still on our plates.

Mr. Haynes: Is the Minister aware that the hon. Member for Crawley (Mr. Soames) has just walked into the Chamber and that he, like us, thinks that the British banger is the best in the world?

The Temporary Chairman: The British banger is certainly enjoyable, but it has nothing to do with clause 9.

Mr. Ryder: I thank the hon. Member for Ashfield for reminding me that my hon. Friend the Member for Crawley (Mr. Soames) enjoys the British banger. However, as my hon. Friend has just walked into the Chamber, I did not need the reminder.

Let me reassure the hon. Member for Nottingham, North (Mr. Allen)—who is a member of the Standing Committee on the Finance Bill—that he will find me an open-minded, cordial, friendly, helpful and co-operative Minister who is prepared to examine every conceivable point of view that is put to me. If the hon. Gentleman would like to draw to my attention any VAT forms that he thinks require further simplification, I shall be happy to examine them.

Mr. Allen: I thank the Minister for showing his usual generosity. I guarantee him that I will correspond with him within a fortnight with my suggestions, should I find that any amendments to VAT forms are necessary.

Mr. Ryder: I thank the hon. Gentleman.

All the speakers in this short debate have welcomed the general point made in clause 9. The measures for small and medium-sized businesses were central to my right hon. Friend the Chancellor's Budget, and lie at the heart of the Bill. The revenue cost of the clause, which has been welcomed by the small business community, is about £75 million.

Clauses 9 and 10 may not grab the headlines, but together they provide for nearly a quarter of a billion in legislative assistance for the small business community. They are deliberately targeted at smaller, growing businesses, which—although perhaps less glamorous—are none the less important. Such companies produce a large proportion of our industrial output, and have grown apace during the past few years.

The hon. Member for Islington, South and Finsbury (Mr. Smith) made some observations about the notes on clauses. I will do my best to ensure that they are made clearer than the notes for clause 9. I am only too grateful to the hon. Gentleman for not asking me to explain the notes on clauses, as I would not have been able to do so. Clause 9 was welcomed by the hon. Member for Berwick-upon-Tweed (Mr. Beith), my hon. Friend the Member for Beaconsfield (Mr. Smith) and my hon. Friend the Member for Tatton (Mr. Hamilton)—I am sorry that he is not a member of the Standing Committee this year.

The hon. Member for Islington, South and Finsbury asked about the liability arising at the end of a calendar quarter, for example, rather than at the end of a month. The month-end determination of liability reduces unfair competition from traders who remain unregistered. It also minimises the revenue loss, and maintains an even flow of registration work for Customs. Most businesses keep monthly records of sales and expenses in any event.

The hon. Gentleman was also concerned about the possibility of raising the threshold still further—an argument also pursued by my hon. Friend the Member for Tatton. The original threshold of £5,000 has been increased over the years—in line with inflation—to the present level of £25,400, which is already among the highest in the EEC. A further increase would constitute a breach of our legal obligation under article 24 of the sixth VAT directive, to which my hon. Friend referred.

However, I agree with my hon. Friend's general observations about the threshold, and it is inconceivable that his views will not be put strongly by Ministers whenever suitable opportunities arise in Brussels. As he knows, we want to ensure that the threshold is raised still further, although some industries—such as the building industry—would like it to be lowered. It is not a uniform pattern across small businesses.

Mr. Chris Smith: The Economic Secretary rightly says that the European Commission insists that the rise in the threshold should be no greater than inflation. However, which inflation figure does he mean? Does he mean the inflation figure at the date of the Chancellor's Budget, or an average inflation figure taken over a period of 12 months? If so, which 12 months? The figure used in the calculation relating to clause 9 is 7·6 per cent., but inflation is currently at 9·4 per cent. and rising. Which figure will be used?

Mr. Ryder: When the threshold has been raised over the years, it has not always been raised directly in relation to inflation. The hon. Member for Islington, South and Finsbury would be pursuing the wrong hare if he believed that it had been. If the threshold were raised, that would require another significant loss of revenue, and would further increase the distortion of the balance between registered and unregistered traders.

As an accountant, my hon. Friend the Member for Richmond and Barnes raised three technical points. As he requests, I shall write to him about them as soon as possible, as I, too, would like to clarify the matter.

This has been a valuable debate. It has shown that the House fully supports clause 9 and the important measures that my right hon. Friend the Chancellor has taken to help small businesses. I hope that the House will continue to support the Bill.

Question put and agreed to.

Clause ordered to stand part of the Bill.

Clause 10

BAD DEBTS

Mr. Chris Smith: I beg to move amendment No. 2, in page 6, line 43, leave out 'his accounts' and insert

'the accounting records from which the accounts of the business for the period in which the write off occurs have been or will be prepared'.

The Temporary Chairman: With this we may take the following amendments: No. 37, in page 6, line 43, leave out 'accounts' and insert 'books and records'.

No. 3, in page 6, line 44, leave out 'two years' and insert 'one year'.

No. 1, page 6, line 45, after 'elapsed', insert

', or the company or individual liable to pay any outstanding amount of the consideration has become insolvent and (except where Paragraph 10 (1A)(b) below applies) the person has submitted a claim in the insolvency for the outstanding amount of the consideration.

(1A) a company becomes insolvent for the purposes of this section if:

(a) it goes into liquidation in the United Kingdom or the Isle of Man at a time when its assets are insufficient for the payment of its debts and other liabilities and the expenses of the winding up;

(b) a person who has been appointed in Great Britain to act as the Administrator or Administrative Receiver issues a certificate of his opinion that, if it went into liquidation, the assets of the company would be insufficient to cover the payment of any dividend in respect of debts which are neither secured nor preferential; or

(c) a composition or scheme proposed by the Directors is approved under Part I of the Insolvency Act 1986.

(1B) An individual becomes insolvent for the purposes of this section if:

(a) in England and Wales he is adjudged bankrupt, a deed of arrangement is made for the benefit of his creditors, a composition or scheme proposed by him is approved under Part VIII of the Insolvency Act 1986 or, after his death, his estate falls to be administered in accordance with an order under Part XV of that Act;

(b) in Scotland, sequestration of his estate is awarded, he signs a trust deed for his creditors or, after his death, a judicial factor is appointed under Section 11A of the Judicial Factors (Scotland) Act 1889 to administer his estate;

(c) in Northern Ireland he is adjudged bankrupt, a deed of arrangement is made for the benefit of his creditors, a resolution of his creditors is approved by the court under Section 5 of the Bankruptcy Amendment Act (Northern Ireland) 1929 or, after his death, the court makes an order for the administration in bankruptcy of his estate; or

(d) in the Isle of Man, he is adjudged bankrupt, a deed of arrangement is made for the benefit of his creditors or, after his death, the court makes an order for the administration in bankruptcy of his estate.'.

No. 24, in page 7, line 4, at end insert

'but no claim may be made before 1st December 1990.'.

No. 38, in page 7, line 18, leave out from '(b)' to the end of line 20.

Mr. Smith: Clause 10 relates to bad debt relief for VAT. It will cost the Exchequer £150 million in a full year, so we are talking about a substantial measure and it is important to ensure that the Government have got it right. We broadly welcome the Government's aim in the clause but do not think they have it right, and we have tabled amendments to improve it. I hope that when he returns to his place, the Economic Secretary will address the issues involved in the clause in the open-minded manner that he promised he would adopt in our discussions on the Bill.

The Government have made much of the claim that the clause will ease the position of VAT recovery for small businesses. Our fear is that there are some limited circumstances in which the clause will make matters worse, and we have tabled amendments to correct that problem. I shall return to that issue later as I deal in detail with our amendments. It is important at the outset to recognise the context in which the debate is taking place, and to that end it is necessary to examine the overall context in which small businesses find themselves.

Small, if useful, measures on VAT registration and bad debt relief are as nothing beside the two overwhelming and dominating facts of life for small businesses in Britain today. Those are high interest rates and the introduction of the uniform business rate.

7 pm

High interest rates have been adopted by the Government as the only policy that is supposed to operate as a deterrent to demand and credit in the British economy. As we know, high interest rates are not particularly good instruments as a deterrent to demand. As we pointed out on Second Reading, since the former Chancellor began to tighten credit by raising the cost of money, £150 billion-worth of additional credit has gone into the domestic economy. The profit figures announced this morning by Sainsbury show that the impact on the demand side of the economy has been imperfect at best.

But the problem with high interest rates is that they harm the supply side of the equation, too. It becomes crucial for small businesses because of the results of the harm on the supply side. Large-scale business tends to invest out of its own profits. Small business must borrow to invest, to grow and to take the decisions about future expansion that must be taken.

The reality is clear. For example, the chairman of the Midland bank, Sir Kit McMahon, was reported on 24 April last to have said:

"High interest rates were hitting businesses as well as individuals and leading to a worsening of the bank's bad debts."

That was a clear indication from the Midland bank, echoed a couple of days later by the deputy chairman of Barclays bank, that small businesses throughout the country were facing enormous difficulty as a result of the Government's high interest rate policy.

The accountants Peat, Marwick, McLintock reported a 27 per cent. rise in the number of companies going into voluntary liquidation in the first quarter of this year. That is the background for small businesses against which we come to this debate about VAT changes for small businesses.

At the same time as high interest rates are operating on small businesses, the uniform business rate is having a great impact, especially in the south of the country, on the small-scale retailing sector. Even the transitional protection that the Government have supposedly introduced will not make life much better for small businesses faced with the certainty of major increases in the rates that they will pay in each of the next five years.

We must consider clause 10 against that background. Likewise, we must consider the changes that our amendments would make to the clause. There are two forms of trader who are not affected by clause 10. A

limited number of traders use either the cash accounting scheme or the retailers' standard method scheme. Under either of those, output VAT is accounted for only when cash is received. So bad debt relief is automatic for firms in those categories.

All other traders will find the clause important. For them, VAT must at present be accounted for to Customs on the basis of VAT invoices issued, regardless of whether the money has been received. As a result, if a trader charges a customer £100 of VAT, he must at the time of his next VAT return account for that £100 to Customs and Excise, whether or not he has received the money.

If the £100 is not received, because the customer defaults, how can the trader get his £100 back or have it recredited? Until the date of the Budget, he could get it back only if the debtor became formally insolvent, and the formal definition of insolvency—generally either bankruptcy or liquidation—was set out in section 22 of the Value Added Tax Act 1983.

If a debtor simply did not pay or became untraceable —if he disappeared or, in the case of large companies, the debt was small—it was not worthwhile tracking the debtor down, making him bankrupt and petitioning for a company's liquidation. As a result, even where a debt had been written off and was clearly not recoverable, VAT bad debt relief was often not available. As larger debtors were chased and as larger creditors tended to pursue debts as a matter of principle, the problem tended to affect mainly relatively small debts owed to small and medium-sized traders.

Overall, taken in total, a substantial amount of money is involved and it has been a source of great irritation to many businesses. For example, in the credit card operation of one major high street retailer, in 1988-89 £12 million of small debts, of under £500 each, was written off. By doing that, the company would have lost some £1·8 million in VAT bad debt relief. So in some instances we are talking about substantial sums of money and a substantial impact upon the cash flow of companies.

The new relief which clause 10 introduces allows the £100 of VAT to be reclaimed or recredited after three things have happened. First, the VAT has to have been paid over by the trader to Her Majesty's Customs and Excise before it can subsequently be reclaimed under the provisions of the clause. Secondly, the debt has to be written off in the company's accounts, and thirdly—the point to which our principal amendment relates—at least two years must elapse from the date of the supply.

Representative bodies of small businesses have been pressing for such bad debt relief for many years, so it is a welcome change. However, the pressure was for such a change to be made as an alternative to the existing system, not as a complete and total replacement for it. Our other main amendment seeks to enshrine that principle so that after Royal Assent the new clause 10 provisions are not a total replacement for the existing provisions, and to allow them to run side by side.

Mr. Tim Smith: I do not fully understand one aspect of the hon. Gentleman's argument. I do not understand why it is thought that clause 10 is so important for small businesses. Any small business with a turnover of less than £250,000, which is not that much, can opt for cash accounting. If a company opts for cash accounting it has to account for output only when it receives the cash. Small businesses do not have to worry about all that, so why is the clause so important for small businesses if they can opt for cash accounting?

Mr. Chris Smith: I am surprised by the hon. Gentleman, who is normally somewhat more perceptive. Of course the clause is important to small businesses, as it is to larger businesses, but larger businesses can frequently tolerate greater ups and downs in their cash flow than can small businesses which have not opted for cash accounting. I made it clear at the beginning of my remarks that the cash accounting principle was excluded from the provisions for bad debt relief because VAT is not claimed at the point of supply. The hon. Gentleman must realise that large numbers of small businesses are affected by the provisions of clause 10 for whom the deficiencies of clause 10 are likely to be important.

The new relief will be introduced in place of the old relief and schedule 16 of the Bill, which no doubt we shall be discussing in some weeks' time, repeals section 22 of the Value Added Tax Act 1983.

7.15 pm

The problem is that, where prompt relief might have been possible under the old system, it is likely to be delayed under the new system. Let me illustrate that. If a major trader, which we shall call Ryder and Co., is rendering quarterly VAT returns and in July 1990 Ryder and Co. sells goods to another company—let us call it Lilley and Co.—for £1 million plus VAT of £150,000. Payment is due in 60 days. At the end of September 1990, Ryder and Co. pays the £150,000 to Her Majesty's Customs and Excise. Lilley and Co. has not yet paid Ryder and Co.

In October, Ryder presses Lilley for payment and hears that Lilley may be insolvent. In November Ryder petitions for Lilley's liquidation and in December Ryder submits proof to the liquidator who responds that the company is likely to receive £230,000 in due course. Ryder therefore writes off £920,000 in its year-end accounts and with December 1990 VAT return claims repayment of £120,000. Effectively, under the existing system of claim back the repayment would have taken only one VAT quarter. In practice that would be unusually quick, but not totally uncommon.

Under the new system, Ryder and Co. would have to wait until at least July 1992—two years after the supply and seven VAT quarters after paying over the VAT—before being able to recover the £120,000 from Customs and Excise. Potentially that could be a crippling blow, because a further £800,000 would already have been lost as a result of the non-payment. At an estimated 15 per cent. cash flow cost, the cash flow cost to the company would be at least £18,000. It is therefore perfectly conceivable that under the changes that the Government have introduced, in some circumstances bad debt relief will be worse than under the existing system. In those circumstances the reforms in clause 10 could cost traders money. They would get additional relief for smaller bad debts, but would suffer delays in receiving relief for larger debts.

The amendments seek to relieve or eliminate the problem. Amendment No. 3 is our principal amendment and unless the Government can satisfy us on it, we might divide the Committee. The amendment seeks to reduce the two-year time limit in clause 10(1)(c) to one year. If it takes an average of nine months from the date of supply to obtain bad debt relief under the old system—the period

that would normally apply if the debtor went into liquidation—and if a one-year rather than a two-year period were to operate, the new system would simply add three months' delay rather than the 15 months' delay that would apply under current proposals. The period of one year would be more appropriate and sensible. It would allow for 80 days of credit, five months of arguing—if discussions were appropriate—and six months to write off the debt.

Amendment No. 3 would provide that instead of having to wait two years before it can get bad debt relief, a company should have to wait only one year. That seems to provide a better framework for business without causing insuperable administrative problems for Customs and Excise.

Amendment No. 1 would reinstate the old section 22 test as an alternative to the time lapse test. As I said earlier, the amendment would set the old system for relief where liquidation took place alongside the new system, rather than allowing the new system totally to eradicate the old. If liquidation took place within a short period after the supply of goods or services, the old system operated fairly effectively. Under the Government's proposals the two-year time limit has to expire before relief can be obtained. Amendment No. 1 seeks to reinstate the old system to run in parallel with the new, and offers the two as alternatives to the business community.

Amendment No. 2 is slightly more technical; the Liberal Democrats have tabled a similar amendment, No. 37. Amendment No. 2 has two aims. First, under new Inland Revenue regulations, small traders can present simplified accounts to support a tax return and there is no statutory requirement to produce full accounts. Some small traders may not have accounts which would satisfy clause 10(1)(b). Their three-line accounts will not identify bad debts as part of the specific acccounts prepared by the company. The amendment requires only that the account be written off in the accounting records from which the accounts, however simple, have been or will be prepared. Even smaller traders will have such records, which are a VAT requirement.

The second reason for amendment No. 2 is that the wording of clause 10(1)(b) could in some circumstances cause problems. Let us assume that the Government were to decide that although our proposal for a 12-month period is not acceptable, none the less two years is too long, and in due course proposed shortening the period to 15 months. If a company had a debt of £1 million, with VAT of £150,000 already paid to Her Majesty's Customs. dating from March 1991, the debt would not be written off in the December 1991 acounts but would be written off in the May 1992 ledger. To satisfy the provisions of clause 10(1)(b), the company could not reclaim the VAT until the audited 1992 accounts were available, say, in April 1993.

In the amendment, we suggest that the proof that the debt was written off should not have to wait until the published accounts but should be demonstrable by entries in the company's ledgers, which would be used in the compilation of the accounts. That would mean that the company would not have to wait, possibly for several years, for the bad debt relief.

I wish to make three other brief points in respect of the clause. First, the power in clause 10(5)(g) to let the commissioners make regulations which

"make different provision for different circumstances"

appear to be drawn rather widely. Obviously, we wish to ensure that the commissioners have the powers they need, but the provisions of that part of the clause seem wide. Although regulations will be promulgated under the provision, we ask the Government to ensure that any such regulations are issued in draft for comment before promulgation takes place.

Secondly, clause 10(4)(a) is clearly aimed at the position where someone deliberately overcharges another person for a supply, crediting the VAT on the VAT return of the person receiving the supply, with the supplier then recovering it under the new rules. We wish to catch precisely such abuse as well. The wording of clause 10(4)(a)—

"equal to or less than its open market value"—

seems to be drawn extremely tightly. It is reminiscent of Shylock's pound of flesh when even £1 worth above the stated value would immediately disqualify the entire bad debt relief. That seems tough. We hope that the Government will consider a phrase such as, "the value of the supply not being substantially greater than the open market value".

Thirdly, I note that the Liberal Democrats have tabled amendment No. 38 in respect of clause 10(4)(b). There might be a problem with the provision where goods are sold under hire purchase or under a Romalpa clause, whereby in strict law title remains with the vendor until the goods are fully paid for, but where the goods are not recovered by the vendor when the purchaser defaults. Unless clause 10(4)(b) is withdrawn or amended, a strict interpretation would mean that bad debt relief would not be due in such cases. It would be useful to have an assurance that the regulations will allow relief to be claimed.

I have tried to outline on these complicated and technical matters the purpose of our amendments. We agree entirely with the aim upon which the Government have embarked in clause 10 to make life better and easier for businesses claiming bad debt relief. We do not think that the Government have got it entirely right. We have tabled the amendments in a spirit of helpfulness to the Government and in the hope that improvements will be made.

Sir Barney Hayhoe (Brentford and Isleworth): The hon. Member for Islington, South and Finsbury (Mr. Smith) was less than generous in his welcome to a worthwhile and overdue reform. It is no secret that sometimes Ministers, as a result of collective responsibility, have to support and take action on matters with which they are not in 100 per cent. agreement. That was certainly true for me in the mid-1980s when I was a Treasury Minister with responsibility for indirect taxation.

Having had a hand in the reform of bad debt provision in regard to insolvency, I always recognised that very hard cases still remained in which groups of traders were suffering, because at that time we were unable, with the expertise available to the Customs and Excise, to come up with a scheme as wide in operation as that now proposed.

I warmly congratulate my right hon. Friend the Chancellor and my hon. Friend the Economic Secretary —who has, I imagine, dealt with the detail of the provisions—on bringing forward this reform. I can remember a number of times on which I had to write letters to traders who could not believe that the system was fair. I had to say to them that VAT operated on the supply

[Sir Barney Hayhoe]

of goods and services and not on the payment for them. It was bad enough when people defaulted on paying the fees or the charges for the goods or services supplied, but when the traders who were suffering from that bad debt had only limited redress through the insolvency provisions and often had no redress in reclaiming the VAT, one realised that the problem required Government action.

The Government have now moved substantially in that direction at a significant cost of between £150 million and £200 million in a full year. That is a substantial contribution by the Government towards putting right something that has been wrong for too long. This is an excellent provision in what I regard as a good, fair and responsible Budget. It is with great pleasure that I commend clause 10, although I have a little trace of regret that when I had Treasury responsibility, I was unable to take the helpful action that my right hon. Friend the Chancellor and my hon. Friend the Economic Secretary have now taken.

7.30 pm

Mr. Beith: Clause 10 is a welcome feature of the Bill and addresses part of a major problem for smaller businesses. Bad debt is the tip of the iceberg of the problem of debt and late payment, which besets small business to such an extent that it has given rise to pleas for legislation and to private Members' Bills which have addressed the wider issue of late payment. Government Departments themselves are sometimes open to substantial criticism because many small businesses find it most difficult of all to deal with Government agencies.

There is also a case for the Government, perhaps through training programmes, through the training and enterprise councils and through help for small businesses to direct attention towards ways of stopping bad debt problems mounting up and to encourage new businesses to put invoice and collection systems properly in place from the beginning. In my experience, many good craftsmen and tradesmen are often slow to send in their bills, so they are slow to realise that bad debts will arise.

I am sometimes amazed by how long people who have done decent jobs wait to get paid and how often they fail to issue an initial invoice, let alone chase up the debt involved. That is often because such tradesmen are good at doing the job rather than good at the technicalities of chasing payment. However, there are so many relatively simple computer systems now that small business can be given every help and encouragement to stop the problem building up.

Clause 10 addresses the extreme end of the problem —genuine bad debt. In a wide-ranging speech, the hon. Member for Islington, South and Finsbury (Mr. Smith) talked about the banks and their involvement. It struck me at the time that it is all very well for the banks to talk about bad debt when they have found that the worst bad debts are caused not by the expansion of demand in the retail trade, but in Third-world countries and in agriculture.

Mr. Neil Hamilton: Does the hon. Gentleman agree that there would not have been so many bad debts if the banks had not been such bad lenders?

Mr. Beith: The banks' readiness to lend in circumstances in which individuals should be much more cautious about the pressure put on people to borrow money has been part of the recent economic problems, although the record of recovery at the personal debt level is very much better than it is in some other areas. I singled out agriculture and debts in Third-world countries as areas where the banks have seriously overcommitted themselves far more, to their own detriment. In personal debt, they have caused considerable damage to individuals by encouraging them to take out debts that they cannot repay.

Sir Alan Glyn (Windsor and Maidenhead): Does the hon. Gentleman agree that by giving enormous advances to Third-world countries, which will never be repaid, the banks have made it almost impossible or far more difficult to lend to smaller businesses?

Mr. Beith: No, because the banks still have the capacity to provide loans to small businesses. I am critical of the way in which they carried out lending operations to Third-world countries, but we shall have plenty of opportunity to talk about that when we debate other provisions in the Bill.

I and my right hon. and hon. Friends have tabled amendments designed to improve clause 10. Amendment No. 37, which overlaps with amendment No. 2, seeks to delete the word "accounts" and to insert "books and records". It is worrying that, if full statutory accounts are required, it will be a long time before a business can make a claim for relief from VAT. It could be a process of two years to have audited accounts available and unless the word "accounts" is used in a looser and more general way, the clause could present a real obstacle and could leave small businesses wondering whether it will be worth the effort and time involved in following the matter through over so long a period. I hope that the Economic Secretary will tell us that the word "accounts" in this case does not mean final audited or statutory accounts.

Amendment No. 38 seeks to remove clause 10(4)(b) which denies relief where the goods have been supplied under a reservation of title, or what is known as a Romalpa title in the trade, in which the title remains with the vendor until payment is received. The logic is that the vendor can simply repossess the goods to meet his VAT payments and the debt to him, but that is not always easy. A hire purchase item may mysteriously disappear from the premises of the person who has incurred the debt. A piece of equipment may be supplied to another company which, strangely, has disappeared. Access to the premises may not be easily obtained. There are many reasons why repossession may not be feasible in the circumstances.

If the debt is treated as a bad debt, but the item is subsequently reclaimed or returns to the possession of the business, the value would come back via clause 10(5)(e) and would be repaid. There are provisions there to ensure that a bad debt that ceases to be a bad debt is not the subject of a double benefit. I hope that the Minister will either accept amendment No. 38 or find some other way to ensure that people trading in that manner can obtain VAT relief. We are dealing with a sector that is important not only in the retail hire purchase trade, but in small business generally.

Small businesses that face difficulties in obtaining capital are frequently involved in arrangements under which they have equipment whose title remains with the vendor until payment is received or completed. It is a

common method and is an alternative to full-scale leasing which many small businesses use for the equipment they need. I look to the Minister to find a way of meeting those difficulties. If he does so, he will improve what is already a useful clause.

Mr. David Nicholson (Taunton): This is the first debate on a Finance Bill in which I have taken part which has been initiated by the hon. Member for Islington, South and Finsbury (Mr. Smith), for whom I have some admiration. However, I am sorry that he spoke at some length and somewhat controversially in the early part of his speech. He spent so long in setting the scene that I hope, Mr. Lofthouse, that you will permit me to respond to his remarks on interest rates, for example. All hon. Members recognise that interest rates are a major problem for all kinds of businesses at present. However, let the House not forget that, under the previous Labour Government, the rate of interest was normally below the rate of inflation, so savers were losing all the time. It is appropriate to make that point in the debate on a Budget that aims to help saving.

The hon. Member for Islington, South and Finsbury also referred to the uniform business rate as a source of burdens on small businesses. He will recall that we have previously debated the Labour party's attitude to the revaluation of business rating, which is by far the greatest cause of the burdens facing many businesses at the moment. The Labour party supports that revaluation.

We welcome the measure in clause 10 which, as has been stated, will cost between £150 million and £200 million. That is a substantial amount at a time when budgetary pressure is significant. I listened with interest to the hon. Member for Islington, South and Finsbury. Certain business organisations share some of the reservations that have been expressed. I understand that the Confederation of British Industry has expressed reservations, although I have not been in direct contact with it. I believe that it has made representations to one or two of my hon. Friends.

I must declare an interest because I am an adviser to the Building Employers Confederation which, in collusion with the CBI, has expressed concern about the way in which the bad debt relief might work. The BEC does not want traders to have to wait two years for the relief to take effect. It also sees certain advantages in running the new system in parallel with the old so that there will be an alternative. I hope that my hon. Friend the Economic Secretary to the Treasury will address those concerns expressed by business organisations and consider further possible representations that they might make in writing after this debate.

Mr. Allen: It is worth noting that it was a Conservative Administration who raised VAT from 8 per cent. to 15 per cent. in their first year of office. We must view some of the problems that are related to clause 10 against that background and against a wider background of small businesses suffering the highest interest rates of any G7 country and the highest rate of inflation in industrialised Europe. I must make those points as we discuss what some people outside this place might consider a rather technical clause.

You were right, Mr. Lofthouse, to call me to order earlier when I referred to the uniform business rate. That also forms part of the background to this debate, in which we are considering small businesses that might be forced out of business. The registration requirement might be the final straw for them. Because of the wider factors to which I have referred, many small businesses will find that any additional impositions might be enough to force them over the brink. Dun and Bradstreet estimate that in 1989 bankruptcies were running at 26·3 per cent. in London and the south-east, while the figure was 9·3 per cent. for England as a whole. Those figures appeared in March 1990.

Mr. Hanley: Of what was that 9·3 per cent.?

Mr. Allen: Of 100 per cent.

We must also put the problem of late payments into perspective. My hon. Friend the Member for Ashfield (Mr. Haynes) paid tribute to his predecessor and I wanted to pay tribute to my predecessor, who was also a Conservative, Mr. Richard Ottaway. He often raised the issue of small claims and late payments. I am glad to see Conservative Back Benchers picking up on that campaign once again. I hope that they will find a ready response from the Government Front Bench.

Mr. Hanley: Will the hon. Gentleman consider the number of liquidations against the number of new companies being formed? If he did that, he would see that in all parts of the country the net number of new companies is higher than ever in our history.

Mr. Allen: We must be very careful about the number of companies and businesses that are being created. We must consider how long they last. The companies that become bankrupt or go out of business may be different companies from those that are being created. My hon. Friend the Member for Wrexham (Dr. Marek) has just arrived in the Chamber hot foot from his constituency. I understand that he has lost 1,000 jobs in his constituency over the past couple of days. Frankly, even a dozen new hamburger stalls would not compensate to that loss of jobs.

Dr. John Marek (Wrexham): I hope that we have not yet lost those jobs. Brymbo was one of the most profitable steelworks in the country. It takes genius on the part of the Government to lose those jobs.

Mr. Allen: All new business is welcome. However, we must ensure that the balance in our economy, which has been distorted over the past 10 years, reaches some equilibrium. We need full-time jobs that pay a reasonable rate for the job. People should not be forced into low-income employment to supplement otherwise inadequate earnings. Wives should not have to go out to work when they would rather look after young families at home when their husbands are at work.

I understand that the measure in clause 10 will cost about £150 million. I do not want the measure to be withdrawn and I do not say that £150 million should not be spent. However, I hope that we will refer to the measure constantly in our proceedings on this Bill as an illustration of where the Government's spending priorities lie. In an earlier debate, the Department of Employment's training programmes were cut by £212 million. Today the Prime Minister refuted the need for more resources to be devoted to tracking down sex offenders—something that is close to the hearts of some Opposition Members.

The Temporary Chairman: Order. The hon. Gentleman is straying. He should return to the amendment.

7.45 pm

Mr. Allen: I accept that reprimand, but I was trying to draw a perspective on the spending involved in clause 10. That spending amounts to £150 million. While I do not believe that that money will not be spent properly, there are other spending priorities, which should be examined thoroughly in our debates on this Bill.

Mr. Tim Smith: The hon. Gentleman is complaining about the cost of the measure. However, his hon. Friend the Member for Islington, South and Finsbury (Mr. Smith) has already welcomed it. He is proposing an amendment to reduce the period to one year, and no doubt that would increase the costs a great deal. What does the hon. Gentleman say about that?

Mr. Allen: I am sorry that my arguments went over the hon. Gentleman's head. I will try to explain them more simply, so that he can understand them. We are used to his interventions in the Public Accounts Committee, where he is usually a little more perceptive.

We are entitled to examine the Government's spending priorities as a whole in the Finance Bill. I welcome the spending on this measure of VAT relief. I also welcome the speech of my hon. Friend the hon. Member for Islington, South and Finsbury. My point is that there are many other spending priorities, but you, Mr. Lofthouse, would draw me to order if I were to refer to them in detail. However, those other priorities should also be taken into account. They illustrate the philosophy of a Government who, in many aspects in the Budget, have decided to do very little. They are holding the ship as steady as possible while it is surrounded by icebergs. Nevertheless, other areas are involved and need to be examined.

The first of the three amendments explained by my hon. Friend the Member for Islington, South and Finsbury seeks to ensure that the baby is not thrown out with the bath water. Although we welcome clause 10, we should ensure that companies that are insolvent retain their current abilities and are not ruled out of the provisions.

The second of our group of amendments seeks to help with small traders' claims for relief. That point has been well covered. The final amendment in this group, on which I have no doubt that my hon. Friend the Member for Workington (Mr. Campbell-Savours) wishes to comment, relates to the delay in claiming VAT relief on all written-off debts. Again, I hope that the Government will feel that it is possible to reduce the two years to one and that they will accept the amendment as proposed. If that is not possible, I hope that the Economic Secretary will at least agree to consider the matter in some detail and that he will make some verbal commitment when he replies.

Mr. Tim Smith: When VAT was first introduced, the position on bad debt relief was clear—there was no bad debt relief. It is important that the Committee understands how unfair that was. Value added tax was organised in such a way that a business had to pay over the VAT whether or not the registered trader had received the cash. If the trader never received the customer's cash, he never received the cash back from Customs and Excise. My right hon. Friend the Member for Brentford and Isleworth (Sir B. Hayhoe) was the Minister responsible for Customs and Excise at the time. He introduced what he has just conceded was a step in the right direction on the issue of bad debt relief, but it provided only for businesses that were already insolvent. There was therefore still a problem, because many businesses still had to pay VAT to Customs and Excise, but were unable to recover it.

It is important to understand that registered traders are effectively unpaid collectors of taxes. They are not dealing with their own liability; they are collecting a tax and paying it to Customs and Excise. It was a most unfair system, because they were required to pay a tax when somebody else was unable to pay it. The clause is welcome, as it introduces a comprehensive system of bad debt relief for the first time.

The hon. Member for Nottingham, North (Mr. Allen) does not seem to understand a great deal about VAT and would do well to listen at the moment—*[Interruption.]* I am glad that the Opposition Front Bench spokesmen are listening. The hon. Gentleman complained about the cost of the relief and suggested that it was an indication of the Government's public spending priorities. However, we are not talking about public spending priorities; we are talking about taxation yields.

If the cost of the relief is £150 million, we must remember that that £150 million is the bottom line for businesses that are not responsible for the fact that the tax has not been paid in the first place. It was not those businesses' fault that their customers had become insolvent or did not pay, but they had to pay the tax over to the Customs and Excise. It is because that system was so unfair that this change is so welcome.

The only point that I did not understand in the speech of the hon. Member for Islington, South and Finsbury (Mr. Smith) was his explanation of the importance of the clause for small businesses. I remind him that, in the past few years, another important change has been made—since the introduction of VAT——

Mr. Allen: Is the hon. Gentleman saying that providing the relief does not involve real money or real spending or certain priorities in relation to Government spending?

Mr. Smith: Of course it involves real money, but it has nothing to do with the Government spending. The provision involves a reduction in the yield of VAT, and for the reasons that I have explained, I believe that that reduction in the yield is wholly justified.

I was about to say that another important change that has been made to the VAT regime in recent years is the change to cash accounting. Any business with a turnover of £250,000 or less, which must accommodate a large number if not the majority of registered traders, can switch to a system of cash accounting if it so chooses, and at any time that it so chooses. It can then not only accommodate bad debts—there will be no problems about customers who have not paid—but it has a solution to the problem of customers who pay late. Cash accounting means that the trader pays the VAT to Customs and Excise only when it has been collected from the customers.

Can my hon. Friend the Economic Secretary tell us what proportion of VAT traders have opted for cash accounting? Surely more small businesses should be encouraged to make the change, because they would not have to worry about complying with all the requirements of the provisions on bad debt relief, and they would not

have to worry if some of their debtors took a long time to pay their debts, because all those factors are taken into account in cash accounting.

I believe that only a relatively small proportion of VAT traders have changed to cash accounting, and I wonder why. Is it because the system has not been publicised sufficiently? If more traders switched to that system, they would find substantial cash flow benefits and would no longer have to worry about the problems of bad debt relief. Clause 10 would then be relevant to large businesses with a turnover of more than £250,000. Although I hope that my hon. Friend the Economic Secretary will comment on that, I conclude by welcoming the new provisions.

Mr. Hanley: I welcome the speech of my hon. Friend the Member for Beaconsfield (Mr. Smith), which was in stark contrast to that of the hon. Member for Nottingham, North (Mr. Allen) in that it contained great good sense and was both accurate and to the point.

I, too, welcome clause 10. As my hon. Friend the Member for Beaconsfield said when he traced the history of bad debt relief—or the absence of bad debt relief—businesses of all kinds have been hard done by in the past, which is why the relief is so welcome.

However, although the previous relief needed amending to some extent, it should not be thrown out altogether. The Institute of Chartered Accountants in England and Wales believes that the clause is a welcome extension to the existing bad debt reliefs, at least where there is no formal insolvency. However, either the present relief should be allowed to continue in addition to the new relief that has been proposed—perhaps the former should be amended to provide for the repayment of VAT for amounts that are subsequently recovered, with proof of the insolvency for the VAT-inclusive amount of the debt—or the requirement for a two-year period should be substantially reduced. It has been suggested that the two-year period should be reduced to one year. That would be possible, but I accept that if the period were reduced there would be many more cases of doubt in which a bad debt was initially claimed but where the amount was subsequently paid.

We are all aware of the need for Customs and Excise to ensure that companies do not claim double relief. However, if the two systems of bad debt relief—the old system and the new system—were allowed to run in tandem, and if a VAT payer could opt for the system that he found preferable, he might be able to avoid claiming double relief simply by the inclusion of an additional box on VAT form 100, in which only the amount of the relief that has actually been claimed would need to be given. In that way, no one could enjoy double relief.

The Institute of Chartered Accountants in England and Wales also believes that the new relief is unduly restrictive because there is an unwarranted delay where the debt has become irrecoverable within a short period after the date of supply because of the insolvency of the debtor. That point has been raised by several hon. Members, including the hon. Member for Islington, South and Finsbury (Mr. Smith).

There is support for the fact that this is welcome relief, unless the debtor goes bankrupt, and then the delay seems far too long.

In his brief sketch of the legislation, the hon. Member for Islington, South and Finsbury——

Mr. Tim Smith: It was an outline.

8 pm

Mr. Hanley: As my hon. Friend says, it was an outline or perhaps even briefer than that. I am sure that we shall hear longer speeches from the hon. Gentleman in Committee. He also mentioned Romalpa-type goods, where goods are sold subject to reservation of title. The hon. Member for Brent, South (Mr. Boateng) would understand the legal title. Where the property and goods have not passed, the owner of those goods is placed in a difficult position. If the goods have disappeared, there is a bad debt, but, because the title has not passed, he is still deemed to own those goods, so there is a serious problem with clause 10(4)(b). It would operate unfairly if the title proved to be unenforceable. I am sure that the effect of that clause was not intended and was a straightforward slip which needs to be addressed. Hire purchase contracts or goods sold under reservation of title should not cause unfair disadvantage to those who have lost both the goods and, subsequently, the VAT.

Clause 10(5) mentions "regulations". It would be most helpful for all hon. Members on both sides of the Committee if those regulations were issued in draft form for comment before being laid before the House. There have been many cases during the past few years where the Revenue and the Department of Trade and Industry have been helpful over company legislation, and draft regulations issued for comment have helped to reduce final inaccuracies and argument.

That is particularly important in this clause, because accountants would like to feel that the definition of writing off a debt is at least consistent with their way of doing it. Will a debt being written off mean that the debt has to be written out of the books, or will it suffice if the full provision is made against it? The law is not clear and it would be much better if published accounts were consistent with what my hon. Friend the Economic Secretary is trying to bring into the legislation.

Presumably, the regulations will also specify the additional records that the taxpayer will have to keep to make a claim, and in what form. It is only right that practising accountants should be able to comment on that before the regulations are presented to the Committee. The Institute of Chartered Accountants in England and Wales has written to the Treasury saying it would be happy to discuss the draft with Her Majesty's Customs and Excise if it so wishes.

The bad debt relief should be available where a provision is made in respect of a debt, rather than its being written off. Should the amount prove recoverable, the debt would be repayable. It would be disappointing if best accounting practice was distorted as a result of the need to comply with the write-off requirements under the regulations. Therefore, I welcome the clause, but believe that the two or three issues raised by hon. Members from both sides of the Committee are worthy of comment. In that spirit, I support the clause.

Mr. Campbell-Savours: When one misses a Finance Bill or two, one becomes quite rusty on such matters, and I must confess that I feel a little rusty on this issue.

I should like to raise a couple of points because, if I recall correctly, early in the 1980s I spoke on an amendment to the Finance Bill in some detail having done a considerable amount of homework. I am trying to empty my mind of what I said then. Now that a scheme is in place

[Mr. Campbell-Savours]

—at that time I was arguing for the introduction of a scheme—I am concerned about what would happen if someone claimed relief, having written off a debt, and subsequently reclaimed the goods.

The hon. Member for Richmond and Barnes (Mr. Hanley) alluded to what would happen if relief was claimed and the goods were subsequently re-acquired——

Mr. Hanley: If the goods were reclaimed, the relief would have to be repayable.

Mr. Campbell-Savours: I can understand that if settlement of the account finally took place, the VAT would have to be adjusted to take that into account. However, I am not sure that it is the function of the Customs and Excise authorities to police where goods have been re-acquired by manufacturers or distributors from customers who have not paid, but have been willing to relinquish control of the goods.

Mr. Hanley: I do not believe that the hon. Gentleman was in the House when the hon. Member for Islington, South and Finsbury made exactly the same points as I did. If the hon. Member for Workington (Mr. Campbell-Savours) disagrees with what I said, he is disagreeing with his own Front-Bench spokesman.

Mr. Campbell-Savours: It is not unknown for me to depart from the views of my Front-Bench spokesmen. This is the House of Commons, a debating Chamber, and we are free to speak. This is hardly a matter of huge political dimension, requiring us to take an entrenched ideological position. We are discussing to and fro the merits of a scheme. I was not here earlier because I was in the Select Committee on Members' Interests, dealing with matters that I find important and interesting.

I support the amendment to reduce the period to one year. It seems that it will be hard for Customs and Excise to police where goods have been reclaimed from customers who have had their VAT liability to the seller, distributor or supplier of the goods written off. It would be hard to monitor that.

It might be that firm A supplies to firm B £5,000-worth of merchandise. Firm B dillies and dallies and at the end of two years, firm A claims relief. Six months later, firm A may send round a couple of wagons to firm B and say, "We know that you have the goods in there and we want them back. You never paid us. We have received the money back from Customs and Excise, but you never actually paid us and we want our goods back." Firm A may go in and secure those goods. That is a reasonable case. What would happen in that instance? Will the VAT monitoring apply equally in that case, or will it partially apply? How will it be policed? I do not know.

I believe that the provision is a major concession. I remember the old days when purchase tax was 25 per cent. There was a time when it was even more. There was a purchase tax surcharge in the late 1960s when I was in business when it was as much as 35 or 37.5 per cent.—extremely high. At that time one could not reclaim it and when someone did not pay, it was a big wallop out of one's cash flow. We have seen purchase tax reduced to 8 per cent. as VAT and rise to 15 per cent. and I am sure that today, while it will not be on such a high scale, it will certainly have a major effect on cash flow when companies do not pay their bills or VAT liabilities.

I remember a particular incident in which I was involved. In 1976, in my former incarnation as a business man, I was supplying clocks to a large retailing organisation. It advertised my clock in full-page advertisements in one of the Sunday colour supplements. The company performed some clever manoeuvres when placing its orders. I was not too intelligent at the time; I was just banging out the gear, getting it into the shops to our clients, and perhaps forgetting that certain customers were building up a lot of credit. One particular customer built up credit of about £10,000—worth about £30,000 today—and then took our company for a ride. Of course, we were left to pay the bill for VAT. The rogue company never went into liquidation and we never found out what happened to it. By that time I had retired from the business to come into this blessed place. No claim was ever made, and what had previously been partly my company ended up subsidising Customs and Excise. That was wrong, and it has perhaps gone on to this day when liquidations have not taken place.

Based on my experience, I welcome a reform of this nature. But we should also consider the implications for many businesses suffering from high interest rates. Many companies in times of comparatively declining consumption and difficult market conditions—we are now entering such a period—find it hard to use all their capacity, and often find their profits falling as a result. At a time when such companies are borrowing more and more from the banks to invest in technology, as the Government told them they should, and when they are having to pay high interest rates, concessions of this sort are important because they save companies money and have a significant and positive effect on their cash flow.

Mr. Neil Hamilton: I mean no disrespect to my hon. Friends or even, unusually, to Opposition Members when I say that the most fascinating speech in the debate so far has been that of my right hon. Friend the Member for Brentford and Isleworth (Sir B. Hayhoe), who I well remember defending with passionate intensity in previous such debates positions that he now declares he believed all along to be indefensible. I know that the Economic Secretary will not be unfamiliar with that aspect of a Minister's life; but I have often spoken on previous Finance Bills to advocate broadly the sort of relief that the Government propose this evening. I greatly welcome it.

I was most interested by the speech of the hon. Member for Islington, South and Finsbury (Mr. Smith). I am delighted that he accepts the recommendations of the Institute of Directors on this matter. This is a most welcome new alliance with the Labour party, and I hope that it is contagious and will extend in due course to many of the other policies of the institute. Then we will know that perestroika has come to the Labour party in a big way.

Only one of my two amendments has been selected. They propose a slight modification of the Government's legislative proposals. In particular, they would reduce the two-year period before relief can be claimed to 13 months. It may be wondered why I selected 13 months, as opposed to 12. My first reason was that I discovered that the Labour party had selected 12—my original suggestion. However, I have been able to think up a rational

justification for my change of mind. It is that 13 months can be justified as one year from the usual due date for payment after presentation of an invoice—usually 30 days or one month.

My second amendment seeks to bring forward the earliest date at which a claim under these rules can be made to 1 April 1991. That has been necessitated because my amendment to reduce to 13 months the period before relief can be claimed has the consequential effect, given the way the clause is drafted, of bringing forward the earliest claim date to 1 April 1990. Clearly it would be impossible to have a claim date earlier than that on which the regulations under the clause come into force, so I chose 1 April 1991 as a date which accommodates the reasonable suggestions of the Customs and Excise as to what is practically possible, but which seeks to bring forward the date on which the relief will become available in the interests of those who will be able to claim.

8.15 pm

I greatly welcome the Government's proposals, because proper relief of VAT on bad debts has been a notable omission from United Kingdom tax legislation, as my hon. Friend the Member for Beaconsfield (Mr. Smith) pointed out, since the inception of VAT. This inequity has been staring Governments in the face for a great many years and hon. Members on both sides of the House have campaigned strongly for many years against it, in the interests, particularly but not exclusively, of small businesses.

It is perhaps interesting to look back over the various reforms of the past 15 years or so and to see the slow steps by which we have reached this point. Section 22 of the VAT Act 1983 re-enacted provisions in the Finance Act 1978 and gave relief in cases in which there had been a formal insolvency. Then, in 1985, as my right hon. Friend the Member for Brentford and Isleworth recalled, relief was extended to include administrative receiverships. And then, in the Finance (No. 2) Act 1987, we introduced that most valuable provision, the cash accounting scheme, for traders with a turnover of up to £250,000.

If I may supply my hon. Friend the Member for Beaconsfield with the answer with which the hon. Member for Nottingham, North (Mr. Allen) was unable to supply him as to why we need this new relief, inasmuch as most small businesses can avail themselves of the cash accounting system which would remove the necessity for it, it is that, for whatever reason, there will be traders who do not appreciate where their true commercial tax advantage lies, and it would therefore be right to provide a catch-all relief. This provision certainly does that.

I share the view of my hon. Friend the Member for Beaconsfield that it would be in the interests of many more firms to take up the opportunities that the Government have provided for them. They perhaps do not sufficiently realise the advantages to their cash flow that the cash accounting scheme would provide. I should be very surprised to hear from my hon. Friend the Economic Secretary figures to show that more than a very small proportion of those who qualify for the cash accounting scheme have actually taken up the opportunity with which the Government have provided them, and I hope that they will be encouraged to do so.

In July 1988, Customs and Excise announced a review, following a commitment in the enterprise and deregulation unit's progress report earlier in the year, to look into the matter. We have been waiting a long time for this most welcome change, which the Government have introduced after a period of consideration.

My amendments seek to bring forward the point at which the benefits of this relief become available. One of the reasons why that is necessary is the very length of the period of gestation that I have described. Business deserves prompt and full relief without further ado, and I do not believe that the arguments for a two-year period are very compelling.

Attention has rightly been concentrated on the cost to the Treasury of the reduced yield of VAT that these proposals would cause. If their proper relief is expensive, that is merely a measure of the unfair burden that those businesses have had to endure for many years.

We should not be apologetic in any way about the cost to the Treasury of these proposals. That burden falls especially on small businesses which do not have the muscle that larger businesses use to make their customers pay promptly. For many small businesses, a bad debt can prove fatal. It can be the straw that breaks the camel's back, and being able to recover VAT promptly on a large bad debt can be the difference that enables a firm to survive and can stop the domino effect of default, bankruptcies and insolvencies.

This is a valuable means of preserving businesses that might otherwise be threatened. It has job-saving potential, and also the revenue-raising potential that comes from profitable businesses paying taxes rather than becoming a charge on the taxpayer as a result of failure.

The reason that I have sought to reduce the two-year period to 13 months, and why the Opposition have sought to reduce it to 12 months, is that, for most businesses, once a debt is over a year old, the likelihood of recovery is small. We should recognise that one year is a sensible period to choose, because at the end of that time, the debt is in practice unlikely to be recoverable. I hope that my hon. Friend the Economic Secretary to the Treasury can offer some comforting words when he replies to the points that I have made.

My hon. Friend the Member for Richmond and Barnes (Mr. Hanley) and the hon. Member for Islington, South and Finsbury spoke of running in tandem the old section 22 relief and the proposals in the Bill. I support that contention, because I see nothing wrong with running the two in tandem. It may be more advantageous to businesses to seek the section 22 relief, and businesses that are used to doing that should be allowed to continue in that way.

I do not wish to sound churlish because I greatly welcome the birth of this advantageous tax relief. It coincides with the appointment to his distinguished office of my hon. Friend the Economic Secretary to the Treasury. I congratulate him on building on the work of our right hon. Friend the Member for Brentford and Isleworth (Sir B. Hayhoe) who covertly and strongly fought the mandarins of the Treasury all those years ago. I congratulate the Government on their proposals.

Mr. Ryder: I reiterate my gratitude to my right hon. Friend the Member for Brentford and Isleworth (Sir B. Hayhoe). I am sure that my right hon. Friend the Chancellor, being a generous man, would be happy to share the credit for the implementation of this clause with my right hon. Friend the Member for Brentford and Isleworth, for whose kind remarks I am grateful.

[Mr. Ryder]

I start by responding to some specific and technical points that were made by some of my hon. Friends and by Opposition Members, including the hon. Members for Islington, South and Finsbury (Mr. Smith) and for Workington (Mr. Campbell-Savours). My hon. Friend for Richmond and Barnes (Mr. Hanley) spoke about extra boxes. I understand that the return has just been revised to make it shorter, simpler and easier for traders, and that that has been done very much along the lines that my hon. Friend suggested. That is part of the Government's deregulation drive.

My hon. Friend the Member for Beaconsfield (Mr. Smith) asked about numbers. I think that about 83,000 have taken up cash accounting out of a total of 600,000. That represents about 15 per cent. so far. The hon. Member for Workington conceded that he was a little rusty after all these years. This is the first time that I have had to speak about VAT from the Front Bench and I can tell him that he is not the only one who feels a little rusty.

In the debate on last year's Finance Bill, which I have read, the hon. Member for Workington spoke about corporation tax. This time he has raised the matter of policing. VAT officers will be instructed to pay special attention to bad debt relief claims during normal control visits, and they will carry out cross checking of supplies, verification and transaction testing, especially in relation to associated companies and connected persons. We have approved 20 extra staff for that very purpose and with the full implementation of the Keith committee proposals, Customs and Excise now has a fuller armoury of criminal and civil evasion powers to deal with any dishonesty that is discovered.

Mr. Campbell-Savours: Is not there a danger that the defaulting company could claim that it has paid its account and the value added tax that was due, when in fact it has been written off by the supplying company?

Mr. Ryder: I do not think that that is a danger. During discussions that I have had about the clause it has never been drawn to my attention that it could be a danger. If the hon. Gentleman feels that the matter is worthy of further investigation, I shall certainly carry out an examination on his behalf.

The hon. Member for Islington, South and Finsbury raised three specific points about clause 10(5)(g) and the powers of VAT commissioners. We are looking at the feasibility of a consultation exercise on the draft regulations. If the hon. Gentleman has any specific matter that he would like to draw to our attention in connection with that exercise, we would be grateful to receive it. Clause 10(4)(a) is a straight copy of section 32(4)(a) of the Finance Act 1985. There is no case for giving more relief than the supply is worth. I think that traders might be tempted fraudulently to inflate the value. The other technical point raised by the hon. Gentleman was in the context of section 22 of the 1983 legislation, which has been superseded by section 32 of the Finance Act 1985.

The hon. Member for Islington, South and Finsbury made a great deal of the problem that some small businesses are suffering because of high interest rates. At the moment, lower interest rates are not a viable option if inflation is to come down. I draw his attention to an article last week in the *Bank of England Quarterly Bulletin* which stated that interest rates are an extremely effective policy instrument and that, if anything, their effectiveness has increased rather than decreased in recent years. I cannot share what I would describe as the hon. Gentleman's gloom merchant's analysis of small businesses. As one of my hon. Friends said in an intervention, there are now about 1,500 net new businesses starting every week.

Ms. Abbott: How many bankruptcies are there?

Mr. Ryder: The figure that I have given is net. The net figure during the last full year of a Labour Government was a loss of 100 rather than a gain of 1,500. It was minus 100 and not plus 1,500.

Mr. Battle: Is not the crucial point how long those businesses last? Businesses may start up, but if they do not survive the year, the figures are meaningless.

Mr. Ryder: If they do not survive the year, they go into the next year's figures. This is a net figure, a rolling figure. It is the figure of the new VAT regulations, which is in the public domain and constantly used by the Government.

Mr. Campbell-Savours: I do not think the Minister understands the importance of the intervention made by my hon. Friend the Member for Leeds, West (Mr. Battle). We are discussing bad debt. If, while pressing his case, the Minister is forced to accept that a large number of companies are dropping out of business or becoming insolvent, he is accepting that there is a disproportionately higher level of debt today than previously. If people are dropping out of business, the chances are that it is because of insolvency and they will leave debts behind. Surely it cannot be the Government's policy to promote a climate of business expansion which is reliant on the odd few getting through and a majority dropping out, creating immeasurable damage in terms of bad debt liability with the consequences of that on those who survive. We cannot run a modern economy on that basis. Who is protecting whom in those circumstances?

8.30 pm

Mr. Ryder: I do not deny that many small businesses are experiencing serious problems. With interest rates at their present level, it would be unusual if they were not. But I gave the net figure of new businesses starting up. There is no denying that many small businesses are closing and that many that are not closing are suffering from some of the problems to which the hon. Gentleman referred.

Clause 10 is another step towards improved conditions for small businesses, and most hon. Members who have spoken have expressed their support for it. It follows a catalogue of tax cuts undertaken by the Government since 1979. I am grateful for that support for the general thrust of the measures that have been incorporated in the clause.

Clause 10(6) provides for the making of regulations to cover the accounting requirements of the new scheme. They will provide that any trader wishing to claim bad debt relief will be required to maintain a separate bad debt relief account. When a debt is deemed to be bad, the trader will enter the debt in the bad debt relief account. That will be regarded as write-off for the purpose of the clause, as the debt will have been tranferred from whatever form of current account the trader maintains.

Concern has been expressed by hon. Members and by interested organisations outside the House that the requirement for write-off might not be met until a trader's

accounts are audited or approved at a general meeting. I hope that the hon. Member for Berwick-upon-Tweed (Mr. Beith) will accept that amendment No. 37 addresses an unfounded fear. However, should the accounts subsequently be rejected by the auditors or the general meeting in matters affecting bad debts, the clawback procedures would be appropriate.

Amendment No. 38 has been tabled by the hon. Member for Berwick-upon-Tweed because he believes that traders supplying goods under certain contracts—for example, Romalpa—will be at a disadvantage. I do not think that that will be the case, because under such contracts the seller reserves title until the customer has paid for the goods. If the customer does not pay, the seller can either reclaim the goods, in which case there is no debt, or he can relinquish title to the goods and become eligible for bad debt relief. The amendment would allow the seller to do both. In other words, there would be double relief, and that would not be wholly justified.

Mr. Beith: Does that mean that a trader can self-certify that the debt cannot be recovered and so transfer title and, in some cases, if a person cannot be traced so that transfer cannot be formally effected, he can simply report to Customs and Excise that he has surrendered title and claim VAT relief?

Mr. Ryder: That is a possibility.

Amendment No. 1 was echoed by an amendment in the name of my hon. Friend the Member for Basingstoke (Mr. Hunter) which was not called. It proposes that our new scheme should co-exist with the previous bad debt relief provisions which relied on formal insolvency. The argument here is that when a company goes into formal insolvency, within a period of two years the creditor is worse off under the new arrangements than he was under the old arrangements. Much has been made of that by some commentators outside the House, but I wonder how often that would arise in practice.

I am told that it takes on average 18 months for a creditor to pursue a debt from the initial supply of goods or services to unsuccessful enforcement through county court procedures. Only then might a creditor contemplate insolvency as a means of recovering at least part of the debt owed to him. I would certainly expect companies to think twice about supplying goods or services on credit to a company which has already experienced problems in paying others.

If we were to go down that route of dual running, there would be considerable administrative complexities for business men and for Customs and Excise, who would have to guard against the possibility of claims being made under both systems. One of the virtues of the system that we are proposing is that relief is automatic. Therefore, in principle, it should be simple to operate.

Amendment No. 3 is the core of the debate, as was acknowledged by the hon. Member for Islington, South and Finsbury. It seeks to reduce the waiting period before bad debt relief can be claimed from two years to 12 months. A cut in the time limit also found favour with, among others, my hon. Friends the Members for Taunton (Mr. Nicholson) and for Tatton (Mr. Hamilton). My hon. Friend the Member for Tatton tabled an amendment for 13 months rather than 12 months. Amendment No. 24 in his name is a consequential amendment which would follow if amendment No. 3 were to be accepted.

I would expect a company, before it wrote off a debt, to make every attempt to recover not only the VAT, which would be a fairly small proportion of the sum, but the debt itself. In our judgment, two years is the appropriate period which should elapse before a company decides that a debt is irrecoverable.

Mr. Campbell-Savours: Why?

Mr. Ryder: If the hon. Gentleman waits a second, I shall explain.

Mr. Boateng: That is what we are waiting for.

Mr. Ryder: I always leave the good news to the end, as the hon. Gentleman, our favourite Jacobin, knows.

Our judgment was that two years is an appropriate period of time to elapse before a company decides that a debt cannot be recovered. We are also conscious that too short a period might be open to deliberate abuse by fraudsters.

I am aware of the strength of feeling expressed in the debate and by the many organisations that have made representations to the Treasury. For those reasons, I have concluded that there may be scope for further improvement to the scheme. We shall be examining that possibility between now and Report stage.

I began today's proceedings by saying, in response to the hon. Member for Nottingham, North (Mr. Allen), that I was cordial, friendly, co-operative and helpful. It is in that spirit that I have put forward the views that I have. On that basis, I hope that the hon. Member for Islington, South and Finsbury will withdraw his amendment.

Mr. Chris Smith: I begin by thanking the Economic Secretary for his remarks about possibly issuing the draft regulations relating to clause 10 for comment before they are submitted to the House. We hope that that will be done. Certainly my right hon. and hon. Friends and I will want to take a vigorous part in such a consultation exercise.

I thank the Minister for his comments about the provisions of the clause as they effect hire purchase or Romalpa arrangements. As far as I could tell, the Economic Secretary was saying that, if title to the goods is relinquished by a decision of their supplier, bad debt relief can be claimed. I hope that I have correctly understood the Minister's remarks.

I was not entirely convinced by the hon. Gentleman's answers to questions asked by ourselves and the Liberal Democrats concerning the precise definition of accounts and the effect that an entry in the books of a company before accounts have been audited or published might have on the provisions of the clause. Perhaps we can continue to examine that over the next month or two.

As to the two major issues before the Committee, we have made substantial progress on amendment No. 3, and it would be churlish of me not to acknowledge that the Economic Secretary's response was extremely positive. We hope that, as our discussions progress, the Government will bring forward a new clause or amendment on Report to cover the points encompassed by amendment No. 3, and that their response is a harbinger of other changes of mind. It is good to see that happening so early in our discussions. We have struck gold. We find that the Government are accepting the wisdom and sense of amendments that we have tabled.

[Mr. Chris Smith]

Accordingly, I shall happily seek permission to withdraw amendment No. 3, and await our return to the issue to which it relates.

The Economic Secretary was somewhat less forthcoming in respect of amendment No. 1. We believe that a reduction in the time period from two years to one year would be useful; and that it would be sensible and right to run the existing system of relief in the case of insolvency together with the new one of automatic relief after a certain period has elapsed. Even with the shortened time period, in some cases—such as where insolvency occurs after three months—a supplier will have to wait another 12 months before being eligible for bad debt relief under the new system. We still want to press amendment No. 1, which seeks to allow the two systems to run alongside one another—but we give a warm welcome to the Economic Secretary's comments on amendment No. 3.

The First Deputy Chairman of Ways and Means (Sir Paul Dean): The debate that has just taken place related to amendment No. 2. Am I to understand that the hon. Member for Islington, South and Finsbury (Mr. Smith) wishes to withdraw amendment No. 2?

Mr. Chris Smith: Yes, Sir Paul. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendment proposed: No. 1, in clause 10, page 6, line 45, after 'elapsed', insert

', or the company or individual liable to pay any outstanding amount of the consideration has become insolvent and (except where Paragraph 10 (1A)(b) below applies) the person has submitted a claim in the insolvency for the outstanding amount of the consideration.

(1A) a company becomes insolvent for the purposes of this section if:

(a) it goes into liquidation in the United Kingdom or the Isle of Man at a time when its assets are insufficient for the payment of its debts and other liabilities and the expenses of the winding up;

(b) a person who has been appointed in Great Britain to act as the Administrator or Administrative Receiver issues a certificate of his opinion that, if it went into liquidation, the assets of the company would be insufficient to cover the payment of any dividend in respect of debts which are neither secured nor preferential; or

(c) a composition or scheme proposed by the Directors is approved under Part I of the Insolvency Act 1986.

(1B) An individual becomes insolvent for the purposes of this section if:

(a) in England and Wales he is adjudged bankrupt, a deed of arrangement is made for the benefit of his creditors, a composition or scheme proposed by him is approved under Part VIII of the Insolvency Act 1986 or, after his death, his estate falls to be administered in accordance with an order under Part XV of that Act;

(b) in Scotland, sequestration of his estate is awarded, he signs a trust deed for his creditors or, after his death, a judicial factor is appointed under Section 11A of the Judicial Factors (Scotland) Act 1889 to administer his estate;

(c) in Northern Ireland he is adjudged bankrupt, a deed of arrangement is made for the benefit of his creditors, a resolution of his creditors is approved by the court under Section 5 of the Bankruptcy Amendment Act (Northern Ireland) 1929 or, after his death, the court makes an order for the administration in bankruptcy of his estate; or

(d) in the Isle of Man, he is adjudged bankrupt, a deed of arrangement is made for the benefit of his creditors or, after his death, the court makes an order for the administration in bankruptcy of his estate.'.—*[Mr. Chris Smith.]*

Question put, That the amendment be made:—

The Committee divided: Ayes 165, Noes 224.

Division No. 208] **[8.45 pm**

AYES

Abbott, Ms Diane
Allen, Graham
Anderson, Donald
Archer, Rt Hon Peter
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beith, A. J.
Benn, Rt Hon Tony
Bermingham, Gerald
Bidwell, Sydney
Boateng, Paul
Boyes, Roland
Bradley, Keith
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Buchan, Norman
Buckley, George J.
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Carlile, Alex *(Mont'g)*
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Cohen, Harry
Cryer, Bob
Cummings, John
Darling, Alistair
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Doran, Frank
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fisher, Mark
Flannery, Martin
Foot, Rt Hon Michael
Forsythe, Clifford *(Antrim S)*
Foster, Derek
Fraser, John
Fyfe, Maria
Garrett, John *(Norwich South)*
George, Bruce
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Harman, Ms Harriet
Haynes, Frank
Heal, Mrs Sylvia
Henderson, Doug
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howells, Geraint
Howells, Dr. Kim (Pontypridd)
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Ingram, Adam
Janner, Greville
Jones, Barry *(Alyn & Deeside)*
Jones, Ieuan *(Ynys Môn)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kilfedder, James
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livsey, Richard
Lloyd, Tony *(Stretford)*
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
Maclennan, Robert
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(G't Grimsby)*
Molyneaux, Rt Hon James
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Mowlam, Marjorie
Mullin, Chris
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Redmond, Martin
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Robertson, George
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*

Smith, Rt Hon J. *(Monk'ds E)*
Smith, J. P. *(Vale of Glam)*
Soley, Clive
Spearing, Nigel
Steinberg, Gerry
Strang, Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Welsh, Andrew *(Angus E)*
Wigley, Dafydd
Williams, Rt Hon Alan
Wilson, Brian
Winnick, David
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Ayes
Mrs. Llin Golding and
Mr. Frank Cook.

NOES

Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Aspinwall, Jack
Atkins, Robert
Atkinson, David
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Bellingham, Henry
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Bruce, Ian *(Dorset South)*
Buchanan-Smith, Rt Hon Alick
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butler, Chris
Carlisle, John, *(Luton N)*
Carttiss, Michael
Chalker, Rt Hon Mrs Lynda
Chapman, Sydney
Chope, Christopher
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Couchman, James
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Dicks, Terry
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Dykes, Hugh
Eggar, Tim
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fairbairn, Sir Nicholas
Fallon, Michael
Favell, Tony
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
Galloway, George
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Sir Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heseltine, Rt Hon Michael
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Hill, James
Howe, Rt Hon Sir Geoffrey
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Janman, Tim
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
Key, Robert
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Lamont, Rt Hon Norman
Lang, Ian
Latham, Michael
Lee, John *(Pendle)*
Lennox-Boyd, Hon Mark
Lightbown, David
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
Lyell, Rt Hon Sir Nicholas
Macfarlane, Sir Neil
MacGregor, Rt Hon John
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marlow, Tony
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Maude, Hon Francis
Mayhew, Rt Hon Sir Patrick
Meyer, Sir Anthony
Miscampbell, Norman
Morris, M *(N'hampton S)*
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Cranley
Patnick, Irvine
Pawsey, James
Peacock, Mrs Elizabeth
Riddick, Graham
Ridsdale, Sir Julian
Roberts, Wyn *(Conwy)*
Rost, Peter
Rowe, Andrew
Ryder, Richard
Sainsbury, Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shepherd, Richard *(Aldridge)*
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stokes, Sir John
Stradling Thomas, Sir John
Sumberg, David
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thornton, Malcolm
Thurnham, Peter
Tracey, Richard
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Waddington, Rt Hon David
Walker, Bill *(T'side North)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Whitney, Ray
Widdecombe, Ann
Wilkinson, John
Wilshire, David
Wolfson, Mark
Wood, Timothy
Woodcock, Dr. Mike
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Noes:
Mr. Tom Sackville and
Mr. Kenneth Carlisle.

Question accordingly negatived.
Clause 10 ordered to stand part of the Bill.

Clause 3

HYDROCARBON OIL. 1979 C. 5

Dr. Marek: I beg to move amendment No. 33, in page 2, line 16, leave out '£0·1902 and insert £0·18'.

The First Deputy Chairman: With this it will be convenient to discuss the following amendments: No. 22, in page 2, line 23, leave out '£0·0299' and insert '£0·035'.

No. 39, in page 2, line 23, leave out '£0·0299' and insert '£0·0383'.

Dr. Marek: Amendments Nos. 22 and 39 are similar, but amendment 22 was tabled by the Opposition and amendment No. 39 by the Liberal party. They are important amendments as they affect our environment and what will happen to the country, and because last year, after a debate, the Government made certain welcome concessions and took steps to ensure that there was a good differential between leaded and unleaded petrol.

The amendment would reduce the price of unleaded petrol by a modest amount. We hope that the Government

[Dr. Marek]

will see the sense of that and, if they cannot accept the amendment, perhaps the Economic Secretary, who is to reply to the debate, will be able to offer some concessions in future years or in future budgets.

The Economic Secretary is, however, in great trouble. It was not a green Budget. Perhaps it could be said that the additional 2p differential on leaded petrol was a green measure. However, that was due to the 10 per cent. uprating of petrol of all types. Such a differential naturally leads to an increase in the differential between the price of leaded and unleaded petrol. The Treasury could do nothing about green measures in the Budget; it was waiting for the Secretary of State for the Environment to publish his Green Paper on the Government's intentions regarding the environment.

We have been led to expect a carbon tax and other radical proposals in the White Paper that is to be published in the autumn. However, according to the Sunday newspapers, the green tax on petrol proposal has been ruled out and will not be included in the White Paper that is being prepared by the Secretary of State for the Environment. In March he said that a green tax was an essential part of the Government's economic policies. Now, however, it has been ruled out. According to an unattributable briefing by a working party spokesman:

"Nobody in their right mind would expect a substantial increase in energy prices in the run-up to an election."

The Government have their eye on the next election. Therefore, the environment does not matter. What matters to them is that they should hold on to power. They do not mind what happens to the country. They are concerned only about the election. They are not concerned about green policies and the effect of existing policies on the environment, or about protecting the environment, or creating a better one.

9 pm

According to the unattributable briefing, the White Paper will discuss fuel taxation but it will not commit the Government to any moves, even if they are inflation-neutral, and it will be up to the Treasury to decide what petrol duties should be. If it is for the Treasury to decide what those duties should be, the Treasury should have insisted upon being told earlier this year so that the Budget could include measures that represented Treasury thinking on petrol taxation and how it saw its role in improving the environment.

It is important to encourage people to use unleaded petrol. In March 1989, 15 per cent. of all cars used unleaded petrol. In the previous year, the figure was only 2 to 3 per cent. That was a good increase, although not as large as some of us had wanted. By October 1989, the differential between leaded and unleaded petrol was 28 per cent. Unfortunately, the differential has remained at almost the same figure; it is now about 30 per cent. A number of organisations argue that the differential must be greater. An additional tax on leaded petrol is not required, but the Government could forgo a little tax on unleaded petrol. Last year the Treasury paid back £7 billion of the national debt, so it could offer a slightly greater differential on unleaded petrol. *[Interruption.]* The hon. Member for Lancaster (Dame E. Kellett-Bowman) always intervenes from a sedentary position and I can never hear her.

Dame Elaine Kellett-Bowman (Lancaster): I was simply making the self-evident observation that the Opposition incur debts and we pay them back.

Dr. Marek: That is not the case.

Dame Elaine Kellett-Bowman: It is.

Dr. Marek: We have the highest balance of payments deficit in our entire history. Even invisible earnings during the last few months of 1989 went into deficit for the first time ever. It comes ill from the hon. Member for Lancaster to say that the Government pay back the debts that we incur.

Dame Elaine Kellett-Bowman: Will the hon. Gentleman give way?

Dr. Marek: I shall give way again to the hon. Lady, if necessary, but she must make more substantial points if she wishes to gain the Committee's attention. Many hon. Members want to contribute to this important debate.

Dame Elaine Kellett-Bowman: Ever since the French revolution, we have borrowed a good deal. Each Labour Government have borrowed more, and Conservative Governments have paid it back.

Dr. Marek: The hon. Lady must examine the curves for the national debt in the past 150 years. It is true that it increased during the first and second world wars, but it has decreased under Labour as well as Conservative Governments. *[Interruption.]* Conservative Members need only examine the graph, and it will become clear. They will see that during the last war—under a coalition led by a Conservative Prime Minister—the levels were high.

Dame Elaine Kellett-Bowman *rose*——

Dr. Marek: Let us talk about unleaded petrol instead. The problem is that the number of cars using unleaded petrol has remained stuck at about 28 or 30 per cent. for the past six months. We need an incentive for people to change to unleaded petrol. They will not do so now, because the argument has gone off the boil.

Mr. Keith Mans (Wyre): Surely the 28 per cent. figure reflects the number of cars that cannot be changed to unleaded petrol. However, the figure is liable to go up regardless of any changes in duty that may occur in the next few months as more and more new cars run on unleaded petrol from the word go.

Dr. Marek: More cars could change to unleaded petrol than are doing so now.

We must remember that lead in petrol damages the heart, the kidneys and the central nervous system—*[Interruption.]* The hon. Member for Lancaster is moaning again, but it is true. Lead in petrol causes anaemia and high blood pressure, and can be responsible for abortion and stillbirths. It is an evil that we can do without.

I am sorry that the hon. Member for Tatton (Mr. Hamilton) is not in his place—perhaps he is pursuing a constituency interest—because not so many years ago he argued for the retention of leaded petrol. I hope that no Conservative Member will do that tonight.

Opposition Members are not happy that the Chancellor has increased the price of petrol by 10 per cent. across the board. We had hoped for a differential between leaded and unleaded petrol, but there was none in the Budget.

There are also the problems of the 10 per cent. of disabled people who use the Motability scheme. Those people have their vehicles on a lease basis over a three-year period. Therefore, when the price of petrol increases, they can do less mileage. I do not expect an answer now from the Economic Secretary, but perhaps he can write to me later, as the problem is serious. I remind him that there are several well-known patrons of Motability, who I hope will agree that there is a case for examining the amount of finance available to Motability. Those who participate in the scheme suffer when the price of petrol rises above the rate of inflation.

Included among those patrons are the right hon. Member for Wallasey (Mrs. Chalker), the right hon. Member for Sutton Coldfield (Sir N. Fowler), the right hon. Member for Croydon, Central (Mr. Moore), the right hon. Member for Braintree (Mr. Newton), the right hon. Member for Chelsea (Mr. Scott), and finally, at the bottom of the list, the right hon. Member for Finchley (Mrs. Thatcher). With patrons like those, there should be no need for me to plead the case for fair treatment for Motability; However, I am doing so because the matter must be mentioned. I hope that what I have said will be considered by the Treasury—I see the Economic Secretary nodding. The EC Commission is pressing for a 30p differential between leaded petrol and DERV. At present the differential is only 20p and our amendment would widen it a little.

Our usage of diesel accounts for about 5 per cent. of the market, which is much less than most other European countries. I have a graph, although not the actual figures, which shows that if our usage is about 5 per cent., it must be about 10 per cent. in Germany, perhaps 28 per cent. in France and about 12 per cent. in Italy. So we are behind other European countries in the use of diesel. We could do more by increasing the differential because diesel can be a better fuel. It does not contain lead and it is 30 per cent. more economical, thus reducing the level of carbon dioxide emissions. When fitted with a three-way converter, it could be cleaner than anything that a petrol engine could offer. I do not have time to elaborate on those points, but I know that some of my hon. Friends hope to speak about them.

In summary, it is clear that more needs to be done. We had expected some green tinges to the Budget, but in the event it turned out to be grey on those issues. Perhaps the Treasury was caught out by the Secretary of State for the Environment, who was to have done great things but will not now do them. We shall be interested to hear the Economic Secretary's remarks. He will need to make some encouraging noises to prevent us from pushing the amemdment to a Division.

Mr. Teddy Taylor (Southend, East): The hon. Member for Wrexham (Dr. Marek) raised the important issue of unleaded petrol. The Government will wish seriously to bear his arguments in mind, but I hope that they will bear equally in mind the plight of unfortunate people such as I who bought a British car and found that it was not capable of being converted to take unleaded petrol.

One is often anxious to do the right thing—for example, to buy a good British car or use unleaded petrol—and bearing in mind the balance of payments problem to which the hon. Member for Wrexham referred, I regard it as my duty to buy British whenever possible.

The increase in the price of petrol as a result of the Budget was substantial. It went up by 10 per cent. for leaded and unleaded, adding 11p to a gallon of leaded and 9p to a gallon of unleaded petrol. The tax differential is now 15·6p per gallon and unleaded petrol now has about 30 per cent. of the market.

As I say, it was a substantial price rise. Most people have not noticed the extent of the increase because, at the same time as we had the increase, all petrol stations seemed to make the dramatic change from gallons to litres, and it is now difficult to work out the difference. I am reminded of what happened when we switched to decimal currency; with the change of system came a substantial rise in prices.

Whether or not the public are aware of what has happened, they would like to know whether the increases are part of a general move by the Government to implement the terms of the Single European Act and to aim to harmonise our taxation system in so far as that is necessary for the completion of the internal market.

In the debate on the motor vehicle market on 26 April, the Government made it clear that they continued to believe that centrally imposed tax approximation was unnecessary and inappropriate. Are the Government aiming at the harmonisation of indirect taxes and excise duties by 1992 in so far as that is necessary to complete the internal market?

The Minister will be aware that that would involve dramatic changes for Britain. It would mean, for example, a reduction of about £3 billion in the taxes on alcohol and cigarettes. That would bring joy to some, but not to those who would have to pay the £3 billion, which would have to be imposed on necessities.

If the Minister cannot avoid those measures, the people of Britain are entitled to know. I am not saying that the Government are right or wrong, but, quite honestly, I have not the slightest idea what the Government's policy is. It is terribly important that people should know. If we are about to move towards approximation with the EEC countries, that will mean rather dramatic changes in the tax we pay. It will mean, for example, much cheaper beer, much cheaper whisky, and significantly cheaper cigarettes, but essentials will go up and petrol will have to go up quite substantially.

The First Deputy Chairman: Order. I remind the hon. Gentleman that the clause and the amendments deal only with hydrocarbon oils.

9.15 pm

Mr. Taylor: That is why I stress that hydrocarbon oils are only part of the budget. We want to know whether the provisions are part of a move towards approximation.

Finally, if the Government do not consider that approximation is necessary on motor vehicles as well as on petrol, have they taken a legal view on whether the terms of the Single European Act could require them to do so if the Commission takes the view that member states have not approximated the taxes on petrol in so far as is necessary to complete the internal market? The Minister will be well aware of the problem as it has been drawn to the Government's attention many times. Many of us who sat through the late nights considering the Single European Act were worried that, although it stated that we

[Mr. Taylor]

had a veto, the clause states that we are committed to approximating in so far as it is necessary to complete the internal market. If the Commission does not think that we have a veto, what will happen?

I hope that the Minister will say, purely in relation to the clause and amendments dealing with hydrocarbon oils, whether the Government intend to move towards harmonisation in so far as it is necessary to complete the internal market, and whether they have taken a legal opinion as to whether they might be obliged to do so? Whether the answer is yes or no, it will mean a great deal to the British public. I know that there are different views, as there may well be different views in the Committee, but we are entitled to know exactly what the Government's policy is on one of the most dramatic aspects of taxation in our time.

Mr. Beith: The hon. Member for Southend, East (Mr. Taylor) has raised two points of relevance to the debate. The way in which petrol prices are displayed has a considerable effect on whether the differential appears significant to the motorist. He might have been suggesting that the fact that garages started displaying their prices in litres just when the prices were going up had something to do with Europe. But it was nothing of the kind; it was a direct result of a decision by the Government which led to an adverse report from the Select Committee on Trade and Industry and a prayer tabled against the regulations which had the signature of more than 200 right hon. and hon. Members.

That prayer was never debated because the Government were too embarrassed to allow it to be debated, but it was entirely at the insistence of the Government and nothing to do with Europe that the rule was changed so that garage proprietors are not obliged to show prices in gallons as well as in litres. I consider that the Government made a grave mistake and that they should have responded to the pressures from hon. Members on all sides of the House not to do that. The result was to make it more difficult for motorists to compare prices, particularly when increases are taking place.

It is still more difficult to make a realistic comparison. Perhaps I am getting old, but I still measure petrol prices in gallons because that is the term that makes sense to me. If people want measure in litres, that is fine for them, but why should not both prices be displayed? If the Government want to persuade motorists that there is a significant differential, why do they reduce the apparent differential by having the prices displayed only in litres?

A garage can voluntarily display the prices in gallons, but the Government have removed the obligation to do so. I suggest that hon. Members should support those garages which inform their customers properly and continue to show their prices in gallons as well as litres. That is certainly my practice and I hope that others will do the same.

There is no need whatsoever to achieve harmonisation of the duty on hydrocarbon oils across the Community to complete the single market. The only threat to the single market would be if different prices were charged in one country for commodities which came from other countries, thereby obtaining some price advantage.

There is reasonable pressure to harmonise in adjoining countries, where travel between the two is easy. Obviously, large differences in the price of petrol would lead to much cross-border driving to fill up with petrol in the neighbouring country—as, for example, between Northern Ireland and the Republic of Ireland. There is not the slightest reason why we should be constrained in rates of duty on petrol or on diesel by the fact that there remain differences with other countries in the European Community. It will not be worth anyone's while to pay a considerable fare to come on a ferry to get petrol cheaper here. Anyway, restrictions should be observed for safety reasons on the carriage of petrol in ferries. Harmonisation is not necessary, and I hope that the Government will remain vigorous in protesting that view in European discussions.

There is much at stake in this little bit of the Bill, because this is the entire Treasury commitment to greenery. When Treasury Ministers appear before the electorate, or go before their maker and are asked, "What have you done as a Treasury Minister to protect the environment?", all they can say is that the Economic Secretary wore a green tie for the debates on the Bill and that they had a differential on unleaded petrol.

I welcome the differential on unleaded petrol, for which I argued before its introduction. It is proving its value, but we expected more from the Budget. Where are the other measures which the Government could have taken—the grading of vehicle excise duty by engine size, a more rigorous approach to company car tax provisions, incentives to fit catalytic converters, measures designed to deal with noxious emissions——

The First Deputy Chairman: Order. The hon. Gentleman will realise that he is straying from the amendments.

Mr. Beith: I have made my case, Sir Paul. There were so many other areas into which Treasury Ministers could have gone to demonstrate that they were serious about the environment, that they place a great obligation on the leaded and unleaded petrol differential when it is their sole contribution.

It is not unreasonable, therefore, that some of us have tabled amendments to make the differential greater. Let us at least try to get this right. Clearly, there is a need for further substantial conversion, and a wider differential would help to achieve it. The amendments are designed to make sure that there is a difference of 15p per gallon at the pumps, not in the taxation rate. A complicated calculation has to take place wih the figures in the Bill to find out what the figure should be at the pumps.

There is a case for an even larger differential. As the hon. Member for Wrexham (Dr. Marek) pointed out, the differential for diesel in other countries is much greater than it is here. In some Scandinavian countries, the price of diesel at the pumps is only half that of petrol. There are problems about diesel. Work needs to be done to make sure that, in its use, we are environmentally friendly, but it is possible to be so, as the hon. Member for Wrexham pointed out.

I urge the Government to have a wider differential in favour of unleaded petrol and to reject the pleadings of their hon. Friends who in previous years were opposed to any differential. The hon. Member for Tatton (Mr. Hamilton), who took part in the debate last year, said that

there should be no differential. I am glad that the Government have gone at least some way along the road. I believe that they should go further.

Mr. Mans: I am encouraged by the comments of the hon. Member for Wrexham (Dr. Marek) on unleaded petrol. Despite what other members of the Labour party have said, he at least is encouraging the use of cars rather than public transport. Apart from that, I have sympathy with his view on unleaded petrol, having introduced a short Bill on the subject some 18 months ago.

The hon. Gentleman should make his case better. An increase in the differential would mean a larger take-up of unleaded petrol by the car-owning public. We should keep a clear idea of the objectives—to increase the number of motor cars that can use unleaded petrol and to increase the number of cars that are converted. Simply to increase the differential would be an expensive way of achieving those objectives.

Before the previous Budget, when the differential was increased, there was already plenty of evidence, although there was only 3p or 4p difference between the two prices, that people were already converting to unleaded petrol as a result of the promotional activities by the petrol companies and the manufacturers. Unleaded petrol week, which took place at the end of 1988, achieved much. I needed to be convinced then and I need even more to be convinced now that to decrease the amount of duty, which would involve a considerable sum, is the best way of using the money to encourage people to use unleaded petrol. I should much prefer the Government once again to encourage by promotional activities through the car companies and the petrol companies the use of unleaded petrol.

I wholly agree with some of the points made by the hon. Member for Berwick-upon-Tweed (Mr. Beith). There is not enough physical evidence at petrol stations of the price differential. In the case of some companies, such as British Petroleum, it is difficult to tell which pump has the unleaded petrol, because the new logo is green and yellow. That needs to be changed.

Mr. Robert B. Jones (Hertfordshire, West): I have taken up that point with BP and it has promised to look again at the somewhat indiscriminate use of green because of the misleading impression that it gives.

Mr. Mans: I am grateful to my hon. Friend. As I said, far more could be done at considerably less cost to the Exchequer to achieve an increase in the amount of unleaded petrol used by methods other than increasing the differential between the two fuels.

The hon. Member for Wrexham (Dr. Marek) talked about three-way catalytic converters, but in relation to diesel fuels, he should have referred to the catalytic trap. Amendment No. 33 does not seem to relate to diesel vehicles with a catalytic trap, but to all vehicles that use diesel. Before we go down that route, there must be far more evidence that there are no risks to health from diesel fumes. I am thinking especially of diesel vehicle emissions that can be carcinogenic. Last year in Germany, for example, where there had been an increase year by year in the number of diesel cars sold, the figure went down for the first time in five or six years as a result of that worry about health. There is equal worry about photochemical smog, especially in cities, as a result of diesel emissions. It is probably a mistake at this stage to use diesel more extensively when there is still much evidence to suggest that there are health effects about which we do not know fully.

Mr. Allen: Clause 3 is probably the most disappointing in the Bill. Above all, it exemplifies a missed opportunity. It deals with the changes in duty on leaded and unleaded petrol and on diesel, but sadly it is, as has been said previously, the green fig leaf to a Budget which could have been very green. We all accept that the Chancellor was constrained by his predecessor, the right hon. Member for Blaby (Mr. Lawson), and by his mistakes. No doubt he was also constrained by "her next door", by the high interest rates, by the rate of inflation which is the record for the G7 countries, by the monumental trade deficit which has built up under the current Administration and by the other economic circumstances. Having said all that, with a little more ambition and imagination, the Budget could have been creative through clause 3, and other green issues could have been raised. It is a missed opportunity.

There is nothing in the Budget on reducing VAT to encourage recycled material. There are no tax incentives to ensure the use of items that otherwise would not be used. Sadly, there is nothing in the Bill to encourage insulation.

The First Deputy Chairman: Order. I remind the hon. Gentleman that this clause and the amendment are concerned solely with hydrocarbon oils.

Mr. Allen: Indeed, but the clause contains no reference to the sizes of engines that use those oils, petrols and diesel fuels. Other countries have introduced a rigorous regime of pricing according to engine size, but unfortunately such a regime has not been introduced here.

9.30 pm

The Government have tried to get green credit by simply increasing the duty on all fuels by 10 per cent. Almost by accident there has been a very slight increase in the price differential. That has occurred not by design, but simply because all the fuels increased in price by exactly the same proportion. That is not enough.

It has almost been taken as read in this debate, but I must repeat it again, that lead in petrol can kill. The case is overwhelming that lead in petrol causes accumulations that affect foetal development, birth weights and the size of the circumferences of children's heads. It produces all those difficulties. A high level of lead in blood is now, beyond a shadow of a doubt, a serious problem which must be tackled.

I commend what the Government have already done to tackle that problem. However, we must continue that battle to ensure that more motorists use unleadeded or diesel. The percentage of drivers using unleaded has stagnated at around 30 per cent. Unleaded needs a further boost and the amendment would encourage that.

The hon. Member for Southend, East (Mr. Taylor) referred to European harmonisation. Harmonisation is a million miles away and I hope that the hon. Gentleman is not too happy about harmonisation on this issue. The price of leaded fuel in some European countries is far higher than it is here. If it was a little higher here and if unleaded was a little cheaper, far more people would use unleaded. Leaded petrol in Denmark is £2·77 a gallon. In Ireland it is £2·68 and in Italy it is £2·97. Only three countries out of 12 in Europe have cheaper leaded petrol than the United Kingdom.

We have seen what other countries have done with regard to the differential. We have seen the continuing effect of that. I hope that we have a Division on this amendment because it is important that people outside this place understand that the Labour party—we hope that we shall be joined by the smaller Opposition parties—is still determined to carry on the good work that has started. I hope that they understand that that work has not ended and that it should continue until the vast majority of motorists use unleaded fuel.

Mrs. Mahon: Like my colleagues, I do not apologise for drawing attention to the fact that lead is very dangerous. Some 80 per cent. of lead in the atmosphere comes from petrol. We should remind ourselves regularly just what lead does to us. As my hon. Friend the Member for Wrexham (Dr. Marek) said, it damages the central nervous system. It causes anaemia and it is particularly damaging to children who are vulnerable to its effects because their brains and nervous systems are still developing. Children absorb lead far more quickly than adults.

Mr. Battle: Does my hon. Friend agree that the very close proximity of inner-city schools and playgrounds to the busiest roads is at the heart of the problem of lead affecting small children?

Mrs. Mahon: Yes, there is well-documented, tragic evidence to that effect. At the moment there is an argument about at what level the intake of lead begins to harm people, and especially children. Evidence is growing that a threshold level at which harm starts to be caused does not exist and that the effect is a continuum. Low levels of lead can cause harm. We believe that any level is harmful. That is why one of our amendments would reduce the tax on diesel, which is lead-free and, as far as we know, much less harmful——

Mr. Mans *rose*——

Mrs. Mahon: No, I shall not give way to the hon. Gentleman because he has made his points and I should like my hon. Friend the Member for Carlisle (Mr. Martlew) to have his chance.

Diesel is more economical and reduces the level of carbon dioxide emissions. Therefore, we contend that the differential between leaded petrol and diesel should be increased as should that between leaded and unleaded petrol.

The pricing differential between leaded and unleaded petrol has been fairly successful. I do not think that any hon. Member would argue with the fact that it is has encouraged motorists to change to unleaded petrol. Nevertheless, as my hon. Friend the Member for Nottingham, North (Mr. Allen) said, we seem to have reached stagnation point. In March 1989, unleaded petrol sales accounted for about 15 per cent. of the market; by October 1989, they accounted for 28 per cent., but since then there is no doubt that the campaign has stalled. It is estimated that by March this year the percentage of petrol sales accounted for by unleaded fuel had climbed to about 30 per cent. However, it is also estimated that another 20 per cent. of motorists could switch to unleaded petrol without engine conversion. It is true that 6 million cars use unleaded petrol, but that leaves 9 million cars that do not. Despite all the hype there is still an awfully long way to go.

I agree that the Budget was grey rather than green. The Chancellor should at least have acknowledged the urgency of the environmental issues that are facing everybody in this country, if not in the world. I know that you, Sir Paul would rule me out of order if I were to discuss some of the issues to improve the environment for which we are calling, so I shall not do so.

If accepted, our amendments would take us some way along the road to reducing the amount of lead in the air. As I am sure that that would be welcomed by everybody outside the House—and certainly by all Opposition Members, if not by all Conservative Members—I urge the Minister to accept our amendments.

Mr. Martlew: The Chancellor's decision on unleaded petrol was symbolic of the whole Budget. It was a missed opportunity. His decision did not extract inflation from the economy and did not extract poison from the atmosphere. The Budget left us with an economy that will be ruined for future generations, just as many of our children's minds will be ruined because the Chancellor did not take the opportunity of increasing the differential between leaded and unleaded petrol.

The right hon. Member for Blaby (Mr. Lawson) has been blamed for many things, but at least we could say that he had a green tinge about him. He certainly has a green tinge these days but perhaps those of us who are not getting his salary should be the ones with a green tinge.

I am sorry that the Economic Secretary will have to reply to this debate, and not the Chancellor. When he served at the Ministry of Agriculture, Fisheries and Food, the hon. Gentleman had a very good environmental reputation. Indeed, if he had still been a Minister in that Department, I doubt whether we would have this problem with mad cow disease. I notice that the hon. Gentleman is wearing a green tie. Perhaps that is a coded message to us that he does not believe what he is going to say, but that he has to say it anyway.

Lead is dangerous—there is no argument from either side about that. I do not accept the argument of the hon. Member for Wyre (Mr. Mans) that price differential does makes no difference to the public's buying power. That was the implication of his remarks. At one time he praised petrol companies for their efforts and then he criticised them for trying to disguise which petrol was leaded and which unleaded. That sounded a peculiar argument to me.

The Government increased taxation on unleaded petrol by 10 per cent. That was anti-environmental and anti-green because they actually increased the cost of unleaded petrol by 10 per cent. If they had wanted to get the same amount of revenue, they could have increased the differentials. That would not have made a major difference in the total cost, but would have encouraged people to go for unleaded petrol. We should be aiming for a system in which those who do not use unleaded petrol, use diesel and all of us have catalytic converters on our cars to help the environment. But the provision has done nothing towards that.

If the Government had not wanted to put up the price of unleaded petrol, they could have put up the road tax —that was an option. Many Opposition Members are suspicious of the Government's reasons for refusing to put up road tax. We believe that they are getting ready to do away with it, and will put its cost on the price of petrol, both leaded and unleaded, in the not too distant future. They are not honest about that because they are deeply

concerned about what rural voters will think about the abolition of the road tax. That is why the Government decided to increase the tax on unleaded petrol by 10 per cent.

Some of my hon. Friends have been too kind to the Government. They said that it is a grey Budget. They were right; it is the colour of the Chancellor's hair. Through their action, the Government are being anti-environment and anti those of us who are consumers and decide that we want to buy environmentally friendly products.

The only way the Budget has helped the environment is by closing some factories and reducing pollution in that way. I noticed that the job losses in the constituency of my hon. Friend the Member for Wrexham (Dr. Marek) were blamed on the downturn in the car industry. If there was a greater differential between the price of leaded and unleaded petrol, it might encourage some of us who have cars that cannot be converted to change to new cars. That would give the economy an impetus. But, of course, that is exactly what the Chancellor does not want us to do. We cannot have any growth, whether green or otherwise.

The Government have let down the people of this country. They have let the cat out of the bag. They pay only lip service to the environment, and when it comes down to the pounds, shillings and pence, they do not give a damn.

Mr. Ryder: I thank the hon. Member for Carlisle (Mr. Martlew) for his kind remarks. I do not know what causes mad cow disease but I hope—indeed I am sure—that it is not leaded petrol.

Amendment No. 33 calls for the rate of excise duty on heavy oil to be reduced. It would also increase the tax differential between DERV and leaded petrol. DERV already has a duty advantage over petrol, but increasing the differential will have only a limited effect because most DERV is used for road freight lorries. It might encourage more people to switch to using diesel rather than petrol cars, but unfortunately United Kingdom manufacturers lag behind their competitors in the number and range of diesel cars they offer. I think that the hon. Member for Wrexham (Dr. Marek) would acknowledge that. For example, Ford, Peugeot Talbot and Rover have a limited production of diesel cars in the United Kingdom, but we have no long-term tradition of such production here, by contrast with some continental manufacturers, such as Mercedes-Benz, Volkswagen and Citroen.

Increases in the cost of DERV affect virtually every United Kingdom business by raising costs. Last year we did not increase DERV duty at all. This year my right hon. Friend the Chancellor felt it necessary to make some increases, although they are a little higher than required to keep the duty in line with inflation. This is offset in some measure by freezing vehicle excise duty on buses, coaches, taxis and many lorries for this year. Although the duty on United Kingdom DERV is higher than that in some EEC countries—I readily concede that it is—many of our Community partners such as Belgium, Denmark, France, Ireland, Italy and the Netherlands apply a higher—some of them a much higher—rate of VAT to DERV than we do. And some countries such as Spain, Portugal and France do not allow their businesses to deduct all of that VAT.

I assure my hon. Friend the Member for Southend, East (Mr. Taylor) that we have made it clear on several occasions that we do not consider a tax approximation necessary for the completion of the single market. As he knows, the proposals require unanimity in the Council of Ministers, so our position is safeguarded.

9.45 pm

The hon. Member for Berwick-upon-Tweed (Mr. Beith) said that the price of DERV was too high and contrasted it with the price in some Scandinavian countries, but, as I have said, several countries with low DERV duties apply higher VAT rates than we do and do not allow businesses to deduct all the VAT that they then incur on their purchases of DERV.

Amendments Nos. 22 and 39 call for the Government to do more of what we are doing already for unleaded petrol, by increasing the differential between leaded and unleaded petrol to 4·03p per litre, including VAT, or—I share the view of the hon. Member for Berwick-upon-Tweed about gallons—to 18·30p per gallon. I welcome that as a sign of support for our strategy over the past three Finance Acts, in which we have steadily increased the differential. As the Committee knows, we introduced the duty differential between leaded and unleaded petrol way back in 1987 to encourage the wider use of unleaded petrol. We did so because of the widespread concern about levels of lead in the atmosphere and in the blood, particularly in that of children. I know that the hon. Member for Halifax (Mrs. Mahon), and many other hon. Members are anxious about that.

The hon. Member for Wrexham said that the consumption of unleaded petrol had not yet risen to 30 per cent., but it has risen to more than 30 per cent. now. I was not a member of the Finance Bill Committee last year, but I think I am right to say that the hon. Member threw down a challenge to the Government in that Committee that the take-up of unleaded should rise to more than 30 per cent. by this time in 1990. We have met that target and we hope and expect that the take-up of this form of petrol will increase to 40 per cent. by the end of the year. That has been helped by the fact that the proportion of filling stations that now sell unleaded petrol has increased from 50 to well over 90 per cent. in the year since the matter was debated in the Committee. There are still some filling stations, I think in rural areas, that do not sell unleaded petrol, but they are almost the only ones remaining.

The hon. Members for Nottingham, North (Mr. Allen) and for Halifax will be pleased to know that the quantity of lead emitted into the atmosphere has been reduced by over 70 tonnes a month. That reduction has been widely welcomed by environmental groups. For example, Miss Jane Dunmore, who may be known to the hon. Member for Halifax and who is the campaign director of CLEAR, the Campaign for Lead-Free Air has said:

"since the reduction in the amount of lead in petrol sold in Britain, the proportion of lead in the atmosphere has dropped by 50 per cent. Levels of lead in people's blood and in the air have dropped in the last two years."

Mr. Battle: Does the Minister agree that the figures that he gave are averages? In cities such as my city of Leeds there is a great contrast between inner-city areas where there are schools situated along the main roads and on the arterial accesses to the city. In those inner-city areas the lead levels are four to five times the levels in the areas beyond the ring roads. That is the real danger. If we base our arguments on average figures we could become very complacent about the problem.

Mr. Ryder: I agree with the hon. Gentleman The Government are not complacent or we would not be coming forward with the clause and nor would we have made such progress in the past few years. The hon. Gentleman is worried about lead in the air in his constituency. That is understandable and he is justified in being anxious. It is for that reason that we have set targets each year. Last year we were set a target of 30 per cent. by the hon. Member for Wrexham. We reached that target and, as I have said, we expect to reach 40 per cent. by the end of 1990.

Mr. Allen: The Minister says that he has set himself a target of 40 per cent. unleaded petrol usage for next year and has prayed in aid Miss Jane Dunmore of the Campaign for Lead-Free Air. I suggest that he reads the rest of what she said. She said:

"Some small savings in fuel and hence in pollution may result but the new waiver in favour of unleaded petrol is probably too slight to speed up greatly the pace of change."

Mr. Ryder: I do not think that anyone could quarrel about the pace of change, because the Government have reached a 30 per cent. target in three years. We are fourth in the European league table and, as I have said, we expect to improve from 30 to 40 per cent. by the end of this year. Nobody who looks at the figures for the last three years could say that the Government have not taken the matter extremely seriously. We shall continue to do so. We compare well with many other countries in the European Community. Only the West Germans, the Danes and the Dutch have a large market share of unleaded petrol, but those countries started well ahead of us in setting tax differentials between leaded and unleaded petrol.

Since last year's Budget, it has paid motorists to use unleaded petrol and many motorists who were able to switch to it have done so. But adjusting the price is not all that we have done to increase the take-up of unleaded petrol. Our measures last year made it more available and we also gave it a boost with a £1 million advertising campaign. My hon. Friend the Member for Wyre (Mr. Mans) mentioned that and also stressed the fact that many oil companies, notably Esso, BP and Shell, have helped by running massive advertising campaigns and promotions to encourage people to make the switch to unleaded. Car manufacturers have also played a role and I congratulate them and the oil companies for their part in the success that I have outlined to the Committee.

I can tell my hon. Friend the Member for Southend, East that, from October this year, all new cars must be able to run on unleaded petrol. We do not believe that further increases in the duty differential would increase significantly the use of unleaded petrol. That would reduce the cost of unleaded petrol for those who have already made the switch and erode the real value of leaded petrol duty. There is a limit to the effect that a differential can have. As my hon. Friend said, about one quarter of all cars cannot run on unleaded petrol. In addition, many consumers are price-insensitive and there is nothing that the Government can do about that. Some drivers wrongly believe that leaded petrol gives better performance than unleaded petrol. However, tests by manufacturers and consumers associations show that this is not so.

Our having made the fiscal benefit available, it is now up to those who have not yet made the switch to do so. *[Interruption.]* I am pleased to welcome to the debate my hon. Friend the Minister for Roads and Traffic, who knows a great deal about this subject.

The differential that we are proposing is the right one to encourage more motorists to switch to unleaded petrol. The incentive is there and the Government would suffer a dead weight loss of tax if the differential were too great.

Therefore, I recommend that the Committee resists the Opposition's amendments. However, I give the assurance that in next year's Budget we shall look again at the differential, just as we have done during the past three years, and it is inconceivable that we would not take into account some of the arguments that have been put forward today and the desire of many people, irrespective of party, to see that we maintain the differential between leaded and unleaded petrol and increase the number of cars running on unleaded petrol.

Dr. Marek: We have had a useful debate and I thank my hon. Friends the Members for Carlisle (Mr. Martlew), for Halifax (Mrs. Mahon), and for Nottingham, North (Mr. Allen) for their contributions. The Minister has made a reasonable response. He has honestly and forthrightly said that the Government hope to achieve a 40 per cent. take-up by the end of December. We shall remember that. I hope that that is well exceeded, as I am sure do hon. Members on both sides of the Committee.

However, we still think that the Government should have done something about unleaded petrol in this year's Budget. They have not done so because of the muddle between the Department of the Environment, the proposed White Paper which was supposed to tell us exactly what the Government's green policies will be and the Treasury being unable to act. However, it now transpires that the Treasury could have acted, since many proposals will not now be included in the White Paper because of the run-up to the next general election.

I recommend my right hon. and hon. Friends to press amendment No. 22 to a Division, but I beg to ask leave to withdraw amendment No. 33.

Amendment, by leave, withdrawn.

Amendment proposed: No. 22, in clause 3, page 2, line 23, leave out '£0·0299' and insert '£0·035'.—*[Dr. Marek.]*

Question put, That the amendment be made:—

The Committee divided: Ayes 180, Noes 233.

Division No. 209] **[10 pm**

AYES

Abbott, Ms Diane
Allen, Graham
Anderson, Donald
Archer, Rt Hon Peter
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beith, A. J.
Benn, Rt Hon Tony
Bermingham, Gerald
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Buchan, Norman
Buckley, George J.
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Carlile, Alex *(Mont'g)*
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Cohen, Harry
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbyn, Jeremy
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Cunningham, Dr John
Dalyell, Tam
Darling, Alistair
Davies, Ron *(Caerphilly)*

Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fisher, Mark
Flannery, Martin
Foot, Rt Hon Michael
Forsythe, Clifford *(Antrim S)*
Foster, Derek
Fraser, John
Fyfe, Maria
Galloway, George
Garrett, John *(Norwich South)*
George, Bruce
Gould, Bryan
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Haynes, Frank
Heal, Mrs Sylvia
Henderson, Doug
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howells, Geraint
Howells, Dr. Kim (Pontypridd)
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Ingram, Adam
Janner, Greville
Jones, Barry *(Alyn & Deeside)*
Jones, Ieuan *(Ynys Môn)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Stretford)*
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
Maclennan, Robert
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(G't Grimsby)*
Molyneaux, Rt Hon James
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mullin, Chris
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Parry, Robert
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Redmond, Martin
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Robertson, George
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Smith, J. P. *(Vale of Glam)*
Soley, Clive
Spearing, Nigel
Steel, Rt Hon Sir David
Steinberg, Gerry
Strang, Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Welsh, Andrew *(Angus E)*
Wigley, Dafydd
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mrs. Llin Golding and
Mr. Robert N. Wareing.

NOES

Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Aspinwall, Jack
Atkins, Robert
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Biffen, Rt Hon John
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Bruce, Ian *(Dorset South)*
Buchanan-Smith, Rt Hon Alick
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Chalker, Rt Hon Mrs Lynda
Chapman, Sydney
Chope, Christopher
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Couchman, James
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Dickens, Geoffrey
Dicks, Terry
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Dykes, Hugh
Eggar, Tim
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fairbairn, Sir Nicholas
Fallon, Michael
Favell, Tony
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Sir Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heseltine, Rt Hon Michael
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Hill, James
Howe, Rt Hon Sir Geoffrey
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Janman, Tim
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Lamont, Rt Hon Norman
Lang, Ian
Latham, Michael
Lee, John *(Pendle)*
Lennox-Boyd, Hon Mark
Lightbown, David
Lilley, Peter
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
Lyell, Rt Hon Sir Nicholas
Macfarlane, Sir Neil
MacGregor, Rt Hon John
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marlow, Tony
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Maude, Hon Francis
Mayhew, Rt Hon Sir Patrick
Meyer, Sir Anthony
Miscampbell, Norman
Montgomery, Sir Fergus
Morris, M *(N'hampton S)*
Nicholson, David *(Taunton)*
Onslow, Rt Hon Cranley
Pawsey, James
Peacock, Mrs Elizabeth
Riddick, Graham
Ridsdale, Sir Julian
Roberts, Wyn *(Conwy)*
Rost, Peter
Rowe, Andrew
Ryder, Richard

Sainsbury, Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shepherd, Richard *(Aldridge)*
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stokes, Sir John
Stradling Thomas, Sir John
Sumberg, David
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thornton, Malcolm
Thurnham, Peter
Tracey, Richard
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Waddington, Rt Hon David
Walker, Bill *(T'side North)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Whitney, Ray
Widdecombe, Ann
Wilkinson, John
Wilshire, David
Wolfson, Mark
Wood, Timothy
Woodcock, Dr. Mike
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Noes:
Mr. Tom Sackville and
Mr. Irvine Patnick.

Question accordingly negatived.

Clause 3 ordered to stand part of the Bill.

To report progress and ask leave to sit again.—*[Mr. Fallon.]*

Committee report progress; to sit again tomorrow.

Immigration Rules

10.14 pm

Mr. Roy Hattersley (Birmingham, Sparkbrook): I beg to move,

That the Statement of Changes in Immigration Rules (House of Commons Paper No. 251), a copy of which was laid before this House on 23 March, be disapproved.

We are to spend 90 minutes late at night debating immigration proposals that will have a profound and, in the Opposition's view, damaging effect on the lives of tens of thousands of British citizens. I propose to speak to the motion with all the speed and brevity that I can muster, as I know that several of my hon. Friends also wish to speak. I understand that the Home Secretary is to wind up the debate, so that he can deal properly with the points made by Opposition Members.

A number of points must be clarified. I think that we all agree that primary immigration into this country is largely over. The rules that we are to debate tonight, therefore, largely concern the enforced separation of British families living in Britain with British responsibilities and, I hope, British rights. We shall debate the case of husbands who are refused permisson to join their British wives; of elderly parents who are refused permission to join their British children; and of British children who, although wrongly excluded from this country, are nevertheless refused permission to join their parents.

Evidence now suggests that the regulations have also resulted in the intolerable treatment of young black and Asian British citizens who are in no sense immigrants, but who were born here and have lived here throughout their lives. I am sure that the Minister will correct me if I am wrong, but I understand that each month in London about 250 overstayers are detected as a result of police vigilance. No one has any objection to that. However, I also understand that, each month, 200 British citizens are interviewed on suspicion of minor road traffic offences, and are then required to prove their immigration status, although it is—on the evidence—not in doubt.

Of course, those young men—British by birth and registration—are black. The only evidence that requires them to prove their nationality after being apprehended for a minor motoring offence is the colour of their skin. It is intolerable that colour should govern suspicion and investigation by the Metropolitan police. The blame attaches not to the police, but to a repressive immigration policy, about which I want to say four things.

First, the harsh immigration policy and regulations, as well as doing immense damage to the welfare and happiness of divided families, do perhaps irrevocable damage to community relations. The whole spirit of the regulations implies that the black and Asian British are a problem that will increase if husbands and wives are united, or if elderly parents are allowed to join their children. That alleged problem does not apply to wives whose origin is in the European Community.

The Secretary of State for the Home Department (Mr. David Waddington): I hope that the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) does not think that I am discourteous to interrupt him so early in his speech, but he has mentioned a series of matters connected with immigration law none of which has anything to do with tonight's debate.

We are debating four things tonight: the extension of the visa requirement; the admission of Commonwealth citizens with a grandparent born in Britain; the financial requirements for business men and people of independent means; and the admission of people with settled status. All the matters that the right hon. Gentleman has mentioned are important, but they have nothing to do with this debate.

Mr. Hattersley: I shall be content for you, Madam Deputy Speaker, to apply the rules of order. But I must point out to the Home Secretary that, knowing his tendencies, I inquired of the Table Office today whether all the contents of the "Statement of Changes in Immigration Rules" were debatable on the motion. I was told that the nature of the motion meant that the entire contents of the document were possible for debate. But even were that not the case, though the Table Office assured me it was, everything that I have said up to now is directly related to the points——

Madam Deputy Speaker (Miss Betty Boothroyd): Order. The Home Secretary gave the four items with which the statement and motion pertaining to it are concerned. There are four restricted items which the Home Secretary announced to the House.

Mr. Max Madden (Bradford, West): On a point of order, Madam Deputy Speaker. I raised this matter with Mr. Speaker earlier today. At that stage his advice was that this was a very narrow matter, and he said that the only matter with which we were concerned tonight was the adding of some countries to the visa list. That would not seem to be the case. The document "Statement of Changes in Immigration Rules" covers the whole gamut of immigration procedures and rules, including, on page 19, the question of the political asylum of refugees.

I raised with Mr. Speaker today the question whether it would be in order tonight to raise the issue of 33 young Chinese who have been threatened with deportation from Britain to Panama. I raised that matter deliberately because, with the Home Secretary present tonight, I hoped that the right hon. and learned Gentleman would report to the House why that extraordinary decision had been taken. I hoped that we would have the opportunity to press him to halt that threatened deportation until a judicial review of his decision had been considered by the courts.

Ms. Clare Short (Birmingham, Ladywood): On a point of order, Madam Deputy Speaker. I am mystified by your ruling. We have been supplied by the Vote Office with a note on the changes that we are discussing, and it contains 14 items. That document has been distributed officially and is designed to help us with our business tonight. In any event, I should have thought that, as we are dealing with a "Statement of Changes in Immigration Rules", it is in order to discuss changes that should, in our view, be included but which have been excluded. Surely that must be correct.

Madam Deputy Speaker: The motion is to disapprove the statement of changes and it is a narrow debate concerning only four items. It is not concerned with the question of asylum which the hon. Member for Bradford, West (Mr. Madden) raised.

Mr. Jeremy Corbyn (Islington, North): Further to the point of order, Madam Deputy Speaker. You will recall that in 1987, the House—wrongly, in my view—passed the Immigration (Carriers' Liability) Act. In that context, the issue of the admission of people to this country for political asylum relates to the question whether they have a visa to come here. As the instrument that we are discussing relates to visas, I should have thought that the point made by my hon. Friend the Member for Bradford, West (Mr. Madden) was correct in that visas are necessary to enter from other countries to apply for asylum.

Madam Deputy Speaker: The visa requirements relate only to citizens of Morocco, Algeria and Tunisia and the scope of the debate relates to the desirability or otherwise of the proposed changes as in the motion.

Mr. Corbyn: But, Madam Deputy Speaker——

Madam Deputy Speaker: Order. I am answering the hon. Member. The right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) has the Floor:

Mr. Corbyn: Further to my point of order, Madam Deputy Speaker. I am trying, with respect, to be helpful to you. You will be aware that on many occasions asylum seekers come through a third port. In other words, if a Chinese refugee or other asylum seeker came through Morocco, it should be in order to debate that matter tonight.

Madam Deputy Speaker: Order. The hon. Gentleman should wait to be called before making that point.

Mr. Hattersley: It might be helpful if I continue dealing with two points that are specifically and explicitly dealt with in the statement of changes while those who advise you, Madam Deputy Speaker—of course, I defer to our judgment and ruling in all these particulars; it is not my way to argue with the Chair in general and with you in particular—consider whether it is possible, as we were advised, to suggest other changes that should be made in the regulations. That was the official advice that we were given today and while it is considered let me deal with two specific points.

A moment ago, Madam Deputy Speaker, you mentioned that one of the changes in the statement is the extension of visa requirements to four Maghreb countries. I hope that the Home Secretary will say in some detail not only why it is regarded necessary for British immigration policy that the visa requirements should be so extended, but how the decision to extend the visa requirements to those four countries came about.

As I understand it, it was a decision of the Trevi group comprising European Community Home Affairs and Interior Ministers. It is not an official body of the Community, meeting under the terms of Community legislation, but an informal group through which the Home Secretary and his counterparts in the Community reach common considerations about immigration and visa matters. May we be told why the Home Secretary agreed, before he came to the House, that that extension was necessary and why he thought it right to commit the United Kingdom to the extension of visa provisions to those Maghreb and Mashreq countries before he had considered it here in the House of Commons?

Let me also ask the Home Secretary about returning citizens. He will recall that, some weeks ago, the House

[Mr. Hattersley]

debated Hong Kong. It was alleged that the object of the policy that the Government then proposed was to ensure that the citizens of Hong Kong had the right to come to Britain eventually, without having to come immediately.

As they are understood by all those organisations and authorities that have examined the narrow, precise and detailed changes in regulations that the Home Secretary has put before us this evening, the likely effect of those changes will be the opposite of that described during the debate on Hong Kong. It will require people to come here rather than lose the right to come here. It will induce prospective immigrants to return because, unless they return within a prescribed period, they will lose the opportunity to establish the right of permanent abode. I hope that the Home Secretary will deal with those specific matters.

I now turn to the changes that we regret have not been included in the statement. If, by such circumlocution, I am able to make those points within the rules of order, I propose to do so. First, we regret that the document does not include any alterations in the primary purpose rules. Opposition Members are all agreed that there must be some justification——

Madam Deputy Speaker: Order. I regret to call the right hon. Gentleman to order, but the primary purpose rule is not included in the scope of the debate.

Mr. Robert Maclennan (Caithness and Sutherland): On a point of order, Madam Deputy Speaker. I am genuinely puzzled about your ruling and seek advice. The motion on the Order Paper is:

"That the Statement of Changes in Immigration Rules (House of Commons Paper No. 251), a copy of which was laid before this House on 23rd March, be disapproved."

I have heard a number of items read out as being within order, but I see no reference to those items on the Order Paper. The Order Paper refers to House of Commons Paper No. 251, so I do not understand why that document in its entirety is not debatable.

Mr. Hattersley: Further to that point of order, Madam Deputy Speaker. I am anxious to get on with the debate and to be helpful to you—*[Interruption.]* I understand the objections of some Conservative Members, but we are moving a motion to disapprove a statement of changes in immigration laws. I have in my hand the document entitled "Statement of Changes in Immigration Rules". It so happens that the Government have also produced another document with the same title. With the greatest respect, I cannot for the life of me understand why my motion must apply to one document with that title but not to the other.

Mr. Waddington: I understand why the right hon. Gentleman is in error. We are concerned tonight with very minor rule changes—[HON. MEMBERS: "No."] I am trying to help the House by clearing up a misapprehension on the part of the right hon. Gentleman and hon. Members. It was thought that the House would find it convenient if we incorporated these minor changes in a reprinted, consolidated version of the complete rules. I should have thought that it is of help to the House, when minor changes are to be debated, for it to see where those minor changes fit into the rules that still stand. So it is as plain as a pikestaff that we are still debating minor changes, but for the convenience of the House we have presented a consolidated set of the rules.

Mr. Hattersley: I am sure that the Home Secretary is right in describing what he has done. I am interested not in what he has done but in what the House intends. The House is debating a motion disapproving the "Statement of Changes in Immigration Rules". I repeat to you, Madam Deputy Speaker, that what I have in my hand is the "Statement of Changes in Immigration Rules". That is what it is called. The word "Changes" appears. I would have assumed that everything that appeared within the cover labelled "Statement of Changes in Immigration Rules" is appropriate for debate. I cannot contradict your ruling, Madam Deputy Speaker, but the logic of my position, if not the Standing Orders on my position, is impeccable. *[Interruption.]*

Madam Deputy Speaker: Order. We are in the middle of the debate. I want to be as helpful to the House as the two Front Bench spokesmen are trying to be. I think that the right hon. Gentleman should be allowed to continue.

Mr. Hattersley: I continue by referring to some of the things that we regret have not been included in the document. My statement of regret continues with the absence of a change in the primary purpose rule. We accept that there must be a check on the genuine as distinct from the bogus marriage, but we do not believe that that check can properly be applied by requiring an immigration officer to examine a prospective husband by asking questions that are open to ambiguity, and then making a judgment on what is going on in that man's mind and whether his answers imply a wish to marry the woman to whom he is engaged or a wish to come to this country. We would not be moving the motion to disapprove the changes with as much disagreement were such a suggestion not included.

Our second regret concerning omissions relates to those British citizens who should be in this country because they are the children of British parents. We have argued strongly over the last five years that a number of children who applied to come here and were denied the right to do so subsequently demonstrated by DNA tests that they were covered by the phrase "related as claimed". Despite the proof that they were the children of the parents they claimed to be children to, the Home Office wrongly excluded them.

A year ago, when we were having a debate, less interrupted by points of order, on the same subject and with the same width, the then Home Secretary said that young men and women who had applied to come here as children of British subjects, who were denied that right and who subsequently proved their relationship through DNA testing——

Mr. Tony Marlow (Northampton, North): On a point of order, Madam Deputy Speaker. Will you ask the right hon. Gentleman to tell the House which rule refers to DNA testing?

Madam Deputy Speaker: That is not a point for the Chair; it is a point for debate if I were to call the hon. Member. *[Interruption.]* Order. The point the hon. Gentleman raised was not a point of order; it was a question for debate if he is called.

Mr. Hattersely: Because other hon. Members want to speak, I will press the Home Secretary briefly on his proposals for young men and women who are children of British citizens. who were wrongly excluded and who are not being allowed into this country. His predecessor promised in a debate a year ago that there would be a quick reassessment of their cases. According to parliamentary answers provided to my right hon. and hon. Friends, people excluded and then proved to be related as claimed are now waiting for as long as 20 and 24 months in Islamabad and Dhaka for re-examination. That seems intolerable to us and I hope that the Home Secretary will have an answer on how that process will be speeded up.

My third point, which is certainly covered by the rules, is the treatment of asylum seekers in several particulars. The Home Secretary will recall that paragraphs 173 and 174 of the document deal with that point. He will also recall that those paragraphs describe the way in which asylum seekers should be treated. There is now documented evidence that because of the Immigration (Carriers' Liability) Act 1987—*[Interruption.]*

Madam Deputy Speaker: Order.

Mr. Hattersley: There is now documented evidence that, because of the Immigration (Carriers' Liability) Act, airlines themselves have begun to deport asylum seekers from the United Kingdom without any authority or legal justification. We now know that some weeks ago, British Airways discovered a number of Tamils travelling to this country on documents that would have been unacceptable to the Home Office. British Airways therefore——

Mr. Waddington: On a point of order Madam Deputy Speaker. I seek your guidance on this point—*[Interruption.]*

Madam Deputy Speaker: Order.

Mr. Waddington: Would not it be correct, Madam Deputy Speaker, to say that I should be out of order if, in my reply, I were to deal with the treatment of asylum seekers because it has nothing to do with the proposed changes in immigration rules?

Madam Deputy Speaker: I am looking at the "Statement of Changes in Immigration Rules" and I find that paragraphs 173 and 174 refer to asylum. However, I must tell the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) that they do not concern changes in the rules.

Mr. Hattersley: As I tried, with perhaps some success, to do a moment ago, I am describing another change which, if it were included, might tempt us to vote in favour of the regulations. I must say through you, Madam Deputy Speaker, to the Home Secretary that I have never seen a more pathetic display than the right hon. and learned Gentleman being desperately anxious not to answer questions that are vital to the reputation of this country and to the welfare of people here.

I want to conclude so that my hon. Friends can make their points. There is another change which, if it were included in the subsidiary document, might tempt us to feel more sympathetic towards the proposals. I repeat that a number of Tamils came to this country. British Airways judged that they did not possess documents that would allow them to enter the country according to Home Office regulations. British Airways manhandled the Tamils on to an aeroplane and sent them back by main force to the country from which they had come, thus preventing them as asylum seekers even from enjoying the right of appeal which the primary and principal document says is theirs by right. When cross-examined on that, BA said that it could not possibly observe the rules of the Immigration (Carriers' Liability) Act, that it could see no reason why it should pay £1,000 a time for every man who travelled on its airline in a way in which it would be impossible for it to detect and that the Immigration (Carriers' Liability) Act was therefore unworkable.

I repeat that if this change in the immigration rules involved a more acceptable system for dealing with men and women who come for asylum and who are, at present, improperly and, I believe, illegally excluded by airlines operating independently as if they were able to do so in the manner of the Home Secretary, those of us who will vote against the immigration rules changes would not do so with the same enthusiasm.

I do not deny for a second that tonight the Home Secretary has achieved part of his purpose in diverting some of the criticism that would have been made by the Opposition about the immigration rules. I congratulate him on putting up this smokescreen around an unacceptable policy. However, since he has behaved in this extraordinary way, I must tell him that there are other ways open to us in which we can debate these matters properly—and I promise him: debate these matters properly we shall.

10.39 pm

Sir John Stokes (Halesowen and Stourbridge): I have examined the changes in the rules, with great care and I am bound to say that any fair-minded person reading the changes would not find much to quarrel with. Why therefore do the Opposition make such a song and dance about them? Is it because their policy on immigration is almost an open door which would allow everyone to come here, or is it because the Opposition feel that at present they must oppose everything that the Government propose?

I believe that we are a wonderfully fair country. We stick to the rules, unlike some foreign Governments. Why therefore are the Opposition trying to pillory the Government, who have been extremely fair, now that they want to make some small changes in the rules?

Ms. Diane Abbott (Hackney, North and Stoke Newington): Will the hon. Gentleman give way?

Mr. Dennis Skinner (Wolverhampton, South-East): Give way.

Sir John Stokes: If I may be forgiven, I will not give way. Many hon. Members want to speak and a great deal of time has already been used up, yet the debate has hardly started.

Mr. Dennis Turner (Wolverhampton, South-East) *rose*——

Madam Deputy Speaker: Order. The hon. Gentleman is obviously not giving way.

Sir John Stokes: I have attended many debates on immigration and the immigration rules in the 20 years that I have been a Member of this place. In debates of this kind,

[Sir John Stokes]

I have always been struck forcibly by how much Labour and Liberal Members have distanced themselves from the feelings of ordinary people.

Mr. David Winnick (Walsall, North): On a point of order, Madam Deputy Speaker. I am confused. My right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley) was told on several occasions that this was not a wide-ranging debate and obviously, like all Opposition Members, he accepted your ruling. However, the hon. Member for Halesowen and Stourbridge (Sir J. Stokes) is talking about immigration in general and Britain's response. Is that in order?

Madam Deputy Speaker: I am sure that the hon. Member for Halesowen and Stourbridge (Sir J. Stokes) is just warming up and that he will come to his point any moment now.

Sir John Stokes: That is exactly what I am trying to do and I will do so if I am allowed to get on with my speech.

In so far as the small changes in the rules reduce the flow of immigration to this country, they will be welcomed whole-heartedly by the British public. We must be careful to respect the views of the people who elected us to this place. Despite all the legislation and the rules, large numbers of people are still entering this country for settlement every year. It is true that there is some attempt to stop primary immigration, but thousands are still entering this country as relatives or for other reasons.

Mr. Turner *rose*——

Sir John Stokes: What we have heard so far from Opposition Members and the way in which they have intervened in the debate so frequently will worry and alarm many people, including many Labour supporters. The rules are reasonable and necessary. British citizenship should be a most valuable prize for anyone and it should not be granted lightly to all and sundry. I welcome the changes—small though they are—although I wish that they could have gone further.

10.43 pm

Mr. John Fraser (Norwood): I feel a little unsure because I had wanted to congratulate the Home Secretary first on going to the trouble of consolidating the immigration rules. From the point of view of practitioners —be they professional people or advice workers—it is helpful to have a single set of rules. Secondly, enormous changes have taken place in the running of Lunar house. It has become more efficient and quicker. People there are now accessible on the telephone and there has been a complete change in the management. I am not saying that it is perfect or that I agree with the decisions that are made there—they are not always even—but there has certainly been a change.

At that point, the plaudits cease because one can compare trying to seek entry into the United Kingdom with trying to climb a rock face. It is a slow and difficult process and just when the applicant or immigrant gets to the final ledge, the changes in the immigration rules are the stamping on the fingers that push the applicant back down the abyss. That happens time and time again. It happened under the existing rules and under the primary purpose rule. The European Court of Human Rights held that the rules were sexist because they applied to men. The Government had a chance to liberalise the immigration rules, but what did they do? They stamped on the fingers of those who might have got into this country by changing the rules to have "equal misery" and apply the monstrous primary purpose rule to both men and women alike.

Just when West African students were beginning to find a way through the immense practical difficulties of getting an education in this country, the immigration rules were changed. Again, there was stamping on fingers and it is now impossible for people from many West African countries to come here as visitors and to change their status to student. Just when people were beginning to win deportation appeals on the grounds that there were compassionate circumstances why they should not be deported, the Government again effectively changed the rules to deny them any appeal—subject to the case of Oladahinde in which I have an interest. That has happened again under these rules.

The history of the immigration rules is almost the history of allowing people to drown within sight of shore. Indeed, they should no longer be called "immigration" rules; "exclusion" rules would describe their purpose much more accurately. We come to that again——

Mr. John Carlisle (Luton, North) *rose*——

Mr. Fraser: No, I cannot give way to the hon. Gentleman tonight because we are so short of time.

At the moment, it is impossible for someone who is established here to bring his or her aged parents to the United Kingdom unless the parents are wholly or mainly dependent on the children in the United Kingdom. If they are dependent, but have an income of less than £15,000 per year or less than £150,000 in capital, they cannot settle in the United Kingdom. Nevertheless, some people save up and wait until they receive their pension or annuity from abroad and then seek to come to the United Kingdom —not to be a burden on this country, but to be with their children. But once again, their fingers are stamped on and the rungs are taken out of the ladder. Indeed, the £150,000 requirement has been unnecessarily raised to £200,000. That can have been done only with the intention of excluding people from this country and by not treating sons and daughters with compassion.

The same is true for those people who might have been able to establish businesses here, and be useful and provide employment, which is one of the conditions of establishing oneself as self-employed. Again, the rungs have been cut from the ladder by revising the rule for establishing businesses in the United Kingdom and by increasing the capital requirement to £200,000.

However, the worst aspect of the rules is the change affecting returning residents. It is not a minor change in the rules and it is not intended simply to restate the existing law; it is a change of substance. I should like to give the Home Secretary an example that I have raised with his private office, which, on that occasion, was helpful. This could happen to many people. I have a friend, an Australian lady, who is aged about 80. She has lived in this country for between 30 and 40 years, but has never gone to the trouble of changing from being an Australian citizen to being a citizen of the United Kingdom.

When she was about 79, she lost her old passport, but she got a new Australian passport and then went to France for a short time. When she returned, her passport was stamped "six months entry", not "returning resident". She paid no heed to that because, having spent most of her life in this country, where her children are established, she thought that she had every right to remain here. But she had on her passport a stamp that said six months. Under the changed rules, she would not, on her previous return to the United Kingdom, come as a returning resident and, at the age of 80 and in those circumstances—she was flying from Australia—she could have been sent back to Australia.

A second example—these are all real examples—involves a friend of mine who is a doctor and has established himself in this country.

Ms. Short: As I understand the new rules, they say that if people do not ask for returning resident status and receive a temporary status, that is it—they have lost their permanent status for ever. In the example given by my hon. Friend, I understand that he sought the help of the Home Secretary's private office. If the new rules were in place, the Home Secretary's private office would not be able to help.

Mr. Fraser: That is exactly my point.

My second case is that of someone who practises as a doctor in the United Kingdom and has indefinite leave to remain here. Under a scheme of assistance, he goes, with the blessing of the British Council, to a Third-world country to practise medicine there, dealing with poor people and trying to save their eyesight. The term of the contract is three years. He returns every year, but he no longer has a home here. The Home Secretary will appreciate that, if someone is away from the United Kingdom for more than one year, it is impossible to apply for naturalisation as a United Kingdom citizen, because one has to be here for the year preceding the date of the application. In those circumstances it could be said that a doctor who is established and has indefinite leave to remain in the United Kingdom is not coming back for the purpose of settlement, but only for the purpose of residence. That is another substantial change in the rules.

[Mr. Fraser]

A third example involves someone under the age of 18, who is too young to be naturalised in his or her own right as a United Kingdom citizen, takes a university course —it does not matter whether it is in the United States or West Africa—and goes away for three years, instead of two. They would find it impossible to come back as returning residents, even if they had a short holiday here in the meantime.

Time and time again people who have spent most of their lives in this country, severed all links with overseas countries, sold their properties and abandoned their homes will find themselves suddenly excluded from the United Kingdom by virtue of the change of rules. If that is not stamping on the fingers of the innocent, I do not know what is.

10.52 pm

Mr. Jeremy Hanley (Richmond and Barnes): I have been looking at the statement of changes in immigration rules, and of the 15 changes that are listed in the explanatory note issued by the Home Office, there are only four, perhaps five, of substance.

I was greatly saddened by the speech of the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) which, as far as I can see, was largely out of order. However, I can understand how the mistake was made. I found, when issued with the explanatory note, that it came from the Vote Office with a complete set of the immigration rules—inasmuch as they are covered by document 251. But it is clear from many of the speeches made this evening, that there is a desire to discuss immigration issues in the broader context, including those of refugee status, so perhaps it would be an idea for the Opposition to——

Mr. Hattersley: On a point of order, Madam Deputy Speaker. The hon. Gentleman talks about the two documents which, I think, will be the subject of some discussion as the weeks go on. He referred to the document that came from the Vote Office. That document comes from the Home Office. We have not reached the point of elective tyranny when we are required to debate documents produced by Government Ministries, as distinct from the documents that have statutory force. It is the other document that has statutory force.

Madam Deputy Speaker: That was an explanation rather than a point of order.

Mr. Hanley: I am surprised at the right hon. Member for Sparkbrook. I was trying to say that I could understand how the error had been made by his advisers. If he wants to debate immigration, he can take every opportunity to introduce a debate on the subject of immigration on the next Supply day. Tonight we are dealing with the changes in immigration rules that we have before us. The right hon. Gentleman's protestations can easily be given expression within the next few days on the next Supply day, when he can speak at great length on any subject he likes.

We are discussing a number of small changes. I should have thought that three of them would have been welcomed by the Opposition. First, in 1986, the rules were changed to prevent the admission of child spouses. I do not believe that the Opposition support the idea of child spouses—if they do, perhaps one of their number should say so. This change means that no longer can a child in Britain go abroad and marry under rules that may be legal in another country and then return to this country in a married state. I find it amazing that the Opposition's absence of comment on that subject suggests that they believe that the change is wrong. By voting against the order, they are removing protection for children who may go abroad and be forced to marry under the age of consent——

Ms. Short: The hon. Gentleman seems misinformed about procedures of this House. Just because we agree with part of a measure and disagree with other significant parts of it does not mean that we do not vote against it. The hon. Gentleman must have been in that situation himself. Opposition Members do not believe that children should be able to go abroad to marry, and none of us has said that. The hon. Gentleman's remarks are mischievous, and he must know it.

Mr. Hanley: The hon. Lady is being ingenuous, and clearly did not listen to the speech of her right hon. Friend the Member for Sparkbrook——

Mr. Paul Boateng (Brent, South): "Disingenuous", surely.

Mr. Hanley: I am grateful to the hon. Gentleman. Knowing the fees that he charges for his legal advice, I hope that he will not be sending me a large bill in the morning.

The right hon. Member for Sparkbrook could at least have dwelt on the changes that are being made. The one that I have mentioned is important, as it protects children in this country. The hon. Member for Birmingham, Ladywood (Ms. Short) may believe that that is only a minor change, but since it is one of only four changes of substance, I am surprised by her opinion.

The second change concerns Commonwealth citizens who can prove that one of their grandparents was born in the United Kingdom, and who return to this country, are admitted for four years and then leave again. I seem to recall that the Opposition have regularly regarded patrials with scorn, believing that there was some sort of white-man link with those with grandparents in this country.

I can remember major speeches by Opposition spokesmen saying that we should tighten up the rules on patrials because they favoured white over black. Perhaps historically they have done so—I certainly do not favour whites over blacks in this respect—so the rule is being tightened to stop its abuse, from which so many whites have benefited in the past. So the Opposition should support the second change, too.

Thirdly, the Opposition have often said that the privileges granted to business people settling in this country constitute an abuse. Merely because the Government are increasing the financial limits from £150,000 to £200,000—by the rate of inflation—all the old arguments are being trotted out again, but this time from a rather strange direction. Surely the Opposition should support this third change, because it favours business people. They should support three, at least, of the four major changes in these rules.

The next change is merely a clarification of the provision for returning residents, and it is therefore

perhaps not treated as a change of substance. The Opposition manage to find a reason for opposing that change, which is for clarification and not a change of substance.

The fifth change is one of substance because it will require visas for people from Algeria, Morocco and Tunisia. It is fair to establish visa controls as long as there is mutual agreement about them between the countries involved. They are the best way to control immigration fairly, so that those who properly qualify to come here or to leave this country to visit other countries can do so. Such controls make sure that people have the right qualifications for travel.

That is the only change of substance that the Opposition can get on their high horse and vote against. By voting against the change, either the Opposition want to play the race card, which is sad, or they are blowing up out of all proportion the changes to existing immigration rules for their own party purposes. That is also sad.

I should like to see future contributions in the debate kept to changes in immigration rules. I hope that people outside, whether they are black or white and wherever they come from, will recognise that these are not major changes resulting from prejudice. They clarify existing law, correct minor spelling mistakes in the legislation and largely introduce the sort of changes that the Opposition have been demanding.

11.1 pm

Mr. Robert Maclennan (Caithness and Sutherland): If anyone is trying to play the race card, it is clearly the Government, who have moved the amendment relating to grand-patrials. The idea that grand-patrials will be allowed a right of residence here for only four years is designed to remove from the immigrant list a substantial number of white people, and that will expose people from the Indian sub-continent to greater pressure. It seems to be done for no other reason, but if the Minister has any other reason, we look forward to hearing it.

I welcome the consolidation of the rules. I cannot understand how it could seriously be argued that the document before us is not the document that we are here to debate. The title and the number of the document are on the Order Paper and it is extraordinary for the Home Secretary to try to argue anything else. It is of a piece with his argument that these are slight changes. The suggestion that the rule relating to returning residents is slight does not stand a moment's scrutiny. It will work extraordinary hardship in a large number of cases, and it must be amended.

It is of course right that we should have a wide-ranging debate on immigration as soon as possible. That lies within the power of the Home Secretary and the Official Opposition; I hope that we can have such a debate, because there are many matters that I should like to raise. However, in this short debate, I do not wish to take up the time of the House by dealing with them.

I have asked many questions about the extraordinary use of the Immigration (Carriers' Liability) Act 1987 to enable British Airways to act as an immigration officer. I have had the most astonishing revelations about the countries involved and the numbers of people who have been turned away since the Act was introduced. It is an unsatisfactory way to implement the law. However, that matter is not the primary purpose of the debate, which is about the specific changes that are being made.

I go along with the Home Secretary's desire for a one-and-a-half-hour debate. That is the best that we can hope for. There is only one respect in which Thatcher's Britain resembles heaven, and it is that it is easier for a camel to enter the eye of a needle than for someone from the Indian sub-continent to enter this country.

Mr. Hanley: I am grateful to the hon. Gentleman for his generosity. Since the Government came to power, more than 500,000 people have been granted permanent citizenship in the United Kingdom, of which three quarters have come from the Indian sub-continent. That cannot be a record of racism.

Mr. Maclennan: The hon. Gentleman has raised a point that would be more suitable in the debate that we are all looking forward to.

I have just come hot foot from the Committee which is considering the British Nationality (Hong Kong) Bill, and I am rather surprised at one of the provisions that we are debating, which requires particular clarification from the Home Secretary. How are British dependent territories citizens from Hong Kong to interpret the amendment affecting returning residents?

The Government are giving contradictory indications. On the one hand, they are trying to encourage dependent territories citizens to remain in Hong Kong, while on the other, paragraph 9 of the statement of charges makes it abundantly clear that they do not enjoy the rights of British overseas citizens and so will have to establish their rights of residence here by returning from Hong Kong under the provisions of paragraph 58. That is a most disturbing development. When that becomes widely known in Hong Kong, it will run counter to the Government's declared policy of retaining stability of population there. The Home Secretary should deal with that matter tonight.

The hon. Member for Richmond and Barnes (Mr. Hanley) described the provisions for returning residents as clarification, but they are a clear reversal of the law as it has been established in a number of cases before the immigration tribunal. The present rule is simple, clear and easily applied. It is that people settled here in the United Kingdom are allowed to go abroad for up to two years without losing their settled status. Two new conditions will now apply.

First, the person returning must seek admission for the purpose of settlement. That means that someone who has been normally resident here, who interrupts that residence to go abroad for whatever purpose must, when coming back, declare that it is his intention to remain settled here, despite the fact that he may be making only a short visit to see a sick parent or to deal with some business matter. Innumerable practical cases of hardship will arise as a result of that change. How it can be described as a clarification is simply beyond imagination.

The second leg of the change is that it must also be established that the returning person had indefinite leave to remain when he last left the United Kingdom. That will also seriously restrict the operation of the returning residents rule.

The reality is that that will have a grave effect on the practical working of the rule. The intention to settle is

[Mr. Maclennan]

extremely difficult to establish. It is rather like the primary purpose rule. It is to do with a state of mind. It is almost inviting people who come back to Britain to misrepresent their innocent reasons for coming for a short time so that they will not be deprived of their right to residence. That cannot be right.

That is the most serious change that the Home Secretary has made, and it is very worrying. It will lead to innumerable cases of hardship, which cannot be his intention. Surely that should be avoided.

11.9 pm

Mr. Robert G. Hughes (Harrow, West): I represent a constituency in which about 20 per cent. of the population have Asian connections. In studying the statement of changes, I did so as someone who would not vote for a measure that materially disadvantaged any of my constituents. I refer to the changes to the rules, not the consolidation measures with which the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) tried to divert the House. It does not matter whether the right hon. Gentleman was in order—the fact remains that he tried to divert the attention of the House from the real subject of the debate.

The source of problems for my Asian constituents is the uncertainty surrounding some of the technical aspects of the immigration rules, which are open to different interpretation. It is not just that I cannot be sure whether an immigrant coming to my advice bureau has a good or bad case to make, because lawyers and the United Kingdom Immigrant Advisory Service are also not necessarily able to state whether a particular case is 100 per cent. sound. That uncertainty needs to be swept away.

As my hon. Friend the Member for Richmond and Barnes (Mr. Hanley) said, the package before us is of little or no substance, and it introduces only minor changes that will give people some confidence in interpreting the immigration rules. Is it unreasonable that the changes concerning money limits should take account of inflation over the past seven years? Is it unreasonable that a spelling mistake or some other genuine error should be corrected? As to illegal immigrants or overstayers, is it unreasonable for my right hon. and learned Friend the Home Secretary to seek clarification and certain changes?

My hon. Friend the Member for Richmond and Barnes put a fair question to the Opposition concerning child spouses which they must answer. It is no use saying, "There are other matters in here, and this isn't really what we meant." My hon. Friend made a significant point concerning child spouses and the right hon. Member for Sparkbrook should answer it.

Mr. Hattersley: The last publicised account of child spouses concerned two young children from my constituency who were abducted and, in my view, falsely married in Yemen. When I fought for them to be returned to this country, I was urged by the Foreign Secretary not to behave in a way that would undermine Britain's relationship with the Government of that country.

Mr. Hughes: The right hon. Gentleman's remarks are interesting and revealing. It is right for him to raise that important matter on behalf of his constituents. However, the right hon. Gentleman knows, as do other right hon. and hon. Members and the public, that it has nothing to do with the measure before the House.

I shall make matters clearer, so that the Opposition can understand them. The present rules do not prevent a child settled in this country from marrying abroad and returning with his or her spouse. That is being changed—which has nothing to do with the point made by the right hon. Gentleman, and he knows it.

We must ask the Labour party: is it on the side of illegal immigrants and overstayers? They are the subject of the only change to the rules that is of any real substance.

Mr. Hattersley: I do not even have to ask the hon. Gentleman to think back to the Yemeni false marriage of six months ago. Forty minutes ago, I said in my speech —before the Home Secretary ruled me out order—that none of us would complain that cases of overstayers detected by the police being sent back to their country. That is in *Hansard*. If the hon. Gentleman had done me the courtesy of listening to my speech, he would not have asked his absurd question.

Mr. Hughes: I am extremely grateful to the right hon. Gentleman for his clarification. What he had to say to the House about the two matters that contain any substance is that he is not against those, but he is voting against the rules on other spurious grounds.

Mr. Hattersley *rose*—

Mr. Hughes: I have given way to the right hon. Gentleman often enough and other hon. Members wish to speak in the debate.

Why has the Labour party brought this matter to the House? I hope that the right hon. Member for Sparkbrook is as good as his word and that we shall have a more wide-ranging debate—not about immigration but about race relations. That is the key issue and it is what affects my constituents. They want to know what hon. Members on both sides of the House have to say about the important issues that affect people of Asian origin in this country. They want to know about racial harassment and what can be done about it. They want to know about the issues that affect their families.

Why was this issue raised? I think that the right hon. Gentleman answered that question when he referred to Hong Kong. During the debates on Hong Kong no one could be in any doubt that the Labour party's stance on the British Nationality (Hong Kong) Bill, as stated by the right hon. Member for Sparkbrook, was designed to appeal to what they regard as racist Labour voters in the inner cities. They were playing the race card. The number of Labour abstentions and sheepish looks showed that many Labour Members of Parliament knew exactly what they were doing.

All the right hon. Member for Sparkbrook and his party are trying to do tonight is to play the other side of the coin. Now they are trying to say that they are on the side of Asian-British people, despite the racist stance that they took a couple of weeks ago. I do not think that that is going to wash with Asian-British people. They will not be very impressed with what the Labour party has had to say.

My constituents and other Asian people in this country will welcome this minor package because, once again, they will be able to trust that what the Government say is what

they mean, that fair rules will be applied fairly and rules that are unfair will be clarified. Therefore, when the Government consider the case of someone trying to enter the country, or whether a person's status allows him or her to stay, people will know that the rules are fair and will be applied fairly. People would not be able to say that that would be the case under a Labour Government, and that has been proved yet again tonight.

11.17 pm

Mr. Peter L. Pike (Burnley): The primary purpose rule has been referred to in the debate, and the Home Secretary should recognise the heartbreak caused by it. It is almost impossible for people to get round it if they are trying to answer honestly questions that they are asked in connection with the rule.

The Home Secretary should understand immigration because of the ministerial offices that he has held. You will know that, Madam Deputy Speaker, because you were a candidate in the Nelson and Colne by-election when the Home Secretary was elected for that constituency, and he had to deal with immigration problems there.

The primary purpose rule causes serious problems and the Government must deal with it at some stage.

As regards visas, it is time that the Government and officials stopped judging people who require visas to enter Britain as though they wanted not just to visit but to become permanent residents. We all recognise that the three additions referred to in the rules are a result of the French connection whereby people can come through in a different direction. That suspicion on the part of the Government and officials makes it difficult for many people who genuinely wish to visit this country to obtain a visa.

My right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley) referred to DNA testing. Applications by dependants should be dealt with as speedily as possible. As for those who are no longer dependants, if DNA tests prove that a mistake was made in the past, they should be allowed to come to the United Kingdom.

As for the increase in capital from £150,000 to £200,000 and in incomes from £15,000 to £20,000, I do not believe that these people should be allowed to come to this country under a different set of rules. An income of £20,000 is reasonable, but if people in Bangladesh or Pakistan want to come here and have capital of £150,000 or £200,000, they are extremely wealthy compared with the majority of people in those countries. Wealthy minorities should not be treated differently from the overwhelming number of people who apply to come to the United Kingdom. That is unjust. The rules should be fair. We want justice, but we do not have it.

11.21 pm

The Secretary of State for the Home Department (Mr. David Waddington): I hope that the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) did not think it discourteous of me to interrupt him. I had only one motive — to establish the parameters of the debate and to make sure that I knew what was the Chair's ruling on the width of the debate. We now know precisely what the position is. There is no doubt whatsoever, if we compare the consolidated rules with the previous rules, that we are dealing with minor rule changes.

Despite what the hon. Member for Caithness and Sutherland (Mr. Maclennan) said, there is no link between these changes and the British Nationality (Hong Kong) Bill. The rules apply worldwide, they are not aimed at Hong Kong, they do not bear particularly on residents in the colony and they do not conflict with the British Nationality (Hong Kong) Bill. However, I shall deal with rule 58, which is worrying the right hon. Gentleman.

Only three of the changes will have any effect on our practices or procedures. The first is the change in visa requirements. There is the new visa requirement for nationals of Algeria, Morocco and Tunisia. It came into effect on 1 April, and it applies to nationals of those countries, other than those settled here and returning after a short absence abroad. Visitors and students, along with those seeking work or settlement, have to make their case for admission at a United Kingdom mission abroad rather than at a port of entry, and those who do not qualify avoid the disappointment, expense and inconvenience of being refused entry after their journey here.

The change certainly brings the United Kingdom into line with the majority, though by no means all, of our European Community partners. The majority—Belgium, France, Germany, Ireland, Luxembourg, the Netherlands, Portugal, and Greece for Algeria alone—also now require visas. The change became necessary for us because of the operational difficulties that were created at the ports by the arrival of an increasing number of people from the Maghreb who did not meet the requirements of the rules.

I am glad to say that the new arrangements have been very successful. The difficulties at our ports have been resolved, which has enabled us to provide a better service for bona fide travellers, and there is at present no delay in dealing with visa applications abroad: they are all being decided within 24 hours. I commend the staff involved for the excellent job that they are doing.

In the near future, we shall be making two further changes to our visa requirements. My hon. Friend the Member for Hove (Mr. Sainsbury), the Parliamentary Under-Secretary of State, reported to the House on 16 February that, during talks that had just taken place with representatives of the Argentine Government, it had been agreed that each country should soon abolish visa requirements relating to the other country's nationals, and on 9 April a visa abolition agreement was duly signed. It is due to come into force on 8 June.

Mr. Hattersley: Where on this little piece of paper is Argentina dealt with? I should also like to know the position of citizens of, say, Tunisia who—this applies to many—are also French citizens, thus having dual nationality. Will they be allowed in automatically, under EC rules, or will they still need a visa?

Mr. Waddington: If they present French passports that appear to be valid, they will be allowed in like any other French citizen. If they present Algerian passports, they will be treated as Algerian citizens, and thus be subject to the visa requirement. Surely that is logical. I think that, when dealing with the three new visa requirements, it was helpful of me to remind the House of the Argentine arrangements.

Another visa change relates to the German Democratic Republic. As my hon. Friend the Member for Warwickshire, North (Mr. Maude)—the Minister of State —announced on 9 May, Foreign Ministers of the European Community countries agreed at a meeting in

[Mr. Waddington]

Brussels on 7 May that all member states would abolish their visa requirements for that country. The United Kingdom welcomed that agreement, because we no longer see any need—on grounds of security or immigration control—for East Germans to obtain visas, and we now intend to negotiate a reciprocal visa abolition agreement with the GDR. No date for the lifting of visas was set at the meeting of Foreign Ministers, and we shall lay an amendment as soon as possible to remove the visa requirement for East Germans.

Mr. Rhodri Morgan (Cardiff, West): I appreciate that an important principle lies behind what the Home Secretary has said; changing international circumstances require the adaptation of visa requirements. Will he, however, consider another application of the same basic humanitarian rule?

An international change involving one of my constituents is the civil war in Somalia. One of the by-products of that war is the incidence of orphans, who —according to Somali rules—become the responsibility of the nearest male relative. In this instance, the nearest male relative happens to live in Cardiff, West.

One consequence of such developments is not covered by the regulations, although I do not think that a major change would be required to deal with it. May I ask the Home Secretary to consider these people as sympathetically as the European Foreign Ministers considered GDR nationals, now that it is assumed that German reunification will not be long delayed?

As I have told the Home Secretary in writing several times, my constituent and others like him are already taking financial responsibility, according to the iron rules of the Somalis. After all, in this country we are trying to encourage "care in the community"; the Somalis already practise it, but in their present form the regulations do not permit dependent orphan relatives to be brought here.

Mr. Waddington: As the hon. Gentleman knows, many Somalian citizens have been admitted to this country and granted refugee status. The best advice that I can give him is this: if he will write to me about a specific case, I shall decide whether, on exceptional grounds, the person concerned should be treated as a member of the family of the person who has been admitted as a refugee. This can be dealt with only case by case. If the hon. Gentleman writes to me, I will look into the matter.

Ms. Short: The situation in Somalia is truly dreadful. People are starving. There is a special unit in the Home Office dealing with these issues, and I have found the people in that unit extremely helpful in assisting relatives of my constituents. Is a tightening up taking place? Has there been a change recently? Up to now I have found the Home Office helpful and generous in these tragic cases. There is a suggestion that the right hon. and learned Gentleman is about to tighten the rules for Somalian refugees. Is that correct?

Mr. Waddington: I know of no change. Apparently there has been no change in practice for those in refugee camps. The hon. Lady may have a case concerning others. If she writes to me, I will look into the matter. I know of no formal change in the situation, but there may have been some slight difference in some of the recent rulings, simply because of different reports coming to the Home Office and the Foreign Office about the situation there. I will look into that for the hon. Lady.

The second of the main changes in the package before us tonight concerns the admission of Commonwealth citizens with a grandparent born in the United Kingdom who wish to take or seek work here. This change will not prevent people of United Kingdom descent coming here as before. It will mean that, when they first arrive, they will be given leave to enter the country for a limited period and they will qualify for settled status if they stay here in that capacity for four years. The change brings this provision into line with the arrangements for others, such as work permit holders and business men who qualify for settlement only after four years working here.

Ms. Short: I am not that critical of this proposal, but why does it apply only to Commonwealth citizens? This change will not apply to South Africans, who are probably the majority arriving in this category. Why has the Home Secretary exempted South Africans, for example?

Mr. Waddington: The existing rule, the hon. Lady will remember, refers only to Commonwealth citizens who can prove that they have a grandparent who was born in this country. The only change we are making is that, whereas at present anybody who arrives at our ports and can show that he has a grandparent who was born in this country will be granted immediate settlement, under these rules he will not get settlement until he has served in this country the same time as a work permit holder must serve before he gets settlement. It is a logical change, because there is little point in granting settlement to somebody who presents himself at a port saying that he has a United Kingdom grandparent but has no intention of settling in Britain permanently but merely wishes to come for a short visit or perhaps to work for a year or so.

The third of the main changes in the rules concerns the financial requirements for businessmen and persons of independent means. A person coming here to establish himself in business or to be self-employed must invest his own capital in that business, in addition to meeting a number of other requirements which include the creation of new employment here. A person of independent means must have either a capital sum or an income available here to support himself and his family, as well as showing that he has a close personal connection with the United Kingdom or that his admission is in the United Kingdom's general interests.

The general structure of the criteria for admission in these categories remains unaltered. The new rules, however, increase the minimum investment required by business men to £200,000 and the capital sum or income required by persons of independent means to £200,000 in the first case and £20,000 a year in the other. Previously, the financial requirements were an investment or capital sum of £150,000, or an income of £15,000 a year. The amounts have not been raised since 1983, and the changes broadly restore the levels to their 1983 value. I can tell the hon. Member for Norwood (Mr. Fraser) that there is nothing sinister behind the change—it is a rather belated uprating of the qualifying sum to take account of the decline in the value of money over the relevant years.

It is clearly necessary to increase the limits from time to time to maintain the effectiveness of the rules and to ensure that a substantial investment is made by people securing

admission as business men and that persons of independent means have sufficient funds to support themselves and their dependants.

The changes in the provisions on returning residents in paragraph 58 worried the hon. Member for Caithness and Sutherland and seem to have caused some quite unnecessary concern inside and outside the House. However, they are no more than minor amendments to make clear what was always understood to be the position, until a determination of the immigration appeals tribunal cast doubt on the matter, and to restate what the High Court has decided was the correct view.

Mr. Corbyn: Will the Home Secretary give way?

Mr. Waddington: I think that it would be helpful if I explained what the change is. I can assure the House that the paragraph does not in any way affect adversely the position of people who being ordinarily resident in the United Kingdom travel abroad and then after a temporary absence wish to resume their residence here.

The old rule referred to a returning resident being admitted for settlement if he had had indefinite leave to remain when he left. That was always taken to mean, "when he left for the absence from which he was returning". Surprisingly, the tribunal held differently—that a person could claim to be a returning resident on the basis that, at some time in the past, he had had indefinite leave to remain, even if subsequently he had come here temporarily and had had one or more grants of limited leave. The new rule clears up the matter by referring to when he "last" left.

The other change arises from the fact that, although the old rule was clearly about admission for settlement, it did not state explicitly that, in order to be admitted for settlement under the rule, one had to be seeking entry for the purpose of settlement. It did not state it explicitly, but clearly that was the rule's whole purpose. It was intended to allow persons resident here to resume residence after an absence of two years. It was not intended to enable people resident overseas to maintain settled status in the United Kingdom by paying short visits once every two years when they had no real intention of resuming residence here. The position is now made clear beyond peradventure.

Mr. Corbyn: Will the Home Secretary consider the position of people from a country of political turmoil, such as Chile was in the past, who did not apply for political asylum but received permanent resident status here in exile, and then returned to Chile or wherever they were from? If the situation in that country deteriorated again, they would seek to return here as the place where they could live with some safety. In those circumstances, would they be forced to apply for asylum, which they would not want to do as they had never done that, or would they be forced to go through the whole process of applying for permanent residence here as if they were first-time arrivals?

Mr. Waddington: Having followed the case which the hon. Gentleman raised, I cannot see any difficulty or injustice. The hon. Gentleman is positing that someone came here to seek political refuge, but no longer needed political refuge here because the position in his own country was restored to normality. He then returned to that normal country, as there was no need for him to remain here as a refugee. If, subsequently, the conditions in his own country deteriorate, the question obviously arises whether that deterioration is so grave that he is entitled to take refuge in this country again. I can therefore see no injustice whatsoever in his leaving this country, going back to his normal country, resuming residence in that country, and having to seek leave once again to come back here.

Mr. Maclennan: Does the Home Secretary see no injustice in the case of someone who has been resident in this country for a substantial number of years, who is required to go abroad to look after an indigent or dying relative, who interrupts his stay abroad to come back to deal with his affairs on a temporary basis, before returning to look after his relative, losing his long-established right of residence? That cannot be fair.

Mr. Waddington: It is a question whether he was resident in this country before he left. If his settled home was in this country and he went for a visit abroad, there should be no difficulty in his re-admission. That is the whole misunderstanding. What many of the people who are worried about the change seem to be arguing for is not a provision for returning residence, but a new status of perpetual, permanent residence to be open to someone who has his permanent home elsewhere and who makes a fleeting visit here once every two years. That did not seem to be the sort of case to which the hon. Member for Caithness and Sutherland was referring.

Ms. Abbott: Is the Secretary of State aware that many thousands of people affected by the change of rule will be pensioners who have spent all their working lives in this country and who may have to leave here for extended periods to deal with death and illness? They will find that, unknown to them, they have lost what they assumed was a permanent right of residence. I know many people, including my own uncles and aunts, who have been in this country for 30 or 40 years and who have held on to their Jamaican passports out of sentimentality.

They assumed that they had a sustained right of residence if they came back here within two years. Many of them will have relatives in America and Jamaica. They may well spend over two years away from here winding up the affairs of relatives, and they will have lost their right to residence through the change in the rules. It is not a minor change in the rules. It is a major change which will bring misery and confusion to people who have spent all their working lives in this country.

Mr. Waddington: I can reassure the hon. Lady. She has overlooked paragraph 59, which deals with the very situation to which she refers. I will come to it in a moment.

Mr. Fraser: The Home Secretary has referred to paragraph 59. If he looks at paragraph 49, he will see that, if somebody comes to this country for settlement and does not have a special voucher or prior entry clearance, that person is to be refused entry. Is the Home Secretary saying that paragraph 59 is an exception to paragraph 49?

Mr. Waddington: No, because paragraph 59 has nothing to do with paragraph 49. Paragraph 49 deals with the admission of people with special vouchers. Paragraph 59 deals with when a returning resident should be admitted. It says plainly that, even if a person has been abroad and resumed residence elsewhere, that person may still be re-admitted here as a returning resident if he has

[Mr. Waddington]

spent most of his life here. That was precisely the case being raised by the hon. Member for Hackney, North and Stoke Newington (Ms. Abbott).

These cases rarely cause any difficulty. A person seeking re-admission as a returning resident within two years of having had settled status here should normally be re-admitted without further inquiry. We propose to reinforce the message that there is going to be no change in practice by issuing a specific instruction to immigration officers emphasising that in these cases it will not normally be necessary to make any further inquiries about the person's plans.

There are two other matters I should emphasise. First, a person who has been away more than two years may still qualify as a returning resident under paragraph 59 of the rules, if, for example, he has lived here most of his life; secondly, if in any case there were difficulties in reaching a decision at the port about whether the person met the returning resident's requirements, he would normally be admitted for a limited period. This would give him the opportunity to produce the necessary evidence and apply for his settled status to be restored. If we concluded——

It being one and a half hours after proceedings on the motion had been entered upon, MADAM DEPUTY SPEAKER *proceeded to put the Question necessary to dispose of them, pursuant to the Order [11 May].*

The House divided: Ayes 137, Noes 176.

Division No. 210] **[11.44 pm**

AYES

Abbott, Ms Diane
Allen, Graham
Anderson, Donald
Archer, Rt Hon Peter
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barron, Kevin
Beckett, Margaret
Beith, A. J.
Benn, Rt Hon Tony
Bermingham, Gerald
Boateng, Paul
Boyes, Roland
Bradley, Keith
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell-Savours, D. N.
Carlile, Alex *(Mont'g)*
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Cohen, Harry
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbyn, Jeremy
Cryer, Bob
Cunliffe, Lawrence
Cunningham, Dr John
Dalyell, Tam
Darling, Alistair
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Dunnachie, Jimmy
Eastham, Ken
Fisher, Mark
Foot, Rt Hon Michael
Foster, Derek
Fraser, John
George, Bruce
Golding, Mrs Llin
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Henderson, Doug
Home Robertson, John
Hood, Jimmy
Howells, Geraint
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Ingram, Adam
Jones, Barry *(Alyn & Deeside)*
Jones, Ieuan *(Ynys Môn)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Leighton, Ron
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Livsey, Richard
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
Maclennan, Robert
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Mowlam, Marjorie
Mullin, Chris
O'Neill, Martin
Parry, Robert
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Redmond, Martin
Reid, Dr John
Richardson, Jo
Robertson, George
Rogers, Allan
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Smith, J. P. *(Vale of Glam)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steel, Rt Hon Sir David
Steinberg, Gerry
Strang, Gavin
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Wigley, Dafydd
Winnick, David
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Frank Haynes and
Mr. John Battle.

NOES

Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Aspinwall, Jack
Atkins, Robert
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Batiste, Spencer
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Blaker, Rt Hon Sir Peter
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Chapman, Sydney
Chope, Christopher
Clark, Hon Alan *(Plym'th S'n)*
Colvin, Michael
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Couchman, James
Currie, Mrs Edwina
Davies, Q. *(Staml'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Dicks, Terry
Douglas-Hamilton, Lord James
Dover, Den
Durant, Tony
Dykes, Hugh
Eggar, Tim
Evans, David *(Welwyn Hatf'd)*
Fairbairn, Sir Nicholas
Fallon, Michael
Favell, Tony
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Sir Alan
Goodhart, Sir Philip
Goodlad, Alastair
Gow, Ian
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Hague, William
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Howarth, G. *(Cannock & B'wd)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Jones, Gwilym *(Cardiff N)*

Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
Key, Robert
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Lang, Ian
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lilley, Peter
Lloyd, Peter *(Fareham)*
Luce, Rt Hon Richard
Lyell, Rt Hon Sir Nicholas
Macfarlane, Sir Neil
MacGregor, Rt Hon John
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Malins, Humfrey
Mans, Keith
Maples, John
Marshall, Michael *(Arundel)*
Maude, Hon Francis
Meyer, Sir Anthony
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Cranley
Patnick, Irvine
Pawsey, James
Riddick, Graham
Roberts, Wyn *(Conwy)*
Rowe, Andrew
Sackville, Hon Tom
Shaw, David *(Dover)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stokes, Sir John
Stradling Thomas, Sir John
Sumberg, David
Taylor, Ian *(Esher)*
Taylor, Teddy *(S'end E)*
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thornton, Malcolm
Thurnham, Peter
Tracey, Richard
Twinn, Dr Ian
Vaughan, Sir Gerard
Waddington, Rt Hon David
Waller, Gary
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. John M. Taylor and
Mr. David Lightbown.

Question accordingly negatived.

Skill Centres (Sale)

Motion made and Question proposed, That this House do now adjourn.—*[Mr. Nicholas Baker.]*

11.55 pm

Mr. Bob Cryer (Bradford, South): I raise the Adjournment debate in anger and outrage at the attack on skill centres by the Government and by this Minister, who has been in charge of it. The move to sell off the skill centres has created uncertainty. It has pushed carefully prepared budgets to one side and has created a shortage of money for the maintenance and replacement of machinery that is vital for training processes and for helping people adequately to undertake courses at skill centres.

In the words of Geoffrey Holland, accounting officer for the Training Agency:

"During the period of uncertainty pending the privatisation decision, capital spending was restricted to essentials".

What does that really mean on the ground where people receive their training, a ground that is unfamiliar to the Minister? It means that in a skill centre with which I am familiar, the manager did not know whether to spend £400, which he could ill afford, on a milling machine—for the Minister's information, that is an important piece of machine tool equipment—or to scrap it because it was too much for the budget. That is the effect of the decision that Ministers have taken to privatise the skill centres. Indeed, that was the first aim that the Secretary of State for Employment set out when he made that announcement. However, there is more to come.

The sale of the centres, often located on valuable land, has been carried out in a deceitful and underhand way, which calls into question sections of the civil service and their integrity, and the Government's adopted procedures, which have denied a fair bidding process. I am fundamentally opposed to the privatisation of the skill centres—they could and have worked perfectly well in the public domain and under public ownership. But if they are to be sold off, surely it is reasonable to ask that the procedure undertaken is fair and open, which is patently not the case in this process. The Government always claim that they are interested in

"turning around a business which is currently unprofitable and creating training businesses with good prospects of viability."—[*Official Report,* 1 May 1990, Vol. 171, c. *472.*]

That is the sort of answer that the Minister has used in parliamentary answers and on other occasions.

The sale announcement was made in March 1989. The document was prepared by Deloitte Corporate Finance and was issued on behalf of the Secretary of State for Employment. Incidentally, Deloitte has done quite well out of this because its fees are already more than £350,000, including VAT, and all the advisers involved can confidently expect that when the Government get round to revealing the figures in the summer, those fees will be in excess of £0·5 million of taxpayers' money.

Copies of Deloitte's document were issued under a promise of secrecy and had to be returned—as though Deloitte was unaware that photocopying had been invented. The Minister has not yet revealed the number of documents involved, but I am sure that with the number of civil servants at his command, he will manage tomorrow to answer the questions that I have tabled for answer today.

At least 40 groups were, to my certain knowledge, interested. Several of them made tender offers. Bidders

[Mr. Bob Cryer]

were invited to submit offers. What bidders did not know was that three senior civil servants, ludicrously termed a management buy-out team, were preparing a plan to buy. They were financed by the Government in that they did this in ordinary working hours and were

"in contact with professional advisors as from the autumn of 1988."

The advisors were paid for from taxpayers' funds.

The only safeguard for those insider dealers, according to an answer of 27 March, was this:

"Given their special position as a management buy-out team, in early April 1989, my Department removed the three officers concerned from direct responsibility for decisions affecting both personnel matters and the expenditure of public money. This was done to ensure that bias could not enter into decisions"—[*Official Report*, 27 March 1990; Vol. 170, c. *157-58*.]

The three officers were responsible for the national operation of the skill centres.

No use was made of the rules governing acceptance of outside appointments by Crown servants. Those rules were published in 1988, and appendix B states:

"It is in the public interest that people with experience of public administration should be able to move into business or other bodies and that the possibility of such movement should not be frustrated by unjustified public concern over a particular appointment. It is also no less important whenever a Crown servant accepts a particular outside appointment that there should be no cause for any suspicion of impropriety. The rules set out below have been designed to safeguard against such criticism both the public service and individual officers who wish to leave to take up these appointments. The aim of the rules is: (a) to counter suspicion, however unjustified, that the advice and decisions of a serving officer might be influenced by the hope or expectation of future employment with a particular firm or organisation; and (b) to avoid the risk that a particular firm or organisation might be gaining an unfair advantage over competitors by employing an officer who has had in his official career access to information which those competitors could legitimately regard as their own trade secrets."

Appendix B also states that the rules apply to Crown servants of grade 3 level, or equivalent and above; and

"below Grade 3 to whom an offer of appointment or employment of the kind to which the rules apply is made and who has at any time during the course of his or her official duties in the two years before leaving Crown service (or earlier if the association has been of a continued or repeated nature) had with the company or other organisation making the offer the kind of personal involvement described in paragraph 9 below."

I mention these extracts from the document because the Minister seems somewhat unfamiliar with it. It goes on to say that the criteria for dealing with applications include the following:

"Particular attention should be paid to appointments where the prospective employer

(a) has a contractual relationship with the Government;
(b) is in receipt of subsidies or their equivalent from the Government;
(c) is one in which the Government is a shareholder;
(d) is in receipt of loans, guarantees or other forms of financial assistance from the Government; or
(e) is one with which Services, or Departments or branches of Government, are as a matter of course in a special relationship."

All those criteria are met in full by the position of the three civil servants dealing with the skill centres. The rules are perfectly proper and sensible, designed to give the public confidence in the operation of civil servants, keeping companies with which they are in contact at arm's length so there can be no question or suspicion of any impropriety or favouring or that civil servants are manoeuvring themselves into an advantageous position. They are designed to stop insider dealing in the civil service —the sort of thing that the Government have frowned on in the stock exchange. Corruption springs from insider dealing. Yet those very rules were set aside by the Minister.

It is interesting to note how the Government apply rules to councillors. The rules that they formulate for other people are not set aside. The national code of local government conduct must now be signed by councillors and orders tabled by three Departments must be considered and approved by the House. The code of conduct says, in paragraph 6:

"You should never do anything as a councillor which you could not justify to the public. Your conduct, and what the public believes about your conduct, will affect the reputation of your council, and of your party if you belong to one. It is not enough to avoid actual impropriety. You should at all times avoid any occasion for suspicion and any appearance of improper conduct."

Paragraph 9 continues:

"Interests which are not pecuniary can be just as important. You should not allow the impression to be created that you are, or may be, using your position to promote a private or personal interest, rather than forwarding the general public interest."

Such words denote a curious sort of attitude on the part of a Government who have paid for three civil servants to have advisers to work full time on a plan to take over a publicly owned body, given that those civil servants were part of a tendering process.

The other bidders were not just a group of cowboys, as the Minister knows. One of the consortia that bid was headed by Sir Richard O'Brien, the former chairman of the Manpower Services Commission. Not even the Minister could dismiss such a bid as irrelevant. Bidders were not informed that the Government were to provide £11 million to the successful bidder. Only Astra was told that.

There is a stock reply. On Tuesday 1 May I asked the Secretary of State for Employment,

"pursuant to his answer to the hon. Member for Bradford, South of 23 April, *Official Report*, column *99*, at what stage of negotiations following the receipt of bids for skill centres it was decided that £11 million should be given to Astra Training Services; and what steps were taken to ascertain whether other bidders would revise their positions in the light of the sum being offered."

The response from the Minister lounging on the Bench was:

"The payment of £11 million from the Government to Astra Training Services Ltd. represented Astra's assessment of the costs of turning around a business which is currently unprofitable and creating training businesses with good prospects of viability. Deloittes, in conjunction with my Department's other advisers, evaluated all the offers and made recommendations to my Department. The Government decided that the Astra offer, including the £11 million payment, met the Government's six objectives for the sale (a copy of which was placed in the Vote Office on 13 February 1990) more fully than competing offers."—[*Official Report*, 1 May 1990; Vol. 171, c. *472*.]

But the competing offers were not really competing offers because they did not have the information that £11 million was available. The Minister shakes his head, but my information is that that was not made clear. If it was, why did not the Minister say so in answer to the question that I have just read out?

In any case, the Minister has decided that the tender should be given to the very three people heading the organisation that produced a loss of £27 million, which is

why the Government decided to privatise the concern—claiming that it would be better in the marketplace. That seems a curious choice to say the least.

The document that Deloitte put out contained some interesting information. On page 27, appendix 4, which is headed "Principal lease terms", says:

"Many Skillcentres occupy valuable sites, several with considerable development potential. The Department considers that these properties might be too expensive for many business purchasers. Therefore, purchasers will be offered the option of: (a) acquiring the Department's freehold or long leasehold interest; or (b) taking a lease of the properties. Where a purchaser wishes to acquire the Department's interest, it will be available on terms which reflect its full value."

That document contains a clear implication—indeed, an expression—that some of the sites will be so expensive that lease terms will be made available in order to maintain, one supposes, the skill centres. Therefore, it is rather surprising to find that 27 freehold sites have been acquired by Astra Training Services and that two of those sites are in the most valuable sector. They are grade A sites rather than grade B or C which would decrease in value. They are sites "with considerable development potential."

What conditions are being imposed to prevent taxpayers from being ripped off? Is the £11 million being used to buy sites that will later be sold for development by Astra at a considerable profit, only a proportion of the added value being required by the Government? Will the Minister confirm that METEL, which bought the Liverpool site freehold, has just made 25 people redundant? That hardly augurs well for extending the skill centre facilities.

The net replacement costs for all 60 sites, according to the annual report published in document No. 337, "Training Commission Accounts 1988-89", was £86,749,000. Are the sites that have been sold to Astra Training Services Ltd. worth about £40 million? Perhaps the Minister will tell us about that. What price has been received? It is not a question of commercial incompetence. These affairs involve public sites and a grant of £11 million to an inside tenderer. The public should know whether one of the criteria that the Secretary of State announced, that value should be obtained for any site disposed of, has been fully met. We will not be able to know that unless the Minister provides the information.

It would be a cruel irony of the marketplace, would it not, if, after four years when the conditions no longer apply, Astra is wound up after selling off the site, the company pockets the £40 million, and the directors retire? No doubt the Minister will be keen to know that, according to information provided to me by the Library, on 8 May the three directors, diligent as no doubt they are, had failed to lodge the articles or memorandum of association or any other information with Companies house.

The debate gives the Minister an opportunity to provide information. On the face of it, this is a sleazy conspiracy to rip off the taxpayer. Dedicated civil servants have worked for low salaries for many years to make the skill centres a success, only to find that the Government's decision has placed their future in jeopardy. Already, more than 50 have sought transfers away from the skill centres because of the lack of certainty and confidence in their future. When the Secretary of State made the statement he made it clear that he thought highly of the people who worked in the skill centres. However, the leadership, the three civil servants concerned, were wrong to become involved. There may have been a temptation, but they were wrong. Ministers were wrong to involve them. When the Minister and the Secretary of State took up office they signed a Cabinet document placing upon them obligation not to involve civil servants in political activities.

The sale of the skill centres, the rush to privatisation, is a political activity brought about by the ideology of the ruling party. Ministers should not have placed civil servants in that position. They should have ensured that the tendering process was open and seen to be open, provided all the information that was available to all the bidders so that the process was seen to be fair, and the insider dealing should have been stopped.

At the very least, Ministers should have applied the ground rules governing the relationship between civil servants and the private sector. To set those rules to one side inevitably evokes criticism and suspicion and that will continue until the matter is fully investigated by the Comptroller and Auditor General or the National Audit Office. But that will take more than a year and we need the answers now.

12.15 am

The Minister of State, Department of Employment (Mr. Tim Eggar): As usual, the hon. Member for Bradford, South (Mr. Cryer) fully lived up to his reputation——

Mr. Cryer: Just give me the answers.

Mr. Eggar: I take the strongest exception to the hon. Gentleman's suggestion that there was something improper in the decision to sell the bulk of the Skills Training Agency to the management buy-out team. There is not one shred of evidence to justify his assertion and he knows that perfectly well.

I remind the hon. Gentleman that the position of the management buy-out team was described clearly and openly to the House when the sale of the STA was announced by the then Secretary of State for Employment on 13 March 1989. The management buy-out team was removed from any direct responsibility for decisions affecting both the expenditure of public money and personnel matters. The hon. Gentleman knows that perfectly well, because it has been spelt out to him in written answers.

Mr. Cryer: I said that in my speech. Why repeat it?

Mr. Eggar: It is typical of the hon. Gentleman that he sits there muttering. He must exercise his responsibility——

Mr. Cryer: Answer the questions.

Madam Deputy Speaker (Miss Betty Boothroyd): Order. The Minister is attempting to answer the debate.

Mr. Eggar: The hon. Gentleman must exercise his responsibility as a Member of the House. He should not use the opportunity that his privileged position gives him to cast slurs on people in the way that he has done tonight.

The hon. Gentleman knows perfectly well that the civil servants were supported in their sale negotiations by professional advisers of experience and integrity. I am satisfied that the team acted throughout with the utmost probity, and that its success resulted from the merits of its bid, not from any other cause.

[Mr. Eggar]

I suggest that the hon. Gentleman should, on reflection, make it clear to the House that he has no grounds for the assertions that he has made this evening. He should not use his privileged position to cast slurs on people who he knows perfectly well cannot reply.

I take this matter extremely seriously. The purchasers of skill centres accept that the transfers are governed by the regulations and on the basis of the discussions between my Department's advisers and the purchasers. There is no reason to suppose that any breach is intended.

The Government have virtually completed the move of the STA into the private sector. We announced our intention to do so in our White Paper in December 1988 and my right hon. and learned Friend the Secretary of State told the House in February this year that we had agreed terms of sale for more than three quarters of the business.

That is a considerable achievement for a business which has had a long history of financial problems. In the past six years the STA has broken even financially only once. Those losses arose despite an arrangement under which the public sector purchased a fixed amount of training from the STA. That arrangement rightly ended in 1987 following criticism of it by the Public Accounts Committee.

At that time, we took advice on the scope for turning the STA into a more competitive and viable training business, able to compete on level terms with other providers of training, without subsidies and artificial prices —which had been such a feature of its time in the public sector.

Given the STA's massive losses—up to £30 million in the last financial year—there was no prospect of maintaining its network of training centres within my Department. To keep a network of any kind, it was necessary to sell. Therefore, the Skills Training Agency was put up for sale by public tender. It may help the hon. Gentleman—if anything ever helps the hon. Gentleman —if I describe how that sale was conducted. It had to meet the objectives that the Government set themselves at an early stage. They were as the hon. Gentleman briefly described them in his speech. It is important to recognise that those six objectives had a significant bearing on the outcome of the sale.

It was not a privatisation, where the first objective is to ensure the maximum financial return. If we had wanted that, we would simply have shut down the STA and sold off its very considerable property assets. But we did not want to lose training capacity which we felt had the potential to become viable. Our first objective was to transfer into the private sector as much of the training business as we could.

Our having decided on that objective, the sale process became a fairly complex one in which we had to balance the preservation of training, proper treatment of the property assets, and the taxpayers' interests in those assets —as well as the overall financial returns. Throughout the sale process, Ministers were advised by Deloitte Corporate Finance. It prepared an information memorandum that fully described the STA, the scale of its operation, the nature of its business, and the property that it occupied. That memorandum was sent to a number of organisations that had expressed serious interest in the sale.

On the basis of that memorandum and of discussions between potential purchasers and our advisers, indicative bids were received and evaluated. Some bids were rejected as inadequate, and the remainder were subjected to more detailed negotiation, which covered all aspects of the bids, ranging from the price proposed for the business and the treatment of the property, through to bidders' proposals for safeguarding the terms and conditions of staff employment and offering suitable pension agreements.

All potential bidders were treated on the same footing, and all bids ultimately received were evaluated against the same criteria—taking full account of our six objectives.

On the basis of that very full evaluation, we announced on 13 February that the majority of businesses would be taken over by Astra Training Services Ltd. Its offer covered 46 skill centres, plus the STA's head office and various other assets. Astra, the main successful bidder, is —as the hon. Gentleman stated—a company formed by a management buy-out team at the STA's head office. That successful management buy-out represents the first of its kind in the civil service. The Astra bid, together with the others that were successful, means that 51 of the 60 skill centres will be sold as training businesses.

Those STA property interests not included in the sale package that was announced will be offered for sale on the open market, bringing in substantial sums to the Exchequer.

I would have been pleased to secure Astra's bid for 46 of the skill centres. In the event, it can take only 45. It cannot take the Chesterfield centre because it was one of a number of sites where the sale of the business depended on the agreement of the landlord to transfer the centre's lease from my Department to Astra. I am sorry to tell the House that the landlord in that instance, Chesterfield borough council, which is Labour-controlled, refused to transfer the lease, thus forcing the skill centre to close and depriving Chesterfield of training services.

I must add that news emerged today about the sale of the Liverpool skill centre to Merseyside Education Training Enterprise Ltd. I understand that, as the hon. Gentleman said, METEL has made all the staff transferred to it from the Skills Training Agency redundant, less than 24 hours after completion of the sale. The Department negotiated the sale of an established business in good faith, and had taken some comfort from the fact that METEL is a charity and from the membership of METEL's board.

We are determined to support our former employees in enforcing their legal rights, and to ensure continuity of training for the trainees from the centre. We are currently examining the contractual position, and are offering our former employees access to legal advice.

The hon. Member for Bradford, South referred to the clawback terms on property asset disposals. If he had done his research, he would know perfectly well that the clawback terms are a matter of public record. Development gains will be repaid to the extent of 100 per cent. on gains realised in the first three years after privatisation, 75 per cent. in the following year, 50 per cent. the year after, and 25 per cent. in the remaining five

years. That meets the requirements that my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) set out in March——

The motion having been made after Ten o'clock and the debate having continued for half an hour, MADAM DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at twenty-five minutes past Twelve o'clock.

House of Commons

Wednesday 16 May 1990

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

TRADE AND INDUSTRY

Dangerous Goods

1. **Mr. Jack Thompson:** To ask the Secretary of State for Trade and Industry what further steps he is taking to strengthen legislation against sellers of dangerous goods.

2. **Mr. Gareth Wardell:** To ask the Secretary of State for Trade and Industry what further steps he is taking to strengthen legislation against sellers of dangerous goods.

The Parliamentary Under-Secretary of State for Industry and Consumer Affairs (Mr. Eric Forth): The introduction of the general safety requirement in part II of the Consumer Protection Act 1987 means that it is now a criminal offence to sell any consumer product that is not reasonably safe. That is supported by specific regulations and by a range of enforcement powers that enable action to be taken effectively and swiftly against unsafe consumer goods. I see no justification for further legislation in this area.

Mr. Thompson: Will the Minister take into account the fact that local authorities have had carefully to examine staffing levels in their trading standards departments simply as a result of the introduction of the poll tax? Will he consider at least changing part II of the Consumer Protection Act 1987 to extend the period of time for prosecutions from six months to about three years? There is great demand among local authorities for that change and it is important that it is considered. Will the Minister also consider legislation on the importation of radioactive goods such as smoke detectors, certain types of switchgear and watches?

Mr. Forth: The hon. Gentleman gives me an opportunity to pay tribute to the work done by trading standards departments up and down the land, which do excellent work on behalf of the consumer. Of course, it is for local authorities to decide their priorities. I hope that all local authorities will always give the highest priority to their duties under the Consumer Protection Act 1987 to give resources to the trading standards departments. I am confident that they will do so. As for radioactive material, if the hon. Gentleman will write to me, I shall consider the matter carefully in order to assess, apart from anything else, whether it is my responsibility. I should like to consider the matter in more detail.

Mr. Wardell: Will the Minister give three good reasons why he is not prepared to amend part II of the Consumer Protection Act 1987 in order to allow trading standards officers more time to prosecute sellers of goods that result in injury or put people's lives at risk?

Mr. Forth: I shall give the hon. Gentleman one reason. Although my Department has asked for them, I have not yet received positive and substantial reasons why we need such an extension of the time limit. I give the hon. Gentleman this undertaking. As and when anyone gives me real evidence that the six-months time limit is a real obstacle to the effective pursuit of prosecutions, I shall look at it positively. We have asked for such evidence and we are still waiting.

Mr Nicholas Bennett: Will my hon. Friend consider referring to the Office of Fair Trading a range of goods that have come on to the market in the past couple of years, which claim to be innocuous, are prettily packaged and have no price on them? The appear to be coming from an address in Walworth road.

Mr. Forth: If I can pick up the drift of what my hon. Friend is saying, I suspect that one of the problems with the products emerging from Walworth road is that we are still waiting for full disclosure of all the details, to say nothing of the fine print. When we see some of that, the goods may well be categorised as grotesquely unsafe to the public.

Mr. Nigel Griffiths: Does not the Minister realise that not only trading standards officers of local authorities but the prosecution service and the testing stations of his Department determine delays in bringing prosecutions against the sellers of dangerous goods? When trading standards officers throughout the country are telling the Minister that sellers of dangerous goods get away scot-free because of the six-month time limit on prosecutions, why has the Minister failed to review that serious loophole in our consumer protection law?

Mr. Forth: In his relatively brief tenure in office, the hon. Gentleman has made a speciality of making unsubstantiated statements from the Dispatch Box. I tell him in all generosity that I have had no such information or approaches from trading standards departments. When I receive detailed and substantial evidence that the time limit is causing the problem that he suggests, and as I have undertaken to his hon. Friend the Member for Gower (Mr. Wardell), I shall consider it positively, but I am awaiting that evidence. The hon. Gentleman might well prod trading standards departments to come forward more quickly.

Teesside Development Corporation

3. **Mr. Holt:** To ask the Secretary of State for Trade and Industry when he last met the chairman of Teesside development corporation to discuss development in Teesside.

The Minister for Industry (Mr. Douglas Hogg): I have not met Mr. Norman in his capacity as chairman of the Teesside development corporation, but I am well aware of TDC's achievements. I was pleased to see that unemployment in my hon. Friend's constituency has fallen

by 22·4 per cent. over the past 12 months. I am advised that the TDC has £1 million worth of factory space under construction.

Mr. Holt: I am grateful to my hon. and learned Friend for that reply and I hope that it will not be too long before he meets Mr. Norman. When he does, will he please convey to him the thanks of the people of Teesside for the work done by the TDC in regenerating and revitalising our area? If there is any drawback at all, it is that we still have to contend with Cleveland county council. Perhaps we can abolish that and extend the TDC to the whole area.

Mr. Hogg: I shall indeed bear in mind what my hon. Friend has said, and discuss with Mr. Norman the important fact that during the past two years, by the selective use of regional assistance, about 2,500 new jobs have been attracted into the Cleveland area. That is an important development for the whole region.

Space Research

4. **Mr. Atkinson:** To ask the Secretary of State for Trade and Industry if he will make a statement on United Kingdom participation in space research for peaceful purposes.

Mr. Douglas Hogg: The United Kingdom is successfully carrying out a range of civil space activities, principally through the programmes of the European Space Agency. The main emphasis of our programme is on space science and on Earth observation. Development of Earth observation services will open up new commercial opportunities and play a significant role in monitoring the global environment and climate.

Mr. Atkinson: In view of the negative vibes that we were giving out to the European Space Agency two years ago, may I thank my hon. and learned Friend for that encouraging reply? Is he aware of the various plans to develop a space plane—Hermes in France, Saenger in West Germany, the Orient Express in the United States and our own HOTOL project? Does he agree that it would be sensible to collaborate internationally on such an expensive project, and to include Japan and the Soviet Union if possible? Will he initiate international discussions along those lines?

Mr. Hogg: We do not have any intention of putting Government money into HOTOL. If it ever takes place, it is likely to be an enormously expensive project, and very few vehicles would be required. If there are industrial participants who are thinking in terms of it, I should certainly commend to those involved international co-operation of the sort suggested by my hon. Friend. I take this opportunity to emphasise the Government's commitment to the programmes sponsored by the European Space Agency.

Mr. Page: Does my hon. and learned Friend agree that the most profitable aspect of space science has been telecommunications, in which we have been enormously successful in the past? Is he concerned that we might be losing that lead? Is he fully convinced that we are giving all the support necessary to the new projects coming forward?

Mr. Hogg: That is an important question. The Government are trying to take on projects in space that are likely to give rise to the most useful programmes in the foreseeable future. We have done well in telecommunications in space, and British industry leads the field in that. As a specific reply to my hon. Friend, he may know that we have just announced a commitment of another £32 million towards what is known as DRTM—the data relay technology mission. We shall be researching inter-communications between satellites and between mobile land satellites.

Steel Industry

5. **Mr. John Hughes:** To ask the Secretary of State for Trade and Industry if he will make a statement on the future of the steel industry in the United Kingdom.

9. **Mrs. Margaret Ewing:** To ask the Secretary of State for Trade and Industry if he will list the principal regular subjects of discussion at meetings between himself and the chairperson and board of British Steel plc on which he answers to Parliament.

Mr. Douglas Hogg: British Steel is now a private sector company free from Government control. Over the last 10 years there has been a transformation in the fortunes of British Steel, which is now one of the most successful and productive steel companies in the world. I am confident that that success will continue in the future.

Mr. Hughes: Does the Minister acknowledge that the product of the Government's suicidal economic policies, which have resulted in catastrophically high interest rates, is the loss of the jobs of thousands of workers in the steel industry in Scotland and Wales? Will he explain what steps he has taken to counteract that effect? Is he aware that British Steel has only 2 per cent. of the market share in the Common Market, in which demand is increasing at 3 per cent? What steps will he take to ensure that the British steel industry will meet that demand?

Mr. Hogg: I am afraid that the hon. Gentleman has not done credit to what is an important issue. The plain truth is that the fortunes of British Steel have been dramatically transformed in the past 10 years and it is now one of the most successful steel-making concerns in the whole of Europe. We should not forget that between 1975 and 1985 the subsidies to the steel industry, expressed in today's money, were £14,430 million. I should have thought that the House would be pleased to note that British Steel is now in profit.

Mrs. Ewing: This is an extremely important issue and it is clear that the Minister is not responding to the extreme anger that we feel in Scotland today about the despicable and disgraceful announcement by British Steel of the proposed closure of the hot strip mill at Ravenscraig next year. Why is not the Secretary of State for Scotland prepared to come along and sit on the Front Bench to hear the points that hon. Members are raising today? We are talking not just about the loss of 770 jobs directly but about the heart being torn out of the communities of central Scotland and about the core being removed from the Scottish economy.

When was this decision reached? Is it true that it was reached by the board in March of this year? When did the Department know about it? When did it discuss it with the Scottish Office? When will we have an opportunity to look at this in more detail?

Mr. Hogg: The hon. Lady is being less than candid with the House. She has complained about the absence of my right hon. and learned Friend the Secretary of State for Scotland; she knows perfectly well that my hon. Friend the Minister of State, Scottish Office is on the Front Bench, and that there is a private notice question down for answer at 3.30 pm, to which my right hon. and learned Friend the Secretary of State will be responding. So it was less than honest of the hon. Lady to pose her question in the way that she did.

Sir William Clark: Does my hon. and learned Friend agree that the success of the steel industry is proof positive that privatisation is much better than Government control?

Mr. Hogg: Absolutely; my hon. Friend is entirely right. During the 1970s the British steel industry was virtually destroyed by the Labour party policies that were then in place. Since then, there has been a dramatic upturn in the fortunes of British Steel, which came from a considered decision to let its managers manage their business in accordance with commercial criteria.

Mr. Oppenheim: Can there be any better example of socialist economic mismanagement than the performance of British Steel in the 1970s? Is not it true that in the 1970s the Labour Government pumped huge amounts of state subsidies into British Steel, which merely encouraged it to build up huge and unnecessary surplus capacity? It was strike-bound most of the time; it was unproductive; and at one point it was losing £1 million a day. Contrast that with today, when British Steel is one of the most profitable and productive steel companies in the world, with one of the best-paid work forces in Britain.

Mr. Hogg: My hon. Friend is entirely right. He referred to losses, and the House will wish to know that in the period 1979-80 British Steel lost—in today's money—£3,359 million. In the same period the United Kingdom steel industry was, I regret to say, at the bottom of the output league: output per man was about 160 tonnes, whereas we are now third in the ranking with output per man at about 347 tonnes.

Dr. Reid: On this of all days, the fact that the Secretary of State for Trade and Industry is not at the Dispatch Box now is a shameful disgrace. He cuts an ever more irrelevant and pathetic figure. Does not the Minister begin to understand the feelings of bitterness and betrayal in the Motherwell area? He will be the target of those feelings, and deservedly so. Why did not he heed our warnings about privatisation? Why did he go ahead despite those warnings and why has not he lifted as much as a little finger to argue for investment at Ravenscraig? Will he have the guts to admit that his complacency was wrong and give a guarantee that he will stand alongside Opposition Members who will fight to the end to reverse the decision taken this morning by British Steel?

Mr. Hogg: The hon. Gentleman's observations simply prove that the Labour party has learned nothing at all about the proper approach to industrial policy. I repeat to the House that between 1975 and 1985 subsidies to the British steel industry, in today's money, amounted to £14,430 million. That is a disgrace. The industry is now profitable and its output is among the most remarkable in Europe. That is a tribute to the process of privatisation.

Mr. Dickens: Does my hon. and learned Friend agree that there are as many people working for British Steel today as there were 10 years ago? The British taxpayer was putting £600 million a year into British Steel. Today it is making £800 million profit.

Mr. Hogg: My hon. Friend is entirely right to draw attention to the radically changed productivity record of British Steel. He is also entirely right when he says that what was a catastrophically loss-making industry is now profitable. We should be proud of that and not try to put back in place policies pursued by the Labour party that led to disaster.

Mr. Gordon Brown: Will the Minister explain how privatisation has ensured the future of Ravenscraig and the strip plant? Is not he ashamed to come before the House as the "do nothing" Minister who has simply walked away from his responsibilities to the steel industry? Will he confirm that the Secretary of State has not only refused to answer questions today but has failed to meet British Steel? When the chief executive of British Steel came to the Department of Trade and Industry yesterday no Minister bothered to meet him and he was met by only a few officials. Will the Minister now meet British Steel and demand that it explains itself? Will he call for the additional long-term investment that is now needed for a long-term and viable future for the steel industry in Scotland, England and Wales? How much more of Britain's manufacturing industry will he betray before he ends this dereliction of duty?

Mr. Hogg: I must say to the hon. Gentleman that I find his ranting profoundly depressing. Clearly, he has not understood or has not listened to any of the facts that I have given to the House. When the Labour Government were last in power the steel industry made a loss, in today's money of £3,359 million. That was a result of the type of policy—if the hon. Gentleman has one—that he is now calling for—that is, massive intervention. As the hon. Gentleman well knows, my right hon. and learned Friend the Secretary of State for Scotland has been in the far east selling Britain most effectively as a manufacturing country for inward investment. He also knows that my right hon. and learned Friend is coming to respond to a private notice question. The hon. Gentleman is a Scottish Member, so he would be the first to complain if some other Minister were first to make such a response.

Consumer Capital Goods

6. **Mr. Stern:** To ask the Secretary of State for Trade and Industry what proposals he intends to bring forward to amend the law relating to the protection of purchasers of consumer capital goods.

Mr. Forth: The Government have announced their support for the Law Commission's recommendations to amend legislation on the sale and supply of goods and services. Those recommendations cover other transactions within the ambit of that legislation and not only those for "consumer capital goods". The private Member's Bill introduced by the hon. Member for Clwyd, South-West (Mr. Jones) would give legislative effect to those proposals.

Mr. Stern: Will not that private Member's Bill, which is at the moment in the other place, be a useful addition to the body of law if it is passed in its present form? However,

once that Bill is passed, is not there still scope for a fresh look at protection of the purchasers of consumer capital goods?

Mr. Forth: My hon. Friend is correct. In the shape in which it left the House and went to the other place, the private Member's Bill has the Government's full support, and I hope that it ends up on the statute book, because it would add considerably and significantly to consumer protection. My hon. Friend is also correct to say that I undertook that when the Bill is resolved one way or another by both Houses of Parliament, it will be appropriate for me and the Department to look at consumer guarantees—something on which my hon. Friend has pressed me on a number of occasions—to see whether it is appropriate to consider further legislation in that sector. I have undertaken to do that in the past and I gladly do so again.

Mr. Ashdown: While we are on the subject of consumer protection, is the Minister aware of the disgraceful failure of the Insurance Brokers Registration Council to protect the interests of consumers in the Wessex Trust affair, in which so many have lost, often their life savings? Is he further aware that the IBRC has lost applications for grants and sought to discourage eligible applications? If he says that he cannot and will not intervene to ensure that the IBRC fulfils its obligations, will he at least express his disapproval of its actions?

Mr. Forth: Far be it from me to invade your territory, Mr. Speaker, but if the right hon. Gentleman spent more time in the House, he would realise that he was asking supplementary questions not only on a subject which has nothing to do with the main question, but on something which has nothing to do with my responsibilities. It is entirely a matter for my hon. Friend the Parliamentary Under-Secretary of State for Corporate Affairs. However, if the right hon. Gentleman wishes to write to the correct Minister in my Department, he will get an answer from my hon. Friend.

EC Trade

7. **Mr. Dunnachie:** To ask the Secretary of State for Trade and Industry when he will next meet his counterparts in the European Commission to discuss United Kingdom trade with the European Community.

The Parliamentary Under-Secretary of State for Corporate Affairs (Mr. John Redwood): My right hon. Friend and I regularly meet European Commissioners and discuss with them a wide range of subjects.

Mr. Dunnachie: Is the Minister aware that imports to the United Kingdom from the EEC totalled some £2·7 billion in the 1970s and that in 1989, the figure had risen to £63·5 billion? In the light of that, will he outline his plans to improve the figure?

Mr. Redwood: The hon. Gentleman should also note that there has been a big increase in our exports to the European Community because we are trading much more widely with our European partners than we were in 1970. The House should recognise that, since 1983, the ratio between our exports and imports in manufactured goods to the European Community has been improving. That is a direct result of the economic policies pursued by the Government, which have led to a massive increase in investment and productivity and an improvement in our manufacturing performance. I dread to think what would happen if we took the advice of Labour Members and adopted some of the policies emerging from the Labour party's latest policy review. On page 131 of his book, the hon. Member for Dunfermline, East (Mr. Brown) recommends a major increase in corporate and investment taxation. That would be a good way to reverse the encouraging trend in the ratio between exports and imports in manufatured goods to Europe, which has been taking place since 1983.

Sir Hal Miller: When the Minister meets his counterparts, will he tell them that the motor trade has shown a positive improvement, and raise with them the question of the barriers being erected against cars made by British workers in British plants, using money supplied by British banks, albeit for a Japanese company? Will he do his best to ensure that those artificial barriers to trade are removed, so that we can complete the single market, and compete fairly, and that that takes place long before we move on to further measures of European unity?

Mr. Redwood: My hon. Friend has done a great deal for the British motor industry and I am sure that he will be pleased to know that my right hon. Friend the Secretary of State has carried the argument strongly into the counsels of our European partners. He has made it clear that cars produced in Britain, by whatever company under whatever ownership pattern, are British cars and therefore European cars and should circulate freely within the Common Market. That remains our position, and we have every confidence that our partners will accept it. My hon. Friend can rest assured that the Government will fight strongly for that right. We are proud of the revival in the British motor car manufacturing industry by new investors and existing investors who are already in this country. The cars are British. Opposition Members love to knock these investments, but they should welcome them and recognise the great contribution that British skills and money are making to the investments.

Mr. Skinner: What about the Italian fireplaces?

Ms. Quin *rose*——

Mr. Cryer: What about a few more Back Benchers?

Mr. Speaker: Order. We cannot have this background noise. It is extremely disruptive and it does not help our debates.

Ms. Quin: From the Minister's earlier reply it would be difficult for many people to realise that we have a huge trade deficit with the EEC. As we do have such a deficit, why are the Government cutting export promotion research?

Mr. Redwood: The Government offer a range of assistance to stimulate exports in the best way that is suitable for exporters. The DTI is happy to offer that advice and assistance through its successful export promotion.

The proof of the pudding is in the eating. Our exports are improving relative to our imports, and the Government's macro-economic policies are an important part of the policy to bring together the two lines between imports and exports. There is nothing on offer from the

Opposition. Their latest policy review is a sham and a pipe dream of the worst sort. There are no policies within it for controlling inflation or excess demand. The Government have put forward the necessary policies, and they will work.

Regional Assistance, Shropshire

8. **Mr. Gill:** To ask the Secretary of State for Trade and Industry whether he will consider extending regional selective assistance to south Shropshire.

Mr. Douglas Hogg: Regional selective assistance is available to those parts of south Shropshire that have been designated as intermediate areas under the Industrial Development Act 1982. I have no plans to extend assisted area status to other parts of south Shropshire.

Mr. Gill: My hon. and learned Friend will be aware of the £14 million of taxpayers' money which is being made available to the Unitgate company for a poultry processing plant at Scunthorpe. He will further be aware of that company's declared intention to make 500 employees redundant at its plant at Craven Arms in my constituency. In refusing to make grants universally available or to scrap the system altogether, is my hon. and learned Friend aware of the serious competitive distortions that are caused within industries, leading inevitably to the transfer of jobs from one area to another? In the light of the example that I have given, will the Government review their policy?

Mr. Hogg: My hon. Friend referred to jobs in his constituency. I am sure that he is as pleased as I am to note that during the past 12 months unemployment in his constituency has fallen by 23·7 per cent. I am aware of my hon. Friend's concern about the particular application to which he has drawn attention. Indeed, he has seen my right hon. Friend the Secretary of State to discuss it. There is, however, a misunderstanding. The scheme to which my hon. Friend referred at Scunthorpe involves a chicken plant, for which RSA was provided. The facility in his constituency is a turkey concern. They have feathers in common, but nothing else. I am satisfied that RSA is being applied sensibly and usefully.

Car Production

10. **Mr. Boswell:** To ask the Secretary of State for Trade and Industry whether he will list the numbers of cars produced in the United Kingdom over the last five years.

14. **Mr. Squire:** To ask the Secretary of State for Trade and Industry whether he will list the numbers of cars produced in the United Kingdom over the last five years.

The Secretary of State for Trade and Industry and President of the Board of Trade (Mr. Nicholas Ridley): To the nearest thousand, 1,048,000 cars were produced in 1985; 1,019,000 in 1986; 1,143,000 in 1987; 1,227,000 in 1988 and 1,299,000 in 1989.

Mr. Boswell: I thank my right hon. Friend for that answer and recognise the improving trend that it shows. However, does he agree that the figures still show an overlarge deficit in that sector? With the new investment from both Japanese and home-grown companies, does he think that the figures will improve still further in the next five years, with consequential benefits both for the balance of trade and for British steel production?

Mr. Ridley: My hon. Friend is right. We have reversed the disastrous effects of Labour's policies in the late 1970s, when the production of cars fell from 1·5 million to fewer than 1 million per year. With present investments in prospect, the Society of Motor Manufacturers and Traders estimates that 2 million units will be produced per annum by the mid-1990s. That will more than twice overtake the position that we inherited. It is a remarkable demonstration of the success of the Government's policies compared with those that the Opposition are still peddling.

Mr. Squire: Does my right hon. Friend agree that while those figures confirm that Opposition claims of a collapse of manufacturing industry are not borne out in the motor industry in any way, shape or form, it remains critical in such a multinational industry that wages and productivity remain competitive so that we can be attractive to investment, not just now but over the next decade?

Mr. Ridley: My hon. Friend is right—productivity is the key to competitive success and to improving wages. It may interest the House to know that Rover produced six cars per man-year in 1979, but in 1989 it produced 20 cars per man-year. That is the sort of level which, although still not adequate, shows the extreme necessity of higher productivity in British industry, and which has been achieved in that case. That is necessary if we are to regain market shares throughout the world.

Mr. Harry Ewing: Will the Secretary of State consider both aspects of the manufacture of new cars, the other aspect being the sale of new cars? Will he discuss with manufacturers the type of advertising material that places heavy emphasis on the very high top speeds that the cars can achieve in a short time? Is he aware of the number of recent tragic accidents in which youngsters have been killed trying to reach the high top speeds that manufacturers advertise for their vehicles?

Mr. Ridley: The hon. Gentleman may be interested to know that last year 991,000 cars built in British factories were sold to United Kingdom customers in the home market. That is the highest for any year since 1973. If customers want high acceleration, manufacturers must provide it. I remind the hon. Gentleman that the law of the land sets speed limits and they are enforced by the police. He is right to suggest that people should not break the law of the land and cause accidents. However, I am not responsible for the traffic laws, and it is necessary for manufacturers to produce what the customers want.

Mr. Win Griffiths: Does the Secretary of State intend to provide any evidence to the European Commission inquiry into why car prices in Britain are so much higher than in the European Community?

Mr. Ridley: As the hon. Gentleman knows, the matter has been referred to the Monopolies and Mergers Commission for an in-depth study. In view of my statutory position in relation to the MMC, it would be wrong of me to make any comment or to refer any evidence myself. The MMC's duty is to collect such evidence as it thinks necessary to pursue its inquiries.

Mr. Grylls: Does my right hon. Friend agree that the increase in the production of cars in Britain is very much attendant on their having free entry to the continental market? Although he has taken a robust line on the matter

with his colleagues, can he tell us when the problem will be resolved and when cars from plants located in Britain will be allowed freely into countries such as France?

Mr. Ridley: I agree entirely with my hon. Friend's sentiments. At present, cars manufactured in Britain, by whatever company and whoever owns it, are allowed free circulation into the European Community. We intend to maintain that position and I believe that under the treaty of Rome it should be maintained. A new question has been raised by some member states in relation to the regime for the import of Japanese cars after 1992. I make it absolutely clear that the Government are adamant that there should be no change in the position of what are called transplants. They will continue to maintain free entry into the market, without there being any effects on any other matter.

Mr. Henderson: The Secretary of State will know that recent proposals from the Commission identify cars produced in Sunderland, potentially in Derby and also in Swindon, as cars which, during the transitional period, would be counted as part of the Japanese quota. I understand the strong words that the Secretary of State expressed this week to the Japanese Government. Can he tell the House how he intends to ensure that cars made in Sunderland, Derby and Swindon will be classified as British? Does he accept that if he is to get majority EC support for the proposal he will inevitably have to talk to the French, the Italians and the Spanish about extending the time limit on the transitional period?

Mr. Ridley: I did not use strong words on the issue to the Japanese, but I certainly did to the Commission, and to the Spaniards, the French and the Italians. They are the ones who received the strong words, to the effect that there will be no question but that these cars will have the free circulation to which they are entitled under the treaty of Rome. I believe that the matter will be resolved soon and entirely in our favour.

Balance of Trade (Japan)

11. **Mrs. Gorman:** To ask the Secretary of State for Trade and Industry what recent representations he has received regarding the United Kingdom's balance of trade with Japan.

Mr. Redwood: The Department of Trade and Industry receives a number of representations from time to time on the matter. My hon. Friend may like to know that in the most recent year our exports to Japan have risen by 30 per cent. and imports by only 9 per cent. We hope that that welcome improvement in trend will continue.

Mrs. Gorman: I thank my hon. Friend for his reply. I know that he understands the free market and how it works. Does he agree that our constant worry about the balance of trade deficit with countries such as Japan is about as important as worrying about the balance of trade between Birmingham and Edinburgh, or between Bradford and Bruges? When British people voluntarily buy goods that they want, what they part with is money —which the foreigners cannot eat or stuff into their futons, and which is subsequently reinvested in Britain. Does he agree that what we should worry about is abolishing obstacles to free trade both here and abroad?

Mr. Redwood: In her usual colourful way, my hon. Friend has made a good economic point. She is right that the party to which she and I belong does not wish to see obstacles placed in the way of people buying the things that they wish to buy. I wish that we could say the same of the Labour party, which wants credit controls to stop people buying Japanese videos, televisions and similar products. Where my hon. Friend and I believe that it is important to make strong representations to our trading partners is if they fall short of the high standards of free trade that we all wish to see worldwide. There are occasions when it is necessary to make strong representations. My right hon. Friend the Secretary of State has just returned from a strenuous trip to Japan, where he has been making some of the points that British business wanted us to make. I should add that Japanese trade is much smoother in that respect than trade with some other countries.

Dr. Kim Howells: Does the Minister consider, in the light of his previous answer, that an additional reason for our comparatively low sales of cars and other goods to Japan may be that the Government have done their best to gut innovative research and development in this country, and that we are simply not keeping up with trends and developments in many important areas?

Mr. Redwood: I am afraid that the hon. Gentleman is badly informed. The Japanese are having to set up car plants in this country because they also wish to set up design centres here, which will draw heavily upon the skills of British designers and engineers for the next generation of Japanese cars for the European market, with a strong skill input from people in this country. He also ignores the point of my reply to the previous question—that our export performance with Japan is improving because customers recognise that we offer goods of quality with substantial skill and design content and they are buying more of our goods day by day.

Mr. Dunn: Surely the truth of the matter is that we do not enjoy free and fair trade with the empire of Japan. Is not it a fact that Japanese goods find it easy to gain access to markets in this country whereas our exports find it immensely difficulty to gain access to Japanese markets? Should not we tell the Japanese Government that unless they mend their ways in terms of economic warfare we shall declare war?

Mr. Redwood: My hon. Friend should note that the average tariff on industrial products imported into Japan is substantially lower than that on industrial products imported into the European Community. There have been some isolated sectoral problems with Japan. We are pleased with the progress made, for example, with whisky as exports are growing rapidly as a result of changes made by the Japanese Government. There are problems in the footwear and leather sector, which my right hon. Friend the Secretary of State has drawn to the attention of our Japanese opposite numbers. The House should recognise that Japan is not a bad trading partner, that we are pleased with the way trade is developing, we give a warm welcome to Japanese investors here, and it would be wrong to jeopardise that position with ill-chosen words.

Dr. Moonie: Will the Minister tell the House exactly what are the figures for the balance of our trade with Japan over the past year?

Mr. Redwood: The balance of trade with Japan in 1989 was minus £4·8 billion.

Car Exports (Japan)

12. **Mr. Neil Hamilton:** To ask the Secretary of State for Trade and Industry whether he will list the levels of United Kingdom exports of cars to Japan in *(a)* 1988 and *(b)* 1989.

Mr. Redwood: My hon. Friend will be pleased to know that in 1988 we exported 8,099 cars to Japan, worth £65 million, and in 1989 we exported 15,500 cars worth £126 million, which makes the point that the Opposition do not want to understand—that the position is improving rapidly and the improvement is very welcome.

Mr. Hamilton: Does my hon. Friend agree that the growing strength of the British car industry is entirely due to the tremendous changes that have been brought about in industrial relations in that industry as a result of legislation introduced during the past 12 years, all of which was opposed by Labour Members, and that the jobs of British car workers are protected by the increasing export performance of British car companies to countries such as Japan? Will he confirm that Japan is our ninth best export market?

Mr. Redwood: My hon. Friend is right on both counts. Of course, the improved industrial relations record is a most important feature. It is a shame that even now the Labour party cannot agree on the importance of those reforms and totally opposes some of them in the political advice given to the Government in the Labour party's latest policy review—the fourth or fifth review, I have lost count of how many there have been.

The House may also like to know how well trade in motor cars with Japan went in the 1970s, when the Opposition had a chance to put into practice the policies that they are still preaching. In the worst year, we exported 891 cars compared with 15,500 last year. In the Labour Government's best year, to give them credit, the figure reached 3,393. Those were the years when the British motor industry was dogged by high taxation, high borrowing and bad labour relations—the same recipe as the Labour party's new policy review.

Mr. Roy Hughes: How do the puny levels of British car exports to Japan compare with the levels of British car exports to the Common Market, and how do our actual exports compare with the radiant forecasts made by Lord Stokes when he was chairman of British Leyland way back in 1972? Can the Minister also tell us something about the import of cars into Britain from the Common Market?

Mr. Redwood: The hon. Gentleman's question is outside the terms of the main question. We import more cars than we export to member states of the European Community, and the total trade in cars is much larger than that with Japan. The figures are in the Library if the hon. Gentleman cares to look them up, or he can table an appropriate question. The point that he is trying to make misses the dynamics of the British motor car industry. As my right hon. Friend the Secretary of State said, the industry went through a bad time in the 1970s, improved in the 1980s and will have a splendid time in the 1990s—the decade of manufacturing revival under a Conservative Government with most welcome inward investment from several overseas countries.

Mr. Roger King: My hon. Friend will probably know that the mini-car produced by Rover Group has long been a good seller in Japan—it sells in ever greater quantities each and every year—but is he also aware that Nissan in Sunderland will be producing a unique five-door version to succeed the Bluebird which will be exported exclusively to Japan? Japanese transplant factories are thus producing goods for their own home market.

Mr. Redwood: Indeed. I am grateful to my hon. Friend for bringing his expertise to bear on the subject. He is an expert on the motor industry and his support and encouragement for it are most welcome. I am even more pleased to note that he does so much to promote exports to Japan without receiving any commission for it.

West Midlands

15. **Mr. Bellingham:** To ask the Secretary of State for Trade and Industry what recent representations he has received from engineering firms in the west midlands.

Mr. Douglas Hogg: My right hon. Friend the Secretary of State regularly receives representations on a range of issues from engineering firms operating in the west midlands.

Mr. Bellingham: Is my hon. and learned Friend aware that many companies in King's Lynn and west Norfolk have done well as subcontractors for some of the great firms in the west midlands and, as a result, unemployment has come down sharply? What has happened to the employment picture in the west midlands over the past two years?

Mr. Hogg: Most people would say that that was a planted question, but it is not. However, the answer is extremely cheering. I chanced to have an analysis done of west midlands constituencies and I will share the results with the House. Between March 1989 and March 1990 a sample result showed unemployment in Sutton Coldfield down 29 per cent., in Solihull down 28 per cent., in Halesowen down 26 per cent., in Dudley, West down 21 per cent., in Dudley, East down 19 per cent., in Birmingham, Yardley down 19 per cent., in Birmingham, Hodge Hill down 21 per cent., in Birmingham, Hall Green down 18 per cent. and in Aldridge-Brownhills down 18 per cent.—dramatic falls in unemployment right across the west midlands.

Mr. Grocott: Can the Minister confirm that substantially fewer engineering firms in the west midlands are now in a position to make representations to him than when the Government came to power in 1979?

Mr. Hogg: That is the sort of dreary question that we have got used to hearing from Labour Members. Let us look at the facts. Productivity in the engineering industry in the west midlands has gone up hugely in the past two years, profitability in the west midlands has gone up hugely, exports have gone up very much and inward investment has been extraordinarily successful. The opportunities for the west midlands are huge, and if the hon. Gentleman asks for figures, I will give him them.

Mr. Conway: Is my hon. and learned Friend aware that the engineering companies in Shropshire, which is part of the west midlands, are doing well under revitalised mangement? How would they progress if we had an inflation rate of 27 per cent. and the highest corporation tax in the industrialised world—both were legacies of the last Labour Government—if we were ever stupid enough to have another Labour Government?

Mr. Hogg: The plain truth is that the Labour party's policies would be a disaster for the west midlands. Let us examine just two of them. First, by their very nature, Labour's economic policies would cause inflation to escalate fast. Then there is the party's taxation policy. We have not heard much from the hon. Member for The Wrekin (Mr. Grocott) about a payroll tax, but it unquestionably features in Labour party policy. A payroll tax which would cost industry about £3 billion would be disastrous.

Mr. Speaker *indicated dissent.*

Mr. Hogg: You shake your head, Mr. Speaker, as perhaps you should. *[Interruption.]* I can take a hint as well as the next man.

Trade Statistics

16. **Mr. Wigley:** To ask the Secretary of State for Trade and Industry whether he has received any correspondence from the Statistics Users Council on the availability of indicators on import penetration, export performance productivity, market share and home demand since the publication of the Armstrong-Rees report.

Mr. Ridley: Yes, I received a letter from the chairman of the Statistics Users Council on that topic on 4 May 1990, 12 months after the publication of the Armstrong-Rees report.

Mr. Wigley: Will the Secretary of State confirm that the correspondence that he has received is critical of the present availability of indicators? Does he accept that there must be a proper, full background of statistical information if those involved in that sphere are to improve their performance? In view of our present balance of payments it is vital that all those tools should be available.

Mr. Ridley: I agree with the hon. Gentleman that an appropriate amount of information should be available to businesses, especially when they cannot get it from sources within the industry. Against that we must weigh the burden, cost and disadvantage of excessive form-filling on the part of businesses. However, in the light of representations from the chairman of the Statistic Users Council, I am prepared to consider with industry circumstances in which businesses want to fill in the forms so that they can obtain information when there is no other source of supply. In those circumstances, it would be right to go a little further than we have in the past.

Mr. Foreman: My right hon. Friend has spoken about meeting the requirements of industry. Would not we know more about that large balancing item in our external trade statistics, and about the real state of our economy, if we had more information? Is it not time that we improved the quality of our official statistics for precisely that purpose, as it would improve the quality of our economic governance?

Mr. Ridley: While the statistics that the hon. Member for Caernarfon (Mr. Wigley) asked about are totally different from what my hon. Friend inquires about, I am all for having good statistics relating to the effects of economic policy. The difficulty with the figures that my hon. Friend mentions—which are really a matter for my right hon. Friend the Chancellor of the Exchequer—is that, while the figures for exports and imports tend to be accurate, what is not so clearly defined is how the captial account is made up—from what elements and in what proportions. How best to rectify that is a matter for my right hon. Friend the Chancellor.

Postal Service

19. **Mr. Harry Barnes:** To ask the Secretary of State for Trade and Industry when he next intends to meet the chairman of the Post Office to discuss the future of the postal service.

Mr. Forth: My right hon. Friend the Secretary of State will meet the chairman of the Post Office, Sir Bryan Nicholson, on 21 May. They will discuss various matters of mutual interest.

Mr. Barnes: Will the Minister give an assurance that the national public monopoly on Royal Mail letters will remain? There is growing speculation that private companies are having discussions with his Department about that. We need to lay to rest once and for all fears that the Royal Mail and letters will go down the plughole, as water did.

Mr. Forth: The hon. Gentleman will be aware—as all Conservative Members are—of the undertaking given by my right hon. Friend the Prime Minister during the last election campaign that the Royal Mail would not be privatised. We should bear that in mind.

I hope that the hon. Gentleman agrees that it is incumbent on Post Office management and on the Government to work together to ensure that the people of this country have the best mail service that the Post Office is capable of delivering. That is something which is constantly considered by Post Office management, as are its duty and responsibility. We are always prepared to look positively at any suggestions that it may make to ensure that the best possible services are delivered, now and in the future.

Sir Anthony Grant: When my hon. Friend meets the chairman of the Post Office, will he tell him in no uncertain terms that unless the Post Office can guarantee that a first-class letter will reach its recipient the next day, the Government will give it to someone else who can?

Mr. Forth: My hon. Friend is entitled to lay such a hard task upon the Post Office, but it would be unreasonable to ask the Post Office to do that in the near future. Not only is that not achieved in any other country of which I am aware, but it does not give tribute and credit to the Post Office for its stern efforts to improve the delivery performance, a target which the Post Office has set for

itself. The Government and the Post Office management are looking closely at its performance, and I can assure my hon. Friend that we shall leave no stone unturned in seeking ever-better performance in the Post Office in future.

Ravenscraig (Strip Mill Closure)

3.30 pm

Mr. Donald Dewar (Glasgow, Garscadden) *(by private notice)*: To ask the Secretary of State for Scotland whether he will make a statement about the imminent closure of the strip mill at Ravenscraig.

The Secretary of State for Scotland (Mr. Malcolm Rifkind): British Steel announced this morning its intention to close the hot strip mill at its Ravenscraig steel works during the first half of 1991.

While this, of course, is a matter for the commercial judgment of the company, I must make it clear that I deplored the decision and its implications for the wo.k force. I am also very disturbed by the potential implications of closing the hot strip mill for the future of Ravenscraig as a whole.

As yet, British Steel has not provided any details as to why it believes that the closure of the hot strip mill is necessary. I very much hope that it will do so, as those affected are entitled to the fullest possible information. The hot strip mill has been a valuable asset for the company over the past three years and we are not aware why it has ceased to be so.

I also very much hope that British Steel will take all its work force at Ravenscraig into its confidence as to the longer-term employment prospects.

The decision announced by British Steel is not due to come into effect until the first half of next year. There is still, therefore, opportunity for the company to reconsider its decision and see the hot strip mill as an asset rather than as a liability.

The Scottish Office, naturally, regrets any decision that has significant adverse employment implications. As we would with any other major employer in Scotland, we shall seek to persuade British Steel to reconsider its proposal in the interests both of the company and of its work force.

Mr. Dewar: The Secretary of State has said that he deplores today's events. Will he join me in condemning a brutal announcement in uncompromising terms? Surely it is not enough simply to say that those who are about to die should be fully informed about the facts. The question is what is the Secretary of State prepared to do to recover the situation.

Does he agree that there is a strong case for the retention of the Ravenscraig strip mill in view of the growth in the European market and North sea activity? Is it not foolhardy to assume that the demand for strip products can be met by retaining capacity at only two plants? Is it not a decision based on a defeatist view of British Steel's prospects? Is it not essential that British Steel thinks again?

Does the Secretary of State accept that there is great bitterness about the way in which the work force has been betrayed by the company, but also dismay over the inactivity and spineless approach of Ministers?

Finally, will the Secretary of State tell the House why he did not meet Sir Robert Scholey for seven long and weary months? Those were the missing weeks and the dead days when damaging decisions were being taken and the Secretary of State was nowhere to be seen. Does he remember the Question Time promises on 28 March that a meeting would take place

"in the relatively near future"—[*Official Report*, 28 March 1990; Vol. 170, c. 483.]

and as recently as 2 May that it would be shortly, yet those meetings never took place? Was not the fate of Ravenscraig strip mill worth the effort?

The Secretary of State told the press this morning that the future of Ravenscraig was not crucial to the future of the Scottish economy. Does he remember his speech at the Tory party conference at Perth almost exactly a year ago when he boasted that Ravenscraig had what he was pleased to call a new lease of life? He said:

"In the private sector the strip mill is working flat out, its order book full, its workforce fully employed."

What does the Secretary of State now say to the 770 people who are about to taste the misery of the dole queue and to the thousands of others who are frightened about their future? What consolation can they take from the Prime Minister's statement in a recent interview that she has a soft spot for the loyal work force at Ravenscraig?

I repeat the essential questions: will the Secretary of State give a guarantee that he is prepared to do everything he can to reverse this decision? Will he commit himself to fight now to stop closure being a threat to steel making at Ravenscraig when 1994 comes? Will he state plainly the steps that he intends to take to recover this disastrous situation?

Mr. Rifkind: I agree with the hon. Gentleman about the desirability of doing that which can be done to reverse the decision. I was interested that he emphasised what he believes are the strong commercial reasons for retaining the hot strip mill at Ravenscraig: the strength of the market for its products, the competitiveness of its work force and the superb way in which the work force has responded to the requests made of it. I agree with and endorse all that he said about that. I further agree that if there is a prospect of British Steel reconsidering the decision, the case must be put on commercial grounds and not on emotional or political grounds. I hope that all hon. Members agree with that.

The hon. Gentleman was correct to say that at various times in the House in the past few weeks the question of contact with British Steel has been raised. He will recall, if he wishes to consult *Hansard*, that that was with regard to new investment, and in particular regard to Dalzell and the plate mill. As I said at that time, the Government have presented to British Steel their own paper on the desirability of considering Dalzell for future plate investment. Far from delaying on these matters, they have been actively promoted in the past few months.

With regard to the relevance of Ravenscraig to the wider Scottish economy, I say to the hon. Gentleman what I have said on many previous occasions: I believe that the future of Ravenscraig is crucial to the economy of Lanarkshire because of the employment implications if it were ever to close. Of course it has significance and implications for the wider Scottish economy, but some 98 per cent. of Ravenscraig's products do not go to steel users in Scotland but are exported to customers elsewhere in the United Kingdom or overseas. The Scottish economy is infinitely stronger and more broadly based than 20 years ago, and it is sufficiently robust to deal with the problem to which the hon. Gentleman referred.

I do not suggest that the future of Ravenscraig is other than of crucial importance to the economy of Lanarkshire.

Clearly, an employer with thousands of employees in one part of Scotland has a particular role and responsibility in that respect.

Mr. Alick Buchanan-Smith (Kincardine and Deeside): May I assure my right hon. and learned Friend that Conservative Members support the robust line that he is taking, and we are grateful for it? Will he press British Steel very strongly about the commercial justification for this decision? Speaking from experience when I dealt with it in relation to the offshore oil industry, I did not find it enterprising in taking advantage of the opportunities of our own country and of those offshore. Will he impress on it the need to take advantage, in the interests of Scotland, of the opportunities that are available?

Mr. Rifkind: My right hon. Friend is correct. It is possible to suggest that the penetration of the British steel market by imports has in part been caused not by British Steel's lack of competitiveness but by its lack of capacity. When future investment decisions about plate and Dalzell are being made, that will deserve to be an important consideration.

Mr. Malcolm Bruce (Gordon): Will the Secretary of State acknowledge that, far from being robust, his performance in the House is one of great weakness? He should have foreseen that this was coming when the privatisation of British Steel was first mooted and should have undertaken then to secure the future of an independent Scottish steel industry which would not have been closed by a management that has never disguised its hostility to Ravenscraig. Will the right hon. and learned Gentleman now give us some indication of the direct and positive action that he will secure to create an independent, viable, Scottish steel industry that will be competitive and secure for the long-term future?

Mr. Rifkind: I must remind the hon. Gentleman that, at the time of privatisation, British Steel gave a guarantee about the hot strip mill which expired only in 1989. Even under British Steel's current proposals, the hot strip mill will have continued in operation more than two years after British Steel's assurances have run out.

I remind the hon. Gentleman that British Steel announced in its prospectus at the time of flotation that it would be prepared to consider an alternative private sector purchaser for its assets if it had no continuing need for those assets in Scotand. My right hon. Friend the Prime Minister and I have drawn attention to the importance of that declaration, which may become increasingly important in the light of today's remarks.

Sir Hector Monro (Dumfries): Will my right hon. and learned Friend accept that I am absolutely furious at British Steel's decision to stop one of the heartbeats of the Scottish economy? Does he accept that we owe it to a superb work force to do everything possible in the House and in the Government to keep the plant open? Has my right hon. and learned Friend heard whether any of the directors have resigned, in view of this disgraceful decision and the protests about it?

Mr. Rifkind: I do not have that information, but I happily endorse what my hon. Friend said about the quality of the work force. I have already had contact today with Mr. Brennan, leader of the shop stewards at Ravenscraig, and I look forward to meeting him and his colleagues in the near future.

Dr. John Reid (Motherwell, North): Let there be no doubt: Ravenscraig will fight this decision, and it will be right to do so. The Opposition will fight alongside Ravenscraig. It appears from the right hon. and learned Gentleman's answers that he does not have the stomach for that fight.

Will the right hon. and learned Gentleman confirm that since October last year, despite pressure, he has not met the chairman of British Steel? Is that not a pathetic reflection on his attitude towards British Steel? Is it not a remarkable coincidence that the first time that the right hon. and learned Gentleman met the chairman was yesterday morning, to receive the news less than 24 hours after the closure of the Conservative party conference in Scotland? Why did he not listen when we warned during privatisation that British Steel planned privatisation in 1988, flotation in 1989, amputation of the hot strip mill in 1990 and closure thereafter?

Will the right hon. and learned Gentleman explicitly confirm his remarks this morning, when he said:

"I do not believe that the future of Ravenscraig is crucial to the Scottish economy"?

If the right hon. and learned Gentleman made that statement, it was one of appalling complacency. It makes him an accessory to this betrayal. He should either join us now in the fight or resign while he has a shred of intergrity left as Secretary of State.

Mr. Rifkind: My remarks this morning about the wider implications for the Scottish economy were identical to those that I made in the Scottish Grand Committee a year ago, and I stand by them entirely, for the reasons that I explained at that time. I repeat that I believe that the future of Ravenscraig is crucial to the Lanarkshire economy, for the reasons I gave. If the hon. Gentleman wishes to do a service to his constituents, rather than make political points he would be better advised to seek co-operation with all those on both sides of the House who would like British Steel to reconsider that decision. If the hon. Gentleman does not welcome that co-operation, he shows himself as being politically partisan and uninterested in the well-being of his constituents.

Mr. Allan Stewart (Eastwood): Will my right hon. and learned Friend bear in mind that the House has heard a great deal of rhetoric from the Opposition but not a single positive suggestion of a course of action other than that which he has rightly and properly announced to the House? Is it not deplorable that during this serious announcement several Scottish Labour Back Benchers were smiling and laughing? Will he further underline the importance of British Steel's obligation to offer Ravenscraig for sale if it has no further use for the plant? Does he agree that there is a danger that at some point in the future British Steel will make that decision but not make it public?

Mr. Rifkind: I agree with my hon. Friend that it is important that, at the appropriate time, British Steel honours the commitment that it gave in the prospectus. I understand that it still maintains that it sees a value in its assets in Scotland. We must point out to it that the

[Mr. Rifkind]

credibility of that assertion is not assisted—indeed, it is seriously damaged—by its current proposals for the hot strip mill.

Mrs. Margaret Ewing (Moray): Does not the Secretary of State realise that his pleas that people unite behind him in a campaign to save Ravenscraig ring hollow because of his distinct failure to address the issue, despite former pleas from Members on both sides of the House? Is it not the case that he failed to recognise the investment starvation of the Ravenscraig works headed by British Steel and that he made no attempt to have a meeting with Black Bob Scholey to discuss the matter at an appropriate time and ensure that the investment was made? Is he not presiding over the death of the steel industry in Scotland? Is not the only option left to the Scottish steel industry to become independent? The market and the skilled work force are there and the people of Ravenscraig and Dalzell are the people who will build that industry, not the Secretary of State.

Mr. Rifkind: The first part of the hon. Lady's question would carry more conviction if the shop stewards at Ravenscraig had not reacted with absolute fury to the partisan conduct of the SNP and if the shop stewards and trade unions had not dismissed the SNP as political posturers with no real commitment to the well-being of the industry.

On the latter part of the hon. Lady's remarks, the question whether there could be a free-standing steel industry in Scotland with alternative ownership depends in part on the attitude of British Steel and whether other persons or bodies in Scotland or overseas would be interested in such an acquisition if it were available.

Sir Nicholas Fairbairn (Perth and Kinross): Will my right hon. and learned Friend confirm that the reason why British Steel has temporarily chosen to centre its works in Wales is that the Labour Government and the nationalised steel industry preferred to invest there? Is it not the case that they did so without the support of our party but with the support of the Scottish nationalists?

Mr. Rifkind: My hon. and learned Friend is correct in his recollection of those matters.

Mr. Norman Buchan (Paisley, South): Is not the figure that the Secretary of State gave—that Scottish industry used only 2 per cent. of the steel from Ravenscraig—a terrible indictment of the past 10 years' history of this Government? They have torn the heart out of heavy industry and manufacturing industry in Scotland. If he had any vision or intention of developing a manufacturing and heavy industry base in Scotland, he would recognise that we require the steel mill and more. As he has no stomach for the fight, will he keep it in mind that he should see himself not only as the Secretary of State of a Tory Government but as the spokesman for Scotland on this matter? He must work for Scotland.

Mr. Rifkind: On the earlier part of the hon. Gentleman's remarks, I hope that he will be fair and will recollect that between 1974 and 1979 many thousands of steel jobs were lost. The Labour Government of the day accepted that that was commercially sensible and necessary. Indeed, it has been a feature of the steel industry under successive Governments of whatever political complexion that the battle to achieve competitiveness and commercial viability has led to that conclusion.

I endorse the thrust of the hon. Gentleman's latter remarks. If hon. Members on both sides of the House wish to have the maximum prospect of influencing British Steel, Scotland must speak with a single voice, and all those who have an interest in these matters must concentrate on sensible, commercial, mature arguments and resist the temptation to indulge in political back-biting which may give pleasure to their supporters but will be of little benefit to the well-being of the steel industry.

Mr. Bill Walker (Tayside, North): Does my right hon. and learned Friend agree that, because the European regulations prevent any form of Government aid, there is no question of the Government being able to pump public funds into this concern?

Does my right hon. and learned Friend also agree that the productivity and work records of the work force and management at Ravenscraig merit them being told clearly what British Steel's investment programme is for the future of Ravenscraig, particularly slab production? Is it not also important that, if it does not give that information, British Steel should be instructed by all in politics in Scotland to get on with the job of offering the Scottish plants for sale, and then we shall see what commercial interests there are in carrying on productivity in Scotland?

Mr. Rifkind: It is indeed the case that the rules of the European Commission preclude any member Government of the European Community from giving financial aid to primary steel production. On my hon. Friend's latter remarks, I endorse the view that the work force at Ravenscraig, who have responded superbly to the requests of British Steel management in recent years, are entitled to the fullest information from British Steel, not only about the reasons for the decision announced this morning, but about British Steel's future intentions for its plant and the livelihood of its work force.

Mr. Alexander Eadie (Midlothian): Is not the right hon. and learned Gentleman aware that the announcement that he has made today is, to some extent—bearing in mind that it was a commercial decision—an indictment of the policy he has implemented in relation to the privatisation of the steel industry, where the Government have lost control of the situation? Would he further agree that he must not be too hard on the people of Ravenscraig if they are a bit emotional about their position? After all, their jobs and their ability to sustain their wives and families are on the line, and any hon. Member would be emotional about that. Does he realise that a spin-off from this will be a loss to British Rail, which depends on Ravenscraig for 40 per cent. of its freight? If the right hon. and learned Gentleman is serious about the fight, let us hear what he proposes to do. The problem will not go away as easily as the right hon. and learned Gentleman thinks.

Mr. Rifkind: The hon. Gentleman is correct to refer to the understandably strong feelings of those who work at Ravenscraig. However, I remind him that it was Mr. Tommy Brennan, the shop steward at Ravenscraig, who appealed for an end to political partisan in-fighting, and for all the Scottish political parties to co-operate in seeking

to press on British Steel that there was a good commercial case for investment in Ravenscraig and British Steel should have confidence in its future.

Mr. Richard Holt (Langbaurgh): All of us with British Steel works in our constituencies are concerned at British Steel's announcement today. While I applaud my right hon. and learned Friend's attitude, may I remind him that Corby steel works was closed down and today that town has over-employment, that Teesside has suffered its share of job losses, but today it is booming, and that only last week Consett announced a new and exciting venture and industrial park that will use integrated alternative energies and bring 1,300 jobs to that part of the world in the near future? Should not we stop looking backwards and start looking forwards?

Mr. Rifkind: My hon. Friend is correct to emphasise that, while the steel corporation was under public sector ownership, there were massive job losses in Consett, Corby and Shotton, under successive Governments, both Labour and Conservative. He is also quite correct to emphasise that the only real contribution that we can make to the well-being of the work force in the steel industry, whether in Ravenscraig or elsewhere, is to look to the future and put a commercial case showing why there should be investment and confidence in a particular steel plant.

Mr. Tom Clarke (Monklands, West): Is the Secretary of State aware that Members from steel constituencies such as mine will regard his statement today as pathetic and humiliating? Does he accept that neither he nor his hon. Friend the Member for Stirling (Mr. Forsyth) is in a position to fight for Ravenscraig, given their posture during the closure of Gartcosh, which is where the story began? Will he further agree that his failure to defend the Scottish steel industry, in the light of the European straitjacket, of the lack of investment and of the experience in the North sea, where 41 per cent. of tubes and pipes used came from overseas, hardly qualifies him to fight for what is left of this industry? In view of the devastation that this announcement has heaped on my constituents and on the people of Lanarkshire in general, will he and the hon. Member for Stirling put their jobs on the line in the same tragic way as these people have done today?

Mr. Rifkind: I would have more time for the hon. Gentleman's remarks if he had referred to the major job losses in the steel industry during the period of the Labour Government of which he was such a conspicuous admirer. We all know that there have been major rationalisations in steel employment. The hon. Gentleman cannot expect to carry authority if he thinks that massive job losses under a Labour Government are acceptable but that, when they happen subsequently, they are to be condemned. He would do a service to his constituents if he concentrated on ways in which we can encourage British Steel to reconsider its position instead of indulging in the rather emotional hype that we have just heard.

Sir Hal Miller (Bromsgrove): Does the Secretary of State agree that this whole discussion shows how wise we were to privatise British Steel so that the additional investment is made in Wales and elsewhere according to the requirements of the market, and so that we get away from doing what the Labour Government did, which was to refuse to implement the closure of the Beswick plants, which led to tragic losses both of subsidy and of jobs and to the closure of steel firms in the west midlands?

Mr. Rifkind: I very much agree. My hon. Friend has rightly identified the proper approach.

Mr. John McAllion (Dundee, East): In the last few years the Secretary of State has been telling us that the Scottish economy is in good shape and on course to grow even stronger in the 1990s. How does he square that with today's closure and the loss of 800 jobs, or with the sustained withdrawal of investment from Scottish steel and the slow strangulation of the Scottish steel industry? Does he not recognise that an economy without the steel industry is like a car without an engine—it is going nowhere, which is precisely where he and his party are going unless they act to reverse this catastrophic decision?

Mr. Rifkind: The remarks that I made at new year have been more than vindicated by events since then. There have been continuing significant falls in unemployment; there have been massive new inward investment decisions which have been welcomed throughout Scotland; and the Scottish economy is now doing better than that of the United Kingdom as a whole.

Mr. Ian Gow (Eastbourne): Does not a due sense of humility oblige my right hon. and learned Friend not to seek to substitute his own commercial judgment for that of British Steel?

Mr. Rifkind: That is a perfectly fair observation, but what I have said is not quite what my hon. Friend implies. I have said that if British Steel believes that there are good commercial reasons for reversing the view that it has taken over the past three years, its work force, who have responded splendidly to encouragement to increase productivity and competitiveness, are entitled to know what British Steel's commercial considerations are. So far that information has not been forthcoming.

Mr. Menzies Campbell (Fife, North-East): Does not the right hon. and learned Gentleman feel a sense of paradox in that the work force at this plant have been the subject of praise from him and others yet they now find themselves completely frustrated and unable to do anything but accept a decision made elsewhere? If he was only told about this yesterday, was not that an insult to his office, to the people who work in the plant and to the people of Scotland? If he was told yesterday, why did he not tell the House before?

Mr. Rifkind: The hon. and learned Gentleman is talking nonsense, and he knows it. British Steel is a private company. I understand that the matter was put to the board on Monday, and as board members themselves were asked to authorise the proposal only on Monday I do not think that I or anyone else can complain about being informed on Tuesday.

Mr. Phillip Oppenheim (Amber Valley): Is it not the case that the health of the steel industry as a whole depends on management and not politicians making decisions of this sort? The sad truth is that there was never any economic justification for building the strip mill at Ravenscraig. Does my right hon. and learned Friend agree that the attitude of Opposition Members shows that their conversion to the market is wafer-thin? They are in favour

[Mr. Phillip Oppenheim]

of the market only in so far as it makes life easy for them. When it comes to the difficult decisions, they are always more than ready to jettison the market.

Mr. Rifkind: My hon. Friend is right. Only investment that has a commercial rationale is likely to stand the test of time. No one is doing any service to any part of the United Kingdom by wishing to maintain economic activity which requires massive subsidy and does not have an economic rationale.

Mr. Michael J. Martin (Glasgow, Springburn): The Secretary of State is wrong to say that the closure affects only the economy of Lanarkshire, because the economy of my constituency and every other part of Scotland is affected by this tragic decision. I hope that he will bear that in mind. Given the problems of the Scottish economy and the fact that steel is a major part of it, it is strange that the Secretary of State has not met Bob Scholey. Will he tell us the reason for that? Only a few years ago an all-party Select Committee made an excellent case for Ravenscraig staying open. Perhaps the Secretary of State should refer to that report.

Mr. Rifkind: Of course I accept that there are implications for other constituencies arising from the decision about Ravenscraig. I in no way depart from my central propositon about the crucial importance of Ravenscraig to the economy of Lanarkshire; that is self evident.

The hon. Gentleman asked me about meetings with Sir Robert Scholey. I do not regularly meet the chairmen of major private companies in Scotland. I have meetings when they are required for a specific purpose. The hon. Gentleman will be well aware that over the past few weeks the main interest of the Houe has been in the future of Dalzell and future plate mill investment. Some weeks ago we submitted a lengthy paper to British Steel arguing the commercial case for Dalzell being the favoured location for investment in plate. British Steel is currently considering that paper and it will be necessary to have discussions with the company on its analysis of that.

Mr. Ian Bruce (Dorset, South): Does my right hon. and learned Friend agree that British Steel has been extremely successful during a period of reduction in the steel market throughout the European Community while we had steel quotas? Is he satisfied that Government subsidies to the Italian and other steel industies have left us with a level playing field? Are subsidies by other Euro Governments to their steel industries causing additional problems for the steel industry in Britain and especially in Scotland?

Mr. Rifkind: I certainly acknowledge the importance of my hon. Friend's point, which is primarily for my right hon. Friend the Secretary of State for Trade and Industry. My hon. Friend is correct when he says that British Steel has been very successful in winning new markets in Europe. It is precisely for that reason that Ravenscraig and especially the hot strip mill have been so fully utilised in the past three years. That is precisely why it has proved wise for British Steel to continue to use this valuable asset.

Mr. Alex Salmond (Banff and Buchan): Is the Secretary of State aware that the squalid excuses that he has given constitute the weakest ever performance at the Dispatch Box? Will he explain to the Scottish people why, when we have an enormous market building up in the North sea, Scottish steel has been run down? Why has he failed to meet the chairman of British Steel, and why is he not putting his job on the line to defend the Scottish steel industry?

Mr. Rifkind: The hon. Gentleman would sound slightly more convincing if he would explain to the shop stewards at Ravenscraig why his view on the steel industry should be supported when every senior trade union spokesman in Scotland has dismissed SNP policy as positively harmful to the interests of his industry.

Mr. Tim Smith (Beaconsfield) *rose*——

Mr. Speaker: Order. Was the hon. Gentleman here for the statement?

Mr. Smith: Yes.

Mr. Speaker: In that case, I can call him.

Mr. Smith: Can my right hon. and learned Friend confirm that, between 1975 and 1980, £3·3 billion worth of taxpayers' money was invested in British Steel, and that in the next five years the figure was £4·5 billion, but that during that period thousands of jobs were lost? Since then the British steel industry has been transformed and privatised. Is not one of the principal advantages of privatisation that management can now manage without political interference? Would it not be a grave mistake to go back on such a system?

Mr. Rifkind: If my hon. Friend is saying that it would be a grave mistake for political considerations to determine investment by British Steel or any other company, I entirely agree with him. It is important that the commercial arguments that may be used to justify a major closure should be fully examined. If British Steel is confident that it is justified in its commercial interpretation of the situation, there should be no reluctance on its part to discuss its reasons with its work force, which is most affected by the decision.

Mr. Robert Hughes (Aberdeen, North): Has the Secretary of State no shame in coming to the House to call for a bipartisan approach to saving Ravenscraig when he and his colleagues spent two or three days in Aberdeen in an orgy of self-indulgence and eulogy on the Tory party and the free market? How can he call for a bipartisan approach when he has resisted such an approach to investment? Is the Department of Trade and Industry backing his approach to saving Ravenscraig?

Mr. Rifkind: The approach that I have suggested might be helpful to the interests of Ravenscraig is the approach called for by the shop stewards, and the one that the Standing Commission for the defence of the Scottish steel industry said would be in the interests of Scotland. If the hon. Gentleman is seriously interested in assisting the prospects for Ravenscraig, he must ask himself whether the kind of politically partisan remarks that he has made will help or harm the objectives which he says he desires.

Mr. Thomas Graham (Renfrew, West and Inverclyde): Some weeks ago, I asked a question about the Scottish steel industry and the support that should come from the Government for the magnificent work being done by that industry in Scotland. The Minister for Industry accused

me of leading with my double chin. Let us see leadership from the Secretary of State to ensure that we save the steel industry in Scotland. If he is unsuccessful, not only he but every Scottish Office Minister should resign.

Mr. Rifkind: I was waiting to hear whether the hon. Gentleman was offering to resign the representation of his constituency if he were unsuccessful in maintaining employment in a company in his constituency. I did not catch him making that offer.

Mr. Gavin Strang (Edinburgh, East): Does not the Secretary of State realise that this will not be seen as a commercial issue in Scotland because, even if it were in the commercial interests of British Steel to close the plant, it would not be acceptable to the Scottish people? People recognise that the steel industry is crucial to the long-term industrial future of Scotland. Is he not aware that it is all very well to have these reports of how the Conservative party in Scotland and Scottish Office Ministers will be leading a campaign against closure, but his Government presided over the decimation of the market for steel products in Scotland with the closure of the plants at Bathgate and Linwood and elsewhere and the rundown in the shipbuilding and engineering industries. His Government have paved the way to this decision, through privatisation. They should use the powers they took to privatise the industry to secure its future in Scotland.

Mr. Rifkind: By his intervention, all that the hon. Member has proven is that he is good at making political points but not much use to the steel workers in Ravenscraig.

Mr. Donald Coleman (Neath): I remind the Secretary of State of the informed view of Ian MacGregor, who said that a minimum of five steel plants was essential for the British steel industry. How can he say that today's announcement conforms with that informed view of the former chairman of British Steel? How is today's announcement of a partial closure at Ravenscraig compatible with the announcement by the then Secretary of State for Trade and Industry, the right hon. and learned Member for Rushcliffe (Mr. Clarke), that, should Ravenscraig be threatened with closure, another buyer could be found? How can closure take place in such circumstances?

Mr. Rifkind: I am interested in the reported remarks of Sir Ian MacGregor, who clearly carries a great deal of authority on steel matters. It would be helpful if his views were seriously considered. British Steel—it was not only my right hon. and learned Friend—gave a commitment in its prospectus to make its assets available to an alternative purchaser if it had no further use for them.

Mr. Roy Hughes (Newport, East): Does the Secretary of State appreciate that British Steel's announcement is of considerable relevance to the steel industry in Wales? I appreciate the success of both Llanwern and Port Talbot in recent years, but does not the announcement mean a general scaling down of the steel industry as a whole, which could have a highly detrimental effect on the British economy?

Following the Budget, the Secretary of State mounted a successful rescue operation for the poll tax in Scotland. Will he do the same for Ravenscraig, or will he resign his high office?

Mr. Rifkind: I must leave my right hon. Friend the Secretary of State for Wales to comment on the implications of today's announcement for the Welsh economy. I believe that there is an opportunity for mature Scottish opinion to make its voice heard and to put forward a serious and sober case setting out why British Steel should reconsider on commercial grounds the decision that it is proposing to implement at Ravenscraig.

Mr. Jimmy Hood (Clydesdale): Is the Secretary of State aware that Opposition Members are angry? To be honest, however, we are not surprised. When the Government were pushing the privatisation of the steel industry through the House, we in Scotland told them that the right hon. and learned Gentleman was washing his hands of the Scottish steel industry. Easter is past, but we still have a Pontius Pilate at the Dispatch Box. The hon. Member for Tayside, North (Mr. Walker) called upon the right hon. and learned Gentleman to resign; Opposition Members call upon him to resign. Indeed, the whole of Scotland will want his head if he lets British Steel pull out of Ravenscraig.

Mr. Rifkind: When a Labour Government preside over massive reductions in employment in the steel industry, Labour Members seem to find that acceptable and commercially necessary. They apply different criteria when they think that it is in their political interests to do so. The hon. Gentleman may impress himself, but not his constituents.

Oil Pollution (Devon Coast)

4.12 pm

Mr. Anthony Steen (South Hams) *(by private notice):* To ask the Secretary of State for Transport if he will make a statement on the devastation caused by oil pollution along the south Devon coastline.

The Minister for Aviation and Shipping (Mr. Patrick McLoughlin): At 15.09 on Saturday 12 May a collision took place between the Liberian-registered oil tanker Rosebay and the Brixham trawler Dionne Marie 14 miles south of Start point. Rosebay sustained damage to her port side, which resulted in about 1,100 tonnes of crude oil being spilt into the sea. The master immediately took action to minimise the extent of the spill, by transferring oil from the damaged tank into other tanks. Within 90 minutes the oil leak ceased. The marine pollution control unit was informed of the collision by Brixham coastguard at 15.25 and activated its counter-pollution aircraft at 15.30. The first aircraft began spraying at 18.00.

The marine accident investigation branch is investigating the collision. Its initial findings are that it was the duty of the fishing vessel under the international collision regulations to give way, but her watchkeeper did not see the tanker and made no alteration of course. The tanker took evasive action but it did not prevent the collision. Visibility at the time was approximately three to four miles. The MAIB report into the collision will be completed as soon as possible.

The dispersant spraying operations, which continued the next day, successfully dispersed 75 per cent. of the spilled oil. However, the remaining 25 per cent. emulsified with sea water to form an estimated 700 tonnes of what in the industry is called "mousse", which does not respond to treatment with dispersant. With natural breakdown that has now reduced to 400 tonnes. Had the dispersant spraying not taken place the original spill would have emulsified into some 3,500 tonnes of mousse. That would have had to be either recovered at sea—a difficult, slow, and weather-dependent process—or cleared off the beaches.

A joint Government-local authority response centre has been set up to direct and control the beach-cleaning operations. The area is difficult, with rocky cliffs and fast-flowing estuaries. There are several important amenity beaches, some bird colonies and an area designated as one of outstanding natural beauty. The MPCU is overseeing the preparation of detailed plans for clean-up by the local authorities. Appropriate techniques and storage sites have been identified.

The main beach-cleaning effort began at first light today. Local authority and MPCU equipment was deployed to appropriate access points during the course of yesterday evening. The main emphasis will be on the mechanical recovery of oil from amenity beaches and accessible rocky areas, pressure washing of hard surfaces and the eventual use of dispersants for final clean-up where that is essential. Much of the rocky areas will be inaccessible and the only option will be to watch for oil moving from those areas to more sensitive ones. Extra specialist personnel provided by the MPCU from the Warren Spring laboratory have been allocated to South Hams district council, which is bearing the brunt of the pollution. In addition, trained operators will accompany specialist equipment as it is deployed, to advise on use.

I pay tribute to the local authorities involved for their preparation, which enabled them to make a rapid response to what is obviously a major threat to an area of outstanding natural beauty. Their concern is shared fully by myself and local Members of Parliament. Indeed, my hon. Friend the Member for Teignbridge (Mr. Nicholls) is on the Bench with me. It was because of the prompt action of the Department of Transport's marine pollution control unit that 75 per cent. of the oil did not reach the shore.

Mr. Steen: The oil spillage is a major catastrophe for one of the most beautiful parts of the country. I pay tribute to the Minister for alerting me to the problem and then keeping closely in touch with me as the progress of the slicks was reported to him.

The first problem is that although the damage has been curtailed to about 12 miles of the 88 miles of heritage coastline, which is a great tribute to the Government and the county council, it still means that 12 miles of beaches are saturated by oil. In one place—Challaborough beach, Bigbury—it is up to 18 in. deep. A great deal of work needs to be done. How will those involved disperse 12 in. of oil on some of the heritage coastline? Where will they put all the oil and sand that they clean?

Can my hon. Friend confirm that both public and private beaches will be cleaned and that some of the inaccessible coves will be approached by helicopter? Devon county council has said that helicopters are not available. Will my hon. Friend make them available if required? Will the services of the military be called upon if necessary? There are 700 commandos in my constituency, the Royal Naval college at Dartmouth and also HMS Cambridge. Will the military be called upon for immediate action should that be required?

There has been good co-ordination at local level, but to deal with the mousse once it has landed on the shore, the Ministry of Agriculture, Fisheries and Food needs to issue a licence. Devon county council and South Hams district council fear that getting a licence out of MAFF may mean a further delay. Can my hon. Friend help with that? There are five fine estuaries as well as a number of other inlets. Is everything being done to ensure that oil does not get up the estuaries?

The area is one of the finest in Britain for the tourist industry. Will my hon. Friend say something about that industry and about what will happen to those whose livelihoods have been affected by this terrible spillage? As to the remedial action that is being carried out by his Department, Devon county council and South Hams district council, to which I pay tribute, will the Minister confirm that no cost will fall on the community charge payer and that the Government will find ways of funding it entirely from the centre?

This is a catastrophe of a type which has never happened to this coastline before. We have to learn something about the cause.

Mr. Speaker: Order. This is a question to the Minister. The hon. Gentleman might apply for an Adjournment debate to make all these points.

Mr. Steen: I am grateful to you for your guidance, Mr. Speaker.

Does the Minister intend to investigate not only the cause of the accident but whether oil tankers should be lying along the south Devon coastline for many hours? Should not some of the larger oil tankers have double skins to protect them from such a collision? Will the Minister say something to the people of south Devon to help them deal with the terrible tragedy?

Mr. McLoughlin: I shall try to respond to the many points that my hon. Friend put to me. I can understand that the cost, and the matter of who will meet it, will cause concern to my hon. Friend's constituents. I give him a total assurance that the cost of the clean-up operation will be met entirely by the polluter. There is insurance cover on the tanker. There will be no cost to community charge payers. I am sure that my hon. Friend and his constituents will be grateful for that. It is in line with Government policy that the polluter should pay for the damage that he does. That is an important point, which needs to be made.

If there are any problems about getting agreement from the Ministry of Agriculture, Fisheries and Food, we shall be ready to help. We have already obtained from the Ministry the permission that is necessary to use dispersants. We keep in close contact with the Ministry. I do not foresee any difficulty, but if there is, we shall take it up.

Special action is being taken to try to safeguard the estuaries. My hon. Friend has rightly pointed out a great difficulty in that there are a number of estuaries in the area. A great effort is being made to protect them by putting booms across to try to stop the oil going up the estuaries.

Tourism is an important point. It is impossible to give a definitive estimate as to when all the oil will be cleaned up, but I very much hope that within two weeks we shall have restored as best we can some of the worst affected areas. I assure my hon. Friend that the restoration operation will apply to the whole coastline. There will be difficulty in the more inaccessible parts, which are rocky and treacherous. Obviously, we could not put anybody in danger. My hon. Friend asked about the use of helicopters. That will be considered. If it is thought the most appropriate way to help, we shall take advice on it.

My hon. Friend asked about the use of the Army. At the moment we feel that there are enough people and facilities in place. However, should we think it necessary to call on the resources of the armed forces, that option is open to us, but we do not yet feel that that is necessary.

Mr. David Harris (St. Ives): Does my hon. Friend accept that serious though the incident is—it is very serious, particularly in the constituency of my hon. Friend the Member for South Hams (Mr. Steen)—if prompt action had not been taken by the marine pollution control unit, we would have had a massive environmental disaster, stretching not just along the Devonshire coast but along the coast of Cornwall? Will my hon. Friend deal with a point that he did not answer? Will he assure the House that there will be a thorough inquiry into how the collision took place?

Mr. McLoughlin: I join my hon. Friend in congratulating the marine pollution control unit, headed by Captain McLeod, and the people who work in it. There was a very prompt response. The unit was informed at 15.25 and was spraying at 18.00. If it had not been for the speed of the response, the position would have been more serious, as my hon. Friend said. I assure my hon. Friend, as I said previously, that an accident investigation is being carried out at the moment and that any lessons that can be learned from it will certainly be learned.

Mr. Simon Hughes (Southwark and Bermondsey): Above all, I welcome the Minister's statement that the polluter and not the poll tax payer will pay. Will he confirm that the polluter will be prosecuted if any offence has been committed, and that that is being actively investigated? There has been a comprehensive response but sadly it has not been sufficient, and it has not stopped damage to the environment. To that extent, the response has without doubt been too little, or too late, or both. Therefore, given that the estuaries are now at risk as well as the coastline, will the Minister say what action is being taken? I understand that booms are not restraining the oil but have been breached, and that oil is now going up into the estuaries on the Devon coast. Is action being taken to deal with that as well as the other matters that I mentioned?

Mr. McLoughlin: We have been given constant prophecies of doom and gloom by the hon. Gentleman. He started on Monday with a question on energy, telling us that the community charge payer would have to pay. If he had taken the time and trouble to investigate and to find out the facts, he would have realised that that is not the case and that the polluter will pay. It is typical of the hon. Gentleman to say that the response is too little, too late. As far as he is concerned, anything that was done would have been too little and too late. I regard setting up an operation within two or three hours of the incident being reported as very effective. We have 3,000 miles of coastline to protect around the United Kingdom and the Department does an excellent job in protecting it.

Mr. Robert Adley (Christchurch): My hon. Friend knows that people who live and work along the Devon and Cornwall coast lie in fear and trepidation of such events, and we are grateful for the speed with which the problem was tackled. Will my hon. Friend investigate the links between oil companies and detergent companies? Is he aware that many detergent companies are owned by oil companies, so the companies that create the problem in the first place make a profit out of trying to clean it up? Will he study his files? He mentioned Warren Spring laboratory. If he looks at the old files, he will see that I tried and failed some 16 years ago to get the Department to take seriously an invention by one of my constituents, who was driven out of business because oil companies wanted to go on selling detergents rather than see my constituent's Oil Mop company come to successful fruition. Will he carry out a full investigation so that at some time in the future we may be able to prevent people who have a commercial interest in selling detergents from having a first crack of the whip and let those who have the technology lift oil from the water at an early stage before it comes ashore?

Mr. McLoughlin: I am grateful to my hon. Friend. All the responses to deal with such problems are directed by the marine pollution control unit. It says what should be used and charges the polluter for any costs incurred by the Department of Transport.

I cannot accept some of the theory behind what my hon. Friend said—that somehow masters of oil tankers and other vessels go all out to cause collisions so that

[Mr. McLoughlin]

companies can benefit from the clean-up operation. Such accidents are serious and it is to the master's credit that he immediately switched tanks to stop any further spill going into the sea. Of course we shall investigate any complaints that my hon. Friend draws to our attention. However, I congratulate those involved on what has been a fairly successful operation. It has not been totally successful. I wish that it had been, as it would have saved us all a lot of trouble and it would also have prevented some devastating effects on the coastline. We regret that there has been pollution, but I assure my hon. Friends that everything is being done to ensure that that pollution is removed as soon as possible.

Mr. Dennis Skinner (Bolsover): The Minister said that the polluter will have to pay. Is he aware that this has the makings of a long-drawn-out legal wrangle? The case of the disaster off Alaska is still being resolved in the courts and the case arising from the disaster off Birkenhead has not yet been settled. I cannot imagine that as there has been a collision there will not be contending parties who will say, "It is not my fault." The Government have a responsibility not to stay at arm's length, but to make it abundantly clear to all those working for local authorities in Devon and for other organisations that might have to foot the bill, that while the wrangling is going on in court, the Government will ensure that money is in place. Otherwise it will be paid for in the community charge. The Minister has to answer those questions so that people in Devon fully understand the consequences.

Mr. McLoughlin: Not only is the vessel insurance cover about £8 million, but the United Kingdom is a member of an international organisation that provides compensation of up to £30 million for oil pollution. I do not think that the Alaska oil spill was covered by such an international agreement.

Mr. Ian Bruce (Dorset, South): Will my hon. Friend comment on the availability of resources to the marine pollution control unit? It clearly acted with the utmost speed, but it may not have had sufficient resources to saturate the problem. Will he have discussions with the armed forces, particularly the Navy, to see whether the pollution dispersant can be made available to them at immediate notice in the same way that helicopters are made available for sea rescue? Can my hon. Friend assure me that the slicks will not reach Dorset? Finally, if the fishing vessel, not the carrier, is shown to have been at fault, will the insurance held by the carrier compensate those affected?

Mr. McLoughlin: An investigation is going on and it would be wrong for me to apportion blame at this stage. The dispersant is on 24-hour standby and a number of planes which I inspected two weeks ago, are already part of the marine pollution control unit and on standby. We have also substantially increased the number of hours flown around our coastline for observation purposes. Therefore, quite a lot is being done in that regard. Ships were on their way within two hours, so that was a satisfactory response. However, we are always ready to learn from any incident.

Mr. Jeremy Hanley (Richmond and Barnes): My hon. Friend the Member for South Hams (Mr. Steen) is fortunate in representing one of the most beautiful constituencies, and one that I visit every year. However, I am worried by my hon. Friend the Minister's statement earlier that the fishing vessel may have been at fault. If so, any amount of insurance that is carried by the oil company will be worthless and there will be legal wrangles. The hon. Member for Bolsover (Mr. Skinner), in one of his rare gleams of sense, has put his finger on the important point of who will provide the money while the matter is being sorted out. Will my hon. Friend take a personal interest in the matter and visit the site so that he can experience at first hand its natural beauty? Perhaps he can fly over the site in a helicopter to see the extent of the damage.

Mr. McLoughlin: I am assured that in this case the polluter will pay and that there will be no problem about the recovery of the money. That is the best advice that I have. I was in Devon last week, admittedly in north not south Devon, but I am only too well aware of the outstanding beauty of the area.

Mr. Tam Dalyell (Linlithgow): In response to the hon. Member for Dorset, South (Mr. Bruce), the Minister said, doubtless in good faith, that he hoped that everything possible was being done, but is not the anecdotal evidence that some of us have from the North sea coast that the marine pollution control unit is chronically and seriously under-resourced? May we have any facts that the Minister has on the amount of money that has been spent on it, what the estimates are for a proper unit which, sure enough, will be needed sooner or later, how that will be achieved and what, in the view of his expert advisers, is the shortfall? This is a serious issue.

Mr. McLoughlin: I reject what the hon. Gentleman has said. I am satisfied that we have an effective marine pollution control unit, which responded within a short time of being notified. Within five minutes of the head of the unit being told of the incident, an aircraft was flying to the site. Had it not been for that speedy reaction, we should be dealing with a far more serious incident.

Ms. Joan Ruddock (Lewisham, Deptford): I am grateful for the opportunity to question the Minister on this subject. However, I hoped that his hon. Friend the Minister for Public Transport would be present to issue a statement on the tragic deaths of four railway workers this morning on the Metropolitan line. Perhaps a note could be sent to me about that.

The House is grateful to the Minister for announcing an inquiry into the Rosebay incident. Can he say whether the Liberian authorities have agreed to co-operate? Will he publish the report, and will he ensure that the inquiry examines the level of crewing on the tanker and establishes whether their skills and training were adequate for accident prevention and were properly employed on this occasion? Can he confirm that the tanker was in its correct navigational lane? After similar incidents—for example, the Amoco Cadiz and Torrey Canyon disasters—separate tanker lanes were enforced, reducing the danger of tankers passing near to land.

Does the Minister agree that the devastating effects of the accident might have been avoided if the tanker had had a double skin? There is growing international support for a requirement for all tankers to have double skins, to avoid

oil spillage. Will he join me in condemning the economic expediency that rejects such measures, and puts profits before the protection of the environment?

The Minister will be aware that discussions are taking place in the International Maritime Organisation about whether vessels weighing more than 150 tonnes should carry their own oil spill response plan. Will he give us the Government's views on that proposal, which Opposition Members believe could limit appalling environmental damage and the economic threat to the all-important tourist area of Devon?

Mr. McLoughlin: Let me repeat that an accident investigation is in progress, and of course its report will be published, as is normal with marine accident investigation reports. Its initial finding is that, under international collision regulations, it was the duty of the fishing vessel to give way. However, the watchkeeper did not see the tanker and therefore did not alter his course. The tanker took evasive action, but could not prevent the collision. Visibility was three to four miles. I hope that the report will be completed as soon as possible. I have already given its interim findings. The quick action of the master of the Rosebay prevented what could have been a much more serious accident, given the amount of oil on the ship.

The hon. Member for Lewisham, Deptford (Ms. Ruddock) referred to double skins. I accept that that is an important matter, and it is being investigated by the IMO. However, it would be no good trying to apply such a requirement unilaterally. The IMO is conducting a detailed review of technical standards and the procedures that apply to tankers. Double skins may not be the only answer; I have been advised that there are serious problems with gas build-ups.

Caernarfon Hospital

4.39 pm

Mr. Dafydd Wigley (Caernarfon): I beg to ask leave to move the Adjournment of the House, under Standing Order No. 20, for the purpose of discussing a specific and important matter that should have urgent consideration, namely,

"The closure at the end of this week of the Caernarfon hospital casualty unit"—

the only casualty unit in the town.

The matter is specific as it arises from the recent decision to close Caernarfon cottage hospital—the sixth hospital closure to be announced in the county in the past 12 months—but it has assumed greater importance because we had expected the closure to be phased and that there would be some co-ordination of alternatives, but the casualty unit is to be closed this week. We learned yesterday that the general practitioners who are expected to cover for the closure have not agreed on how that cover is to be achieved.

The matter is important because, obviously, mothers of children who have accidents and need urgent treatment do not know where to go, and given the short notice of the closure, there has been no opportunity for the town to be notified about the alternative arrangements, and in some circumstances it could be a matter of life and death.

The matter needs urgent consideration because of the stampede by the health authority, acting without proper co-ordination and public information. No doubt co-ordination has been badly affected because of a senior secretarial strike taking place this week, arising from the failure of the authority to negotiate a proper salary settlement. The problem arises largely from the chaos in the health authority, which has a £4 million deficit this year and is in a mad panic, closing wards and services in all directions.

The responsibility for that must be identified. If it is the fault of the health authority for its failure to manage its affairs, quite frankly, the health authority managers should resign. Alternatively, it is the fault of the Welsh Office for failing to provide the health authority with adequate resources and for failing to insist on proper strategic planning of services.

The casualty unit closure is a blow to the town of Caernarfon, causing considerable difficulty in the area. It requires urgent debate. The Welsh Office Ministers must come out of their bunker and face up to the health shambles for which they must take ultimate responsibility.

Mr. Speaker: The hon. Member for Caernarfon (Mr. Wigley) seeks leave to move the Adjournment of the House under Standing Order No. 20, for the purpose of discussing a specific and important matter that he thinks should have urgent consideration, namely,

"The closure at the end of this week of the Caernarfon hospital casualty unit."

I have listened with care to what the hon. Gentleman has said about this important matter, which affects his constituency. As he knows, I have to decide whether to give it precedence over the business set down for today or for tomorrow. I regret that in this case the matter does not meet the criteria of the Standing Order. I cannot, therefore, submit his application to the House.

Amusement Machines (Protection of Children)

4.42 pm

Mr. Patrick Thompson (Norwich, North): I beg to move,

That leave be given to bring in a Bill to empower local authorities to prohibit in their area the use by children of amusement machines.

There is good support from both sides of the House for a measure along the lines of what I am proposing. That may not be immediately apparent from the number of hon. Members in the Chamber, but I know that I can muster good support for the measure should it come to a Division.

The Bill aims to give local authorities teeth to deal with the serious problem of arcade addiction. It is right that the Bill should specify the age of 16. If local authorities felt that the problem was serious in their areas, they would be given powers to ban those under 16 from amusement arcades. Young people under 16 are not yet responsible for their own actions and need guidance from adults. Sixteen is the right age limit and will achieve maximum support in the House.

We have legislation to protect those under 16 from under-age drinking, smoking or buying cigarettes and solvent abuse. More recently, measures have been introduced to prevent them from using chatlines. We should also protect them from the evil of gambling.

I have been involved in the campaign against under-age gambling for at least two years. The misery caused by addiction to amusement-with-prize machines in arcades is real among young people and their families. Many cases have been brought to my attention in Norwich and in all parts of the country. I am grateful to the National Council on Gambling, Westminster city council and the associated amusement arcades action group and other organisations for bringing all those cases to my attention. There are on record cases of theft, attempted suicide, broken homes, child prostitution and more serious crimes as a result of arcade addiction. Many hon. Members, including my hon. Friends the Members for Brighton, Kemptown (Mr. Bowden) and for Lancashire, West (Mr. Hind) and the hon. Member for Glasgow, Pollok (Mr. Dunnachie), have had serious cases of arcade addiction brought to their attention.

Arcade addiction is more serious than official statistics suggest. Even on the basis of Home Office figures, as many as 1·3 million out of 5 million children in the 10 to 16-year-old age group are spending money on amusement-with-prize machines. Of those, at least 250,000 children could be gambling in arcades unaccompanied by parents or friends. A recent survey conducted by the Gaming Board for Great Britain showed that, of 151 arcades visited in 1987, 94 were admitting under-16s and 53 of them were members of the British Amusement Catering Trades Association. Yet there is a code of practice that seeks to prevent under-16s gambling in arcades. In spite of that, the code of practice is still being flouted and that is why legislation is necessary.

I do not want to place too much emphasis on statistics, but the facts call into serious question the view taken by the Home Office that a change in the law is unwarranted. I do not agree with that view and I am most grateful to my hon. Friend the Parliamentary Under-Secretary of State for the Home Department for being present to listen to my ten-minute Bill. I have had the opportunity to discuss the matter with him on a number of occasions. However, I commend the various initiatives that the Home Office has taken with local authorities and with BACTA. The display of notices outside amusement arcades and the code of conduct are good practice. I thank the Home Office for its support to that extent, but I seek to persuade my hon. Friend and his colleagues in the Department that a change in the law commands good support in the House, and I hope that the Bill will eventually be enacted.

In Norwich there are very good liaison arrangements between the education and youth services, the social services, the city council and the police, in dealing with arcade addiction. But all those initiatives do not address the main issue. Access to arcades is all too easy for young people, many of whom are also playing truant from school. The figures are extremely disturbing, but time does not permit me to go into detail on that serious connected issue. The attraction of the bright lights is causing young children to go into the arcades and gamble. Even if the numbers were small—it is difficult to ascertain the exact numbers because so many of the cases that have been brought to our attention have been confidential, as families do not seek to publicise the problem—there is a real risk of serious addiction and it is important that we should address it.

Under present legislation, potential arcade operators have to apply to local authorities for permits and for planning permission. The wording of schedule 9 of the Gaming Act 1968 makes it more difficult for a local authority to refuse to renew a permit than to deny an applicant a permit and planning permission in the first place. Local authorities are therefore wary of refusing to renew permits unless they are denied access to inspect or unless there are serious problems with the operation of the machines.

That is why I believe that it is sensible to give local authorities discretion, as the Bill seeks, to ban under-16s from amusement arcades should they feel that the problem is serious in their area. It is reasonable to make the age limit of 16 a legal requirement.

Acceptance of the Bill would bring amusement-with-prize machines and arcades in line with the law on other forms of gambling. The distressing cases that have been brought to my attention and to that of other hon. Members provide all the evidence that is needed to justify the Bill or a similar measure, and I commend it to the House.

Question put and agreed to.

Bill ordered to be brought in by Mr. Patrick Thompson, Mr. Jack Aspinwall, Mr. Andrew Bowden, Mr. Simon Coombs, Mr. Derek Fatchett, Mr. Tony Favell, Mr. Paul Flynn, Mr Roger Gale, Mr. Conal Gregory, Mr. Kenneth Hind, Sir Charles Irving and Miss Ann Widdecombe.

AMUSEMENT MACHINES (PROTECTION OF CHILDREN)

Mr. Patrick Thompson accordingly presented a Bill to empower local authorities to prohibit in their area the use by children of amusement machines: And the same was read the First time; and ordered to be read a Second time upon Friday 8 June and to be printed. [Bill 142.]

Questions to Ministers

4.53 pm

Mr. Bob Cryer (Bradford, South): On a point of order, Madam Deputy Speaker. One of the ways of calling Ministers to account is by raising on the Floor of the House the difficulties that one encounters.

I have recently tabled a series of questions to the Department of Employment. Often the question produces the rubric, "I will answer this question as soon as possible." I give plenty of time—generally a week—for a priority answer to a written question. The Department is evading responsibility for immediate answer to the House when information is sought for a particular purpose and by a particular date. I raise this matter in the knowledge that successive Speakers have deprecated any unnecessary, planned or deliberate delay, and I wish to re-emphasise the importance of that.

Madam Deputy Speaker (Miss Betty Boothroyd): I join former Speakers and Deputy Speakers in deprecating such action, and I shall make a point of looking into the matter.

Orders of the Day

Finance Bill

(Clauses 3, 9, 10, 20, 23, 25 and 68)

Considered in Committee [Progress 15 May.]

[MISS BETTY BOOTHROYD *in the Chair*]

Clause 20

CARE FOR CHILDREN

4.54 pm

Mr. Paul Boateng (Brent, South): I beg to move amendment No. 40, in page 11, line 6, at beginning insert—

'( ) In section 154(2) of the Taxes Act 1988 after "section 155" there shall be inserted "or section 155A."'.

This is a technical drafting amendment designed to meet a surprising omission by the Government draftsmen. I trust that it will be accepted by the Government in that spirit. It is entirely helpful and non-controversial.

The Chief Secretary to the Treasury (Mr. Norman Lamont): One of the most exciting things that can happen in a football match is when, with the first kick of the ball, someone scores a goal. I am happy to thank the hon. Member for Brent, South (Mr. Boateng) for his suggestion.

Amendment No. 40 is not technically correct, but it identifies a defect in the Bill. I am grateful to the hon. Gentleman for moving it and I undertake to table an amendment on Report to deal with the omission.

Mr. Boateng: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Boateng: I beg to move amendment No. 41, in page 11, line 6, at beginning insert—

'The following section shall be inserted after section 131 of the Taxes Act 1988—

"131A. Where an employee makes a contribution out of his emoluments towards the cost of the provision of childcare, and the conditions set out in section 155A below are satisfied in respect of such care, that contribution shall be regarded for the purposes of section 198 below as an expense wholly, exclusively and necessarily incurred in the performance of the duties of his employment."'.

The Second Deputy Chairman of Ways and Means (Miss Betty Boothroyd): With this, it will be convenient to consider the following amendments: No. 25, in page 11, line 6, leave out from second 'section' to end of line 10 and insert

'144 of the Taxes Act 1988—

Care for children

144A—(1) Notwithstanding any other provisions of the Taxes Acts the provision for an employee of care for a child or the financing of such provision by any means (including vouchers redeemable only for such care and reimbursement of the employee's expenses incurred in procuring such care) shall not be treated as an emolument chargeable to income tax under Schedule E if the conditions in subsection (1B) below are met.

(1B) The conditions are that—'.

No. 5, in page 11, line 10, at end insert—

[The Second Deputy Chairman of Ways and Means]

'( ) the employee is not a person to whom section 154(1) applies by virtue of his being employed as a director of a company or in employment with emoluments at the rate of £25,000 a year or more.'.

No. 6, in page 11, line 13, at end insert—

'(aa) the care is provided primarily during the employee's working hours in the employment by reason of which it is provided.'.

No. 26, in page 11, line 14, leave out sub-paragraphs (b) and (c) and insert—

'(b) the care is provided on premises which are not the normal place of residence of the child or employee.'.

No. 13, in page 11, leave out lines 14 and 15.

No. 7, in page 11, line 15, at end insert—

'(bb) the care is provided under arrangements which are equally available to any other employee of the same employer whose child has an equal or greater need of such provision and for whose child it is practicable to make such provision.'.

No. 27, in page 11, line 21, leave out subsections (2) and (3).

No. 42, in page 11, line 21, at end insert—

'(e) in the case of close companies (as defined in section 414 of the Taxes Act 1988), child care facilities of a broadly similar nature are made available by the employer to all employees (this condition will be satisfied even if not all employees make use of the facilities so provided.)'.

No. 43, in page 11, line 21, at end insert—

'(f) at premises where child care facilities are provided, they must be of a broadly similar standard.'.

No. 8, in page 11, line 25, at end insert 'and'.

No. 9, in page 11, line 27, leave out from 'persons' to end of line 30.

No. 10, in page 11, line 28, after 'employer', insert 'or an associated company of the employer'.

No. 16, in page 11, line 29, leave out 'and managing the provision of the care.'.

No. 11, in page 12, line 25, at end insert '"associated company" has the meaning given in section 416 below;'.

No. 12, in page 12, line 29, after 'educational', insert 'or recreational'.

No. 17, in page 12, line 30, leave out 'eighteen' and insert 'sixteen'.

No. 14, in page 12, leave out lines 31 and 32.

No. 18, in page 12, line 37, at end insert—

'(3) This section shall operate to relieve the taxable benefit from basic rate tax only. The benefit is still to be charged at the excess of higher rate over basic rate tax.'.

Mr. Boateng: I am obliged to the Chief Secretary for his kind words, but I do not intend to allow them to go to my newly exposed head. I fancy that he is unlikely to be so welcoming to these amendments.

The amendments, sadly, are necessary as a result of the defective and stunted clause 20, which the amendments seek to improve. It is defective and stunted because the Government have been the subject of two competing forces. The first is an impulse, for public relations purposes, to appear to be doing good, in this case to hard-pressed parents, and women in particular, who are at a tax disadvantage when they are in receipt of child care benefits from their employer. They are the recipients of what the Government would have us believe is their largesse.

The second competing force is a compulsion that characterised every aspect of the Budget—to do as little as possible at minimal cost. We therefore have this push-me-pull-me provision, which fails to address the central issue of removing obstacles to the provision of workplace nurseries and child care provision for working parents.

Given the past of the Chief Secretary, it is perhaps not surprising that clause 20, which he will seek to defend this afternoon, is stunted and defective, because at every turn he has opposed the reasonable suggestions made by Labour Members on every Finance Bill since 1985 to overcome the hurdle to the expansion of child care provision for working parents. He fought us tooth and nail, and the last time that he replied to a debate on this anomaly in the taxation rules he was scathing of the arguments ably and convincingly put forward by my hon. Friend the Member for Islington, South and Finsbury (Mr. Smith). He told us—and he will remember the debate well:

"There is no reason to believe that the present tax treatment of child care expenses is a barrier to the employment of women with children."—[*Official Report*, 11 July 1989; Vol. 156, c. 894.]

On 11 July 1989, there was apparently no reason to believe that a barrier existed, yet today he accepts that there is a barrier, which the Government are belatedly seeking to remove. We look forward to learning what changed his mind.

We must not look a gift horse in the mouth; we are glad to see the Chief Secretary in his place at all. He was not present yesterday; he left it to his minions, pleasant and engaging though they are, to do the business. We are entitled to ask why the right hon. Gentleman has taken the time out this afternoon to address the Commitee on this issue. It may well be that he does not trust the Economic Secretary or the Financial Secretary to resist——

Mr. Nicholas Brown (Newcastle-upon-Tyne, East): Understandably.

Mr. Boateng: My hon. Friend is being slightly, and uncharacteristically, uncharitable. I am sure that the Chief Secretary trusts his colleagues' understanding. Indeed, he fears that their understanding is such that they may concede the reasonable points that he has already heard and that he knows will be forthcoming not only from the Opposition but from at least one Conservative Member. Not trusting them, the right hon. Gentleman has come here to ensure that there are no concessions.

5 pm

We should not be surprised that Conservative Members speak with a forked tongue about child care. I do not mean to be unkind—[HON. MEMBERS: "Oh."] Well, perhaps on reflection, I do mean to be unkind. We have become used to such behaviour by Conservative Members. Indeed, there is a game that can be played, "Spot the quote". One wins a prize—a day out in the Kingsway day nursery, surrounded by photogenic children and attentive staff—if one can say who said what.

Let us look at some of the comments that Conservative Members have made about child care. First, there is this advice on how working mothers might be helped:

"Can they in fact go out at all at that stage in their children's life"?

Should not

"several women get together and arrange that one looks after the children while the others work part time"?

I wonder who said that. Any offers from Conservative Members? It was someone to whom they should pay attention—indeed, someone to whom they must pay

attention day in, day out. The Chief Secretary suffered more in that respect than any other person. It was, of course, the Prime Minister, no doubt speaking from her vast experience while other women took care of her children as she practised part time at the Bar and practised part time as a politician. *[Laughter.]* One may well laugh, because the right hon. Lady did not ever practise part time in that way, nor did she come to a cosy relationship with other part-time working mothers to look after her delightful twins.

Another well-known Conservative Member said:

"If they want or need help in this task they should make the appropriate arrangements and meet the costs."—[*Official Report*, 12 July 1988; Vol. 137, c. *150*.]

Who said that? Any offers from Conservative Members? It was not the same lady but none other than the hon. Member for Derbyshire, South (Mrs. Currie)—a figure from the past, but one who speaks with the authentic voice of many Conservative Members when talking about child care.

There is another example, and this is the choice quote. There is a double prize for any Conservative Member or, indeed, any Opposition Member—I shall extend the offer—who can guess who said this:

"I don't think the State should step in to help the working mother unless her life has collapsed."

Who said that?

Ms. Hilary Armstrong (Durham, North-West): The chairman of the ministerial group on women's issues.

Mr. Boateng: Indeed, it was none other than the right hon. Member for Oxford, West and Abingdon (Mr. Patten), whose job is to chair the ministerial group on women's issues. That comment shows the attitude of Conservative Members to working mothers and to child care. If they come to the Dispatch Box expecting us to be thankful for clause 20, they have another think coming. We are here to bury these little Caesars, not to praise them, and they should be under no illusions about that.

We need to reflect on the response by those who have the responsibility for the day-to-day care of children and those who have the responsibility for the day-to-day management of these facilities. What is their response to the largesse in what the Government would have us believe is their generous little clause? The Busy Bees consultancy works with companies that are interested in subsidising child care in order to help them establish child care provision, and it is doing important and valuable work. The managing director states:

"This tax exemption will not in the end benefit anything like the numbers of employees we had originally hoped. Only employees of very large companies stand to benefit. Many firms have a need for 10 or 20 places, for which it is not economically viable to set up a nursery. With very little more imagination, a lot more could have been achieved."

Why has that imagination not been applied to what the Chancellor described as this small supply-side measure? It may be a small supply-side measure, but it gets smaller by the hour. The orchestrated fanfare that greeted the Chancellor's comments on this measure would have led people to believe that we would be dealing with a growing number of workplace nurseries and other forms of child care provision based in the nursery. That has not happened. The 3,000 children who benefit from existing workplace nursery provision are unlikely to be joined by large numbers. We are not tackling the demographic time bomb in relation to women at work and not freeing parents to maximise their contributions to the economy.

This is not just a child care issue or educational issue, although it is both; it is also an economic issue. It is about maximising the pool of skills if our economy is to go forward, but the Government have failed in that respect.

Mr. Tim Smith (Beaconsfield): Will the hon. Gentleman give way?

Mr. Boateng: I shall give way in due course because I know that the hon. Gentleman has a valuable contribution to make.

The scale of the problem shows that it is all that much more of a pity that the Government have missed this opportunity. A survey by the Department of Employment and the Training Agency found that only 198 of the 1·1 million persons surveyed had kids in employer-provided creches. That is the scale of the inadequacy of existing provision. Only 3 per cent. of the institutions or organisations surveyed provided workplace nurseries, with only 20 in the private sector and the rest in the public sector. Despite the trailing of this measure in the run-up to the Budget, only 5 per cent. of the companies surveyed even considered establishing a workplace nursery.

Hon. Members ask whether this measure effectively encourages employers—even the 5 per cent. who were considering it—to take the plunge. We must reach the sad conclusion that it will not, because it fails to have the flexibility necessary to bring about the expansion that we all seek. That flexibility would enable companies which wish to provide nursery places to buy them in existing community nurseries and to choose between what local authorities and the voluntary sector offer. Companies would be able to buy places and in so doing encourage the expansion of existing provision.

Companies are specifically excluded from doing that under clause 20 as it is presently drafted unless they can show that they are involved in the management and financing of centres. That is why we tabled amendment No. 9. I hope that the Minister will concede that our amendment would enable his provision to have the effect that it should have of expanding the present supply of workplace nurseries and places for the children of working parents in nurseries.

We look to the Minister to make an early response on this matter and to concede that our amendment will have the effect that I have outlined. If not, we shall have no option but to press amendment No. 9 to a Division. It is absolutely vital if we are to succeed in expanding child care provision.

Mr. A. J. Beith (Berwick-upon-Tweed): I agree with the hon. Gentleman's general sentiments, but why is he willing to accept so many of the Government's own restrictions, such as the rule that nursery care cannot be provided on domestic premises? Will he bear in mind the fact that many well-organised playgroups start in domestic premises? If the hon. Gentleman accepts so many of the Government's restrictions, rather than supporting the type of amendments that I have tabled and the hon. Member for Billericay (Mrs. Gorman) has tabled, he will leave the Bill restricted.

Mr. Boateng: We know that the Chief Secretary has set his mind against any expansion on that scale. As the hon.

[Mr. Boateng]

Gentleman rightly says, our amendments are modest. We ask not for the world but merely that the Chief Secretary accept amendments which are within the spirit of the Chancellor's Budget statement.

At the end of the day and at the beginning, fiscal measures such as the Government propose are not the best and certainly not the only way of providing the level and standard of child care that we seek. There is no alternative to a comprehensive child care policy. There is no substitute for a policy that is designed to maximise choice and flexibility for working women while maintaining standards at all times. We are not prepared to tolerate a policy by which the Government simply seek to meet the economic needs of the time and to overcome the demographic time bomb. We are not prepared to sacrifice the life chances of young children. We do not believe that that is right.

Mr. Michael Stern (Bristol, North-West) *rose*——

Mr. Boateng: That is why we say that the Government should attend to the generation and release of resources to enable local authorities to play the co-ordinating role that we believe that it is right for them to play. Local authorities have the necessary expertise and know-how. They are ideally placed to exercise a strategic function in the provision of child care. We want to hear the Government's proposals on that matter.

Should we take it that the Government's only concern is a minimal extension of child care provision by the means that they have outlined, which would involve little effort or attention from the Government? Do they cling to the mistaken belief—the Chief Secretary expressed it on 11 July last year—that the market will mysteriously meet the needs of children and working parents? There is every reason to believe that it will not.

Mr. Tim Smith: Will the hon. Gentleman give way?

Mr. Boateng: Simply by mentioning the word "market", I have prompted an immediate response from the die-hard monetarists who still lurk on the Conservative Benches. I feel obliged to let the hon. Gentleman have his say.

Mr. Smith: It was the word "mysterious" that prompted me to intervene, not the word "market". There is nothing mysterious about the way in which the market will work. If employers want to employ more mothers and women, they will make the necessary arrangements. The market will accommodate them.

5.15 pm

Mr. Boateng: The hon. Gentleman may say that that will happen, but the Confederation of British Industry, which is certainly aware of the mysteries of the market, calls more and more frequently on the Government to intervene to moderate the operation of those mysteries, which seem to work so obviously against the interests of the British economy. The Institute for Fiscal Studies specifically warns against some of the measures promoted by the monetarists. I make no apology for mentioning the CBI or the Institute for Fiscal Studies. Why should a Treasury Opposition spokesman apologise for calling in aid of our case the CBI and the Institute for Fiscal Studies? It is a sign of the extent to which Conservative Members have slipped from reality, with regard not only to child care but to the economy.

We are committed to a comprehensive child care policy.

Mr. Stern: Will the hon. Gentleman give way?

Mr. Boateng: In due course.

Our amendments must be seen in that context. I hope that the Chief Secretary will address himself to amendment No. 41 specifically and assure us that it is acceptable. Surely this matter should not divide or stretch the consensus of the House. It seeks to recognise the position, which will not be uncommon, when provision is made by an employer for child care but the employer says to the employee, "We expect you to make a contribution." It seems right that in those circumstances the philosophy that underlies section 156(1) of the Income and Corporation Taxes Act 1988 on contributions that might be deducted from benefit should apply and the employee should not have to pay tax on the part of his or her emoluments that goes towards child care provided by the employer. That does not seem unreasonable. Certainly it does not make excessive demands on the Treasury. We look to the Chief Secretary to take that on board at an early stage in his reply.

All the experience of recent years is that unless measures are taken to encourage employers to make provision for child care and to facilitate take-up by employees, the hoped-for expansion in child care simply will not take place. We want that expansion to take place, for the benefit of the child and of the economy. It is in that spirit that we have tabled the amendments and look for a positive response from the Minister.

Mrs. Teresa Gorman (Billericay): It ill behoves the hon. Member for Brent, South (Mr. Boateng) to berate the Conservative party on any change of mind because his party has changed its mind on so many policies in the past 10 years that it is hard to keep up with them. It has changed its mind on nationalisation and council house sales, and has practically ditched clause IV—the backbone of its philosophy. It is squirming around trying to find some new policies and has hit on the woman's vote as one opportunity to make hay while the sun shines in the lead-up to the next election.

Nevertheless, I find myself largely in sympathy with the amendment tabled by the hon. Gentleman, most of all because it is an almost straight crib from my recent ten-minute Bill. Labour Members knew from my discussions with them that my ten-minute Bill attracted enormous attention, not least from trade unions, which wrote to congratulate me on the forward-looking views of the Conservative party in making such a point to the House.

I received a number of letters from women who said that they had never before written to a Conservative Member of Parliament, but were absolutely 100 per cent. behind the Conservative party as the party moving such ideas into the public arena. Even the National Union of Teachers wrote to me congratulating me on my success in the House of Commons. It wrote to tell me that there was a major shortage of teachers in schools and 400,000 qualified teachers, inactive at home, looking after children. It said that it greatly welcomed the Conservative party's

initiative in putting that fact in the public arena. It is the Conservative party that is at last putting that principle into legislation, with clause 20.

My only quarrel with clause 20 is that it limits the opportunity for employers to pay for workplace nurseries to the workplace itself. My amendments seek to expand that idea so that an employer may pay for child care provision other than at the workplace, but in a formally constituted nursery. That would mean that a mother would not have to take her children to her workplace, but could leave them near home in a nursery, knowing that they were properly cared for and having the peace of mind to go about her job for the rest of the day.

I am sure that, when the Treasury decided to make this concession, it did not realise that it was so limited in scope and that perhaps only about 3,000 women stood to benefit. I hope that today we can persuade my right hon. Friend the Chief Secretary that it would be equitable to expand that provision so that a great many more women can have that opportunity.

At present, the proposal is also limited to large employers who can afford to pay for a workplace nursery. I wish to extend it so that a number of small firms can combine to use nursery places. That would stimulate the growth not only of new nurseries but of the labour force available to small businesses. It therefore falls in with the pattern of Conservative Administration ideas to stimulate the market economy.

I understand that the Treasury will be concerned about the likely cost of such a concession. I appreciate that the Treasury does not like opening up new tax allowances, but we give tax allowances for things of which we approve. The Conservative party is the party of home ownership and gives tax allowances on mortgage interest. We are the party that, recognising the importance of pensioners building up savings as they grow older, has given tax allowances on those savings so that they can be added to income and allow pensioners to be self-supporting. In the past, we have also agreed that it is a good idea to encourage people to have meals during their working day, so we give a tax allowance on meal vouchers. The principle of tax allowances in support of things in which we believe is thus a well established practice in Conservative philosophy.

I estimate that the concession to allow a nursery to be provided somewhere other than at the workplace would cost about £25 million—a small amount of money—for one year. What is more, that money will come back to the Treasury, partly through the increased economic activity of women going to work and partly from the taxes collected on the prosperous new nurseries stimulated by imaginative extension of the principle. The Treasury, which usually anticipates a 100 per cent. loss on any concession, could thus look forward to a gain in revenue if the idea were extended to a broader spectrum of women.

As the first woman to speak in this debate, I wish to consider the matter from a woman's point of view. There is nothing new about married women with children going out to work to supplement the family income. That has been done for generations. In poorer families, women often went out to do domestic work. In the cotton towns of the north they provided much of the labour in the factories.

The needs of modern society have widened the type of work available, and the changing status of women, for which we have all fought in the past 50 years, has meant that many of them choose to carry on some form of paid work outside the home. Every girl these days earns her own living between leaving school and getting married. Some undertake a long training and become so absorbed in the subject that they want to continue that work after marriage. For many of those girls, the sort of work involved in running a home is insufficient to use all their abilities and they feel that they are not working to their full capacity.

Some men I know are far too ready with the phrase, "a woman's place is in the home", forgetting that their own daughters will almost certainly earn their living outside the home, and that some of them will want to carry on their careers. While they condemn women in careers in round terms, they would be thrilled if their own daughters were to achieve those new career heights. The choice is up to the woman—if she has no particular interest and finds work in her home satisfying and absorbing, clearly she will develop her interests in that centre. If she has a pronounced interest in some other direction in which she has already achieved some measure of success, it is essential for her own satisfaction and the happiness of her family that she should use all her talents to the full.

Ms. Dawn Primarolo (Bristol, South): I am sure that the hon. Lady would not wish to suggest—if she does, it is incorrect—that women, whether married or not, do not have the right to economic independence in their own right. Their right to pursue their careers, whether or not they have children, should not be frustrated by the lack of child care facilities or some out-of-date idea that once women marry they should be satisfied to stay in the home and not have economic independence in their own right.

Mrs. Gorman: I certainly agree with the hon. Lady that women and their families should be able to make provision for their own needs, and it should not be a matter for state intervention. However, there should be tax provision, as I am arguing.

People in general, apart from men with working wives, are often unsympathetic to working wives. It is a pity that so many women with young children have to be out of their careers for 10 years or more. After 10 years it is often hard to pick up again, especially if it is scientific work because things change and develop so rapidly.

"It would make a tremendous difference if part of the expenses of employing other people to run her home were allowed against tax."

I must make a confession—those are not my words, but the words of a working woman in the 1950s. Clearly, she is a woman with hands-on experience of the problem and great sympathy for the woman's point of view—a woman's woman. The woman concerned was, of course, our great Prime Minister and I hope that as First Lord of the Treasury she will seek to influence the thinking of the Treasury in this respect. I am sure that Treasury Ministers will wish to broaden these measures to include a much wider spectrum of women, just as I am sure that my right hon. Friend the Prime Minister, whose sentiments are clearly my own in these matters, would wish them to do so. All women who go to work will benefit from such an extension.

5.30 pm

Mrs. Sylvia Heal (Mid-Staffordshire): I welcome the opportunity to make my maiden speech in the House. In so doing, I am mindful of and will respect the traditions

[Mrs. Sylvia Heal]

and customs of the House. I should like to record my thanks to right hon. and hon. Members and to the staff of the House for their warm welcome, many offers of help, numerous pieces of advice and several offers of pairing.

I should have liked to enter the House under different circumstances, and I wish therefore to pay tribute to my predecessor, the late John Heddle. He was a Member of the House for a decade and he represented the Mid-Staffordshire constituency following its formation in 1983. I extend my sympathy to his widow and family. Although I did not have the privilege of meeting him, I know from comments made by my constituents that he was regarded as a man who worked hard and conscientiously to represent them. I am sure that he is missed by his former constituents, and not least his family.

I look forward with enthusiasm and confidence, however, to the challenges that the electors of Mid-Staffordshire have given me. My constituency was formed by the Boundary Commission in 1983. It is a long, narrow constituency stretching from the north to the west midlands and it is not based on a single community. It is predominantly rural, but it contains three main towns.

Lichfield is a pleasant cathedral town and the birthplace of the wit Samuel Johnson, who dubbed it a city of philosophers. In the middle of the constituency is Rugeley, a predominantly industrial town dominated by two power stations and a mine. Thirty miles to the north lies Stone, a canal-side market town which has attracted a wide variety of national and international companies.

During the time I have been associated with Mid-Staffordshire, I have learnt why the people there have a pride and affection for the area, which many right hon. and hon. Members on both sides of the House visited during the election campaign. Indeed, the influx of so many politicians and representatives of the media gave a mini-boost to the local economy which was much appreciated.

Although peace and tranquility have returned, many of the problems in the area remain. The constituency is set in the heart of middle England and comprises industrial, commercial and rural concerns, with large housing estates, small picturesque hamlets and a work force of professional, managerial and skilled people, so it can rightly be seen as a microcosm of the United Kingdom. That is why the issues that concern my constituents affect the whole country. The continuing increase in the rate of inflation is bringing misery and a hard financial struggle to many home owners and making it impossible for others to get a foothold on the property ladder. Industry is looking for more stability to give it the confidence to plan ahead for the investment and growth that are essential for the prosperity of us all.

The Health Service and education were also issues in the election campaign, but one issue came to dominate it and it would be remiss of me not to mention it. I refer to the poll tax—the harshest, most regressive and unfair tax to be imposed on the British people in more than 600 years. It is misleading to pretend that the rebate system offers any real protection because even the least well of will have to pay a minimum of 20 per cent. The many debates and Divisions in the House on the poll tax have resulted in a majority for the Government, but I find my views best summed up by Dr. Johnson, who said:

"Though we cannot out-vote them we will out-argue them. They shall not do wrong without it being shown to themselves and to the world."

Today we have been debating workplace nurseries, which are meant to provide access to employment for parents. There is, however, another group of people for whom access to employment is difficult—people with disabilities. The Office of Population Censuses and Surveys records the fact that about two thirds people with disabilities depend on state benefits. Because of the additional costs incurred from chronic illness and disability, this means that many face added problems in trying to live on an inadequate income, which further affects the quality of their lives.

The current benefit system is both chaotic and unjust. It should be replaced by a single system of assessment of disabled people and their carers. Benefit should be paid according to need, not according to how people became disabled or whether they were in employment at the time. Only 31 per cent. of all disabled adults of working age are employed, compared with 69 per cent. of the general population. That is certainly not due to any lack of motivation or ability—it is due to lack of opportunity. Many of us take the challenges and rewards of employment for granted. Those who have experienced a period of unemployment will know that it brings not just a loss of income but a loss of dignity, self-esteem and social contact.

Even if people with disabilities have the qualifications and expertise to do a job, they have to overcome discrimination on the grounds of their disability. Studies conducted by the Spastics Society in 1986 and 1989 provide scientific evidence to back up what disabled people know from their own experience—that they face discrimination often from the moment of initial inquiry about a job. The Spastics Society's research shows that two in every three valid applications from candidates with a disability will be treated in a discriminatory way.

The society attempted theoretically to place a secretary in appropriate vacancies advertised in newspapers. For each position, two applications were sent and similar characteristics were described in each letter, except that the applicant's disability was mentioned in only one of them. Nearly twice as many interviews were granted when the disability was not mentioned as when it was. Such results spell discrimination in capital letters.

Discrimination means seeing an applicant's disabilities rather than his abilities, and although many employers would like to behave in a more socially responsible way, they fail to recruit people with disabilities because of ignorance and fear that it will involve them in extra work, expense and special consideration. Yet often these are small considerations such as a handrail, a ramp, a flashing light on a phone, or a lower desk or work bench. For some, the requirement may not be a physical adaptation of the office or factory but a flexible working pattern—flexi-time or part-time working.

It is important to make a distinction between physically and mentally disabled people, because people recovering from mental illness often face even greater hurdles when trying to return to employment. The illness or breakdown may have been a long time ago and the person may be completely recovered, but although the person may have the best qualifications and the right experience for the job, a history of mental illness can lead to the second-best applicant getting the job.

It is not only the private sector which fails to employ disabled job-seekers. Government Departments and, with some notable exceptions, local authorities also fail to meet the quota set in the 1944 Act. In view of demographic changes, skill shortages and the challenge of 1992, the Government should be taking a lead in ensuring that there are no obstacles to encouraging people with disabilities to enter or return to the employment market with appropriate schemes of rehabilitation and training. However, that in itself is not sufficient. Having acquired skills and regained their confidence, the hopes of such people are dashed when the door of opportunity to employment remains closed. I am convinced that, if real progress is to be made in providing equality of opportunity for people with disabilities, a more active approach by employers is necessary and legislation to outlaw discrimination is an important step.

It has been a privilege to address the House and I thank hon. Members for the courtesy that they have extended to me. Following my success in the by-election, I was reminded of the words of Aneurin Bevan when he said:

"Election is only part of representation. It becomes full representation only if the elected person speaks with the authentic accents of those who elected him"——

or, in this case, her.

"That does not mean he need be provincial and that he speaks in the vernacular. It does mean he should share their values, that is, being in touch with their realities."

I believe that I share the values of the people of Mid-Staffordshire and I shall endeavour to represent them in the House to the best of my ability for a long time to come.

Mr. Stern: I am delighted to have this opportunity to follow the hon. Member for Mid-Staffordshire (Mrs. Heal) in what the whole Committee will agree was a most distinguished maiden speech. We are grateful to her for her kind and perceptive comments about her predecessor, who was well liked by all hon. Members As the hon. Member for Derby, South (Mrs. Beckett) knows, because she is another veteran of attempts to define disability benefits when we sat for many hours in Committee on the 1985 and 1986 Social Security Bills, I am delighted to welcome an hon. Member who has such a clear and deep understanding of the issues that are involved.

My two words of warning are, first, that the hon. Member for Mid-Staffordshire should not assume that on subsequent occasions she will be surrounded by so many of her hon. Friends and, secondly, that any mention of pairing will inevitably give rise to about 150 letters arriving in her pigeon hole.

My speech is a breach of about four years' silence on Finance Bills, because it is the first occasion on which I have had the opportunity to speak on a Finance Bill since last year, when I ceased to be a PPS. I shall take the opportunity to support what the Government are trying to do by way of the clause and to oppose the thinking behind some of the amendments. As the hon. Member for Brent, South (Mr. Boateng) said, I share with Ministers something of a Damascene conversion on the clause, because for years I was opposed to the principle of workplace nurseries. However, I have come to support it because the form of tax relief proposed in the clause will achieve the limited objective that has been set out for it.

5.45 pm

The clause is not designed to provide general tax relief for child care. If it did, I and many hon. Members would be wholly opposed to it. It is designed to do what a new tax relief can at the right time and place and on occasions achieve. It will give a limited nudge to an existing market in order to help it expand without at the same time distorting that market. If we were to give the tax relief that is blithely set out in amendment No. 41 or, I regret to say, in the amendment spoken to by my hon. Friend the Member for Billericay (Mrs. Gorman), not only would we not achieve the objective of the clause, but we would set up a vast new distortion for about one third and what we hope will eventually be almost a half of the working population. No system of tax relief should be designed to do that and I should not support such a system.

The hon. Member for Brent, South made several blithe assumptions. He has fallen into a trap, as so many people do when looking at a particular tax relief. He looks at what the tax relief would cost and what it would achieve, assuming no change in circumstances. However, it is plain that if tax relief of the range and extent that he proposes in amendment No. 41 were to be given, it would affect not a few thousand people but a few million, and it would affect them to the extent of what is probably their greatest living expense.

My estimate—I invite the hon. Gentleman to challenge it—is that to give tax relief to all working mothers, or to working fathers when they have the responsibility, on what they have spent out of their income on child care would cost several billion pounds. So much for the value——

Mr. Boateng: The hon. Gentleman invites an immediate response. Will he give way?

Mr. Stern: I shall do so in due course. I assure the hon. Gentleman that I shall give way to him more quickly than he gave way to me.

Amendment No. 41 deals with an employee making a contribution, which will be determined by that employee, towards the cost of child care. The other conditions in the clause would then have to be satisfied. Apart from the provisions in the clause, there is no limit to the size of the contribution that the employee could choose to make. One assumes from the wording of the amendent that the employee could spend up to the limit of income. We read with some surprise the document that came from Walworth road yesterday because it says that there will be no uncosted pledges. However, any pledge of this nature is wholly uncosted because it is wholly uncostable. We read that all pledges about future public spending would have to be based on what the economy could afford. Within 24 hours of that document being issued, we have heard a pledge that I assume will cost the Exchequer several billion pounds. I shall now give way to the hon. Member for Brent, South.

Mr. Boateng: I do not want to interrupt the hon. Gentleman's flow, but he pushes me and I am happy to answer him. He misunderstands the import of amendment No. 41, either unintentionally or mischievously, and seeks somehow to undermine the good sense of the provision. The amendment seeks to deal with a relatively rare but important occurrence when an employer provides a work-place nursery for his employees. He would provide such a place within the restrictions of the current clause and would then require the employee to make a

[Mr. Boateng]

contribution. Let us take a fairly typical example from the constituency of my hon. Friend the Member for Mid-Staffordshire (Mrs. Heal)—the Busy Bee nursery. My hon. Friend is to be congratulated on her excellent maiden speech.

The Second Deputy Chairman: Order. I appreciate that the hon. Member was invited to intervene, but I hope that he will not make a second speech at this stage. He must remember that this is an intervention.

Mr. Boateng: That is why I was reluctant to intervene. I was brought to my feet by a Conservative Member. I shall deal with the example when I wind up the debate. The hon. Member for Bristol, North-West (Mr. Stern) is misdirected and his ideas are misconceived.

Mr. Stern: I look forward to the hon. Gentleman making his second speech.

The amendment says nothing about an employee being required to make a contribution. It refers merely to an employee making a contribution. As several of my hon. Friends have pointed out, the hon. Member for Brent, South has eschewed the invitation, as no doubt he will again when he winds up, to put a cost on the amendments. So we see, within 24 hours, yesterday's Walworth road document being discredited.

We are not talking about general provision of child care with tax relief, nor should I support such a move because the cost would be astronomic. We need to decide what we mean by child care to realise how astronomic the cost would be. People think, particularly when they read the briefings with which we have been showered, that when we talk about providing for child care we are talking about something that is done through a workplace nursery or through a registered child minder. However, we must take it into account that that is only a tiny proportion of child care as it is borne by most families and principally by most women.

For example, many local authorities have estimated over the years, although no reliable research is available because of the nature of the subject, that unregistered child minding vastly exceeds registered child minding.

Mr. Gerald Bermingham (St. Helens, South): The hon. Gentleman fails to take into account the fact that, if one provides facilities and allows tax relief for those who put children into child care, one creates further taxpayers because people are able to go to work. Secondly, what is his authority for making such an outrageously incorrect statement about child minding?

Mr. Stern: The hon. Gentleman is being disingenuous. I challenge any Opposition Member to deny that when we are talking about unregistered child minding, we are talking about something which, by its very nature, cannot be measured. It can only be estimated by the local authority officers who have the job of providing care. Unregistered child minding has been known to exist for many years, and tax relief cannot deal with it. In many cases, it is accompanied by a failure to declare income on the part of the child minder and I am told by social security officers that they find, when they catch up with cases involving unregistered child minders, that it is accompanied by a failure to deregister for benefits. That is one aspect of the problem that we are nowhere near tackling.

Even that aspect is dwarfed by those who bear the greatest share of child care—not workplace nurseries or registered child minders, but relatives. In countless families in my constituency, the woman or, much less frequently, the man, is able to go to work because a grandparent or another relative is prepared to care for the child without tax relief or payment but as a matter of normal family duty. I should regard it as grossly unfair if we were to give a huge tax privilege—one far beyond the purpose of the clause—to those who choose to use commercial arrangements, while not providing an equivalent incentive to those who act as families have acted for thousands of years.

Mr. Anthony Coombs (Wyre Forest): In 1980 a survey on women in employment was carried out. I should have thought that the trend of more women going to work since then has reinforced the point of the survey. It found that not only did 34 per cent. of working women use the child's grandmother as the main support for child care while at work, but 44 per cent. of full-time working mothers used grandparents and a further 13 per cent. used their husbands.

Mr. Stern: I endorse what my hon. Friend said, which underlines my point. We are talking about a limited tax relief. If we extend it to all those who lay out what one might call declarable money on child minding, we shall create a huge distortion in the market.

My hon. Friend the Member for Billericay has tabled an amendment that has been backed by a number of, one assumes, disinterested organisations such as the Institute of Directors. Although my hon. Friend and I often find ourselves in a minority in defending libertarian principles and protesting when we feel that Governments are going too far, on this occasion I am wholly in disagreement with her because what she is suggesting is nothing more than a tax farm. It will enable wealthy individuals to print alternative money in the form of child care vouchers, which inevitably in many cases will not be spent on child care, but will form another black market. There will be no way to police the way in which the child care voucher is spent, or whether it is spent on child care. I remind her of Gresham's law, which says that bad money tends to drive out good. Her amendment would create a large sum of bad money.

I welcome the clause because it will give a limited push to what, for many people, is a welcome development. That is the involvement of the employer in making it easier for particular employees to take on particular jobs. If the new tax relief works, it will be self-limiting, because it will apply only to a limited number of people in a limited number of circumstances. To go beyond the purpose of the clause would be an expensive folly with unbounded social effects. For that reason, I hope that my right hon. Friend the Minister will have no hesitation in resisting the amendment.

Mr. Beith: I am delighted to congratulate the hon. Member for Mid-Staffordshire (Mrs. Heal) on a most effective maiden speech, well prepared and well delivered. The hon. Lady's remarks showed a breadth of knowledge about the problems of the disabled which I hope that she will bring to the House on many occasions in the future. I am sure that it will not be long before she makes her second speech. My only piece of advice to her is that in some ways the second speech is more difficult than the

maiden. The indulgence of the House, which is automatic when a Member makes his or her maiden speech, disappears thereafter.

I hope that what happened to me when I made my second speech late at night does not happen to the hon. Lady. When I rose, I was mistaken by Mr. Deputy Speaker for one of my colleagues, who was sitting in the Cafeteria at the time. When his name appeared on the annunciator screen, he was presented with the dilemma of whether to enter the Chamber and make a speech or whether to continue eating his meal. That is unlikely to happen to the hon. Lady, however, as she is easily recognisable and has made such a distinctive and valuable start to her career in this place.

Child care provisions urgently need to be extended. Child care is important because women who choose to work outside the home should have the freedom to do so. I emphasise "choose" because I do not think that we should be pushing women in either direction. They should not feel pressure to work outside the home, but neither should they feel that they ought not to do so. One of the effects of the poll tax, with its joint and several liability, will be to make many married women who do not have an income feel that they must have one because they have a liability but no income. The state should be neutral and married women should have a free choice. Barriers as preventive as the lack of adequate child care should not stand in the way of women who choose to work.

6 pm

There is a crying need in the economy for the skills of many women, and that need will become greater in the next few years. That is widely recognised, and the industry has pressed strongly for amendments of the kind that I and the hon. Member for Billericay (Mrs. Gorman) have tabled. Perhaps the hon. Lady is more radical than members of the Labour party, but that comes as no surprise to me. Indeed, I have always known that to be the case. I must be careful, however, because she attacked me and others the other week for being Christians, so I know that I am in trouble with the hon. Lady already.

Mrs. Gorman: In the speech to which the hon. Gentleman refers I criticised theologians who have extreme views, not Christians.

Mr. Beith: I suggest that the hon. Lady reads the report of her speech to see how wide she appeared to range on that occasion.

A much wider child care policy needs to be established than that which can be achieved within the framework of the Bill. There must be greater support for local authority nursery provision and greater support and provision for the voluntary sector. Provision should be extended to out-of-school facilities for children. The provisions that we are discussing, which are limited, appear not to extend into that third area.

The Minister of State, Department of Education and Science took an initiative on out-of-school provision and wrote to 25,000 schools in England urging them to consider using their facilities for child care provision out of school hours. So far, the groups campaigning for this provision have found only about seven schools which have managed to make a response. That is hardly surprising, given the financial pressures that schools are facing. It will take more than a letter to 25,000 schools to deal with a problem which will remain for many women even if all the provisions that the Government have set out in the Bill are implemented, improved and tidied up.

Children of school age must be provided for and cared for when they finish school each day and during school holidays. The provisions set out in the Bill do not meet that need. In considering successive Finance Bills, we have campaigned for wider tax relief for child care, but the Government have not provided it. We are talking today about tax relief for workplace nurseries. In that respect, the Government have given the Labour party that for which it asked. It has been given precisely that for which it campaigned.

I vividly recall a debate which took place during consideration of the 1989 Finance Bill in Committee. I was telephoned by a representative of a campaign which had been mounted for workplace nurseries and told off in no uncertain terms because I intended to raise in Committee —as, indeed, I did—the wider question of tax relief for child care. I was told that the Labour party intended to raise the issue of workplace nurseries on Report and that those responsible for the campaign did not want the matter to go any wider than that.

I pursued my amendment and the hon. Member for Islington, South and Finsbury (Mr. Smith) dealt with the issue thus:

> "Unfortunately, the Democrats"—

his word, not mine—

> "have mixed up the issue with the much broader issue of tax relief for child care expenses in general."

He was referring to nursery provision. He than said that

> "the new clause fails to take into account the principal mechanism whereby assistance can be given for child care, which is to ensure that good quality nursery provision by employers, local authorities and voluntary organisations is made available on a much wider scale than it is at present. Furthermore, child benefit should properly reflect the costs of bringing up a child."

Shortly after that, he said:

> "The new clause would use tax relief instead of dealing with those problems. Therefore, we cannot support it."—[*Official Report, Standing Committee G*, 22 June 1989; c. 623-4.]

The hon. Gentleman was addressing the argument that it is inappropriate to use tax relief to secure wider child care. Even the clause that we are seeking to amend uses tax relief to encourage employers to provide workplace nurseries. The crux of my argument is that the workplace nursery can never be more than an extremely limited solution to the problem of child care for working mothers. The Government's tax relief efforts must therefore be devoted to wider objectives. Even now, the official Opposition's amendments severely restrict the range of relief and, oddly, do not even relate it to the standard rate of tax, As the hon. Member for Brent, South (Mr. Boateng) said, the clause is almost unbelievably limited in its scope.

If, as I hope, the House of Commons introduces a workplace nursery for its staff—those employed by the House of Commons Commission—it is doubtful whether Members could send children to it, and it is certain that journalists, BBC staff and those who work for the Department of the Environment in this place would not be able to obtain tax relief for vouchers that their employers might provide to send children to the nursery. Even though all the employees to whom I have referred work

[Mr. Beith]

within this building, they would not be able to send their children to the nursery because their employers would not be providing or managing it.

That is an extreme example of the degree of restriction implicit in the clause. On the face of it, a building or set of premises used by several organisations could not have a workplace nursery used by all the organisations unless they were all fully involved in its management. That would seem to be pretty difficult nursery to run. A nursery run by the House of Commons, all its Members, the BBC and most daily newspapers in the land would be pretty difficult to run. I should not like to work for such a wide range of employers.

I have provided an extreme example, but I will move on to a more common state of affairs. Let us suppose that there are several firms on a trading estate which have factories nearby. One quite large firm might say, "We think that we could manage to operate a workplace nursery. We could probably take up half the places for our employees and we shall offer the other places to some of the neighbouring firms so that we can bring the total number of places to a reasonable level. We shall then have their support and the vouchers that they give to their employees." Such a scheme would fall foul of the narrow provisions of the clause, yet it would be a natural arrangement for several employers with premises fairly close to one another. The Government's provisions fall down even in that example of workplace nursery provision.

Even the widening to which I have spoken would not meet the needs and position of many people. There are so many employers who cannot reasonably provide child care at the workplace. There are employers who have many sites with only a few employees at each one. That is certainly true in retailing, and the same can be said of manufacturing services industries. There are firms with many employees who work in scattered locations throughout the country or even around a city, and they will be unable to make workplace nursery provision.

Small businesses with relatively few employees could not reasonably make child care provision. It would not be economical to provide the facility because they would not have enough employees to take it up. Even quite large firms—firms employing perhaps 100 people—might be uncertain about the level of take-up in any one year. The obvious solution for many firms is to look to others to help them. In this way the Government are failing to observe their philosophy, ideas and principle.

The Government propose to set up an anti-private-enterprise scheme. Let us suppose that a Government Department with many sites throughout the country wants to make nursery provision. It might decide to invite an outside catering contractor to provide services at a site where it might not be economic to run its own catering services. If the Department has a location where there are relatively few employees but where another provider could make nursery provision available, it would be unable to privatise its nursery provision. Under the Bill, it would have to manage the nursery provision itself. Given the Government's philosophy, what is the sense in saying that in the public sector the Government have to manage everything?

Mr. Bermingham: Does the hon. Gentleman agree that another spin-off is the advantage to the large organisation at the expense of the small? I always thought that the provision was meant to encourage small organisations, but it fails to do that.

Mr. Beith: That is undoubtedly so. My earlier argument was that employers with a small number of staff cannot possibly undertake the sort of workplace nursery provision that would be sustainable for a period of time. Many of them could more usefully provide tax-free vouchers to the employee, provided that they were used for registered child care or nursery education and could be redeemed only by an organisation or individual registered for that purpose.

Mr. Timothy Raison (Aylesbury): What would be the equity of providing vouchers for those who go out to work while providing nothing for those who stay at home and look after their children?

Mr. Beith: The whole point of the argument that has run through the debate is that, in order to have the freedom to go out to work, many mothers have to provide for child care out of their taxed income. The Government are saying that they will make provision for those with child care facilities on the premises where they work without that being subject to tax. A great many other mothers will have to pay for child care out of their taxed income because the employer cannot assist them in any untaxed way. Those who choose to look after their children at home do not face that barrier.

The right hon. Gentleman may believe that the state should not become involved and that there should be no tax relief. If so, he should oppose the clause. However, once we enter that area—and there are many good social and employment arguments for so doing—we have to find a more sensible scheme. There appears to be greater equity between those who have access to workplace nurseries and those who do not than the right hon. Gentleman described.

The amendments attempt to go wider. They are all based on a voucher principle which allows child care to be provided in a wide range of locations, including domestic locations. I am worried that under Labour's proposals it would not be possible for a playgroup in an individual's home, properly registered and operating, to be the subject of vouchers provided by an employer. A skilled, trained and qualified nursery nurse looking after several young children would not qualify under the Opposition's proposal, still less under the Government's.

We must have a reasonably flexible approach because many women, especially those travelling a long way to work, will not want to take their children to some urban centre for child care. It would be more sensible and reassuring if their children were looked after in their local community by people whom they know and where there is access to neighbours and friends should anything go wrong. If a child is taken ill, a neighbour or friend could provide reassurance and take the child home for the rest of the day.

That is another example of how the workplace nursery is of limited help. It is obviously valued by those very few women, as a proportion of the total, who have access to workplace nurseries. Even where such nurseries exist, quite a few women still choose to make other child care arrangements. We must allow for them, and the

amendments are designed for that purpose. If we do not provide for them, we shall have created expectations which will not be satisfied. When the Government made their announcement, there was widespread expectation that much would be done for working women, but the provisions in the Bill will help only a few.

A number of other amendments are designed to deal with specific problems. Amendments Nos. 42 and 43 are intended to prevent two-tier standards of nursery care in workplace nurseries, and to prevent the possibility of only the directors of a small company benefiting from the facilities. That is a deliberate anti-abuse provision that we have suggested to the Government.

Amendment No. 17 has been tabled because we are puzzled about the age definition of a child. The Government say that it is 18. Do the Government envisage workplace nursery relief being extended to 15 and 16-year-olds? That is not what we understood from their previous statements. We want the Government to address the problem of out-of-school child care after 4 o'clock—after 3 o'clock at primary school level—and during school holidays.

Amendment No. 18 restricts tax relief to the basic rate, which seems to be a much more sensible use of the money. If the Government want to help those in the ordinary tax bracket, they should not subsidise nursery provision at the higher rate of tax, any more than they should subsidise mortgage relief at the higher rate of tax.

6.15 pm

As part of a wider child care policy, our object is to encourage employers to give a flexible form of assistance to their employees through child care. They should take account of the different needs and requirements of their staff and do whatever is possible and appropriate for them. For many small businesses, a workplace nursery is inconceivable. For many large businesses, providing child care through another organisation would be more logical than trying to develop an in-house facility. In the public sector, it is ludicrous to assume that all nursery provision must be managed by the public sector employer. The provisions are too narrow—that is why we have tabled our amendments.

Mr. Graham Riddick (Colne Valley): I, too, join the hon. Members for Berwick-upon-Tweed (Mr. Beith) and for Bristol, North-West (Mr. Stern) in congratulating the hon. Member for Mid-Staffordshire (Mrs. Heal) on her excellent speech. It proves that there was no need for the image-makers of Walworth road to gag her as they did during the by-election.

I have come hot foot from the tennis courts, having represented this House at tennis. I am pleased to say that the Lords and Commons tennis team beat Westminster school 7-2.

I am not unsympathetic to the broadening of workplace nursery provision as suggested by my hon. Friend the Member for Billericay (Mrs. Gorman). The issue is something of a dilemma because there is a strong argument for not encouraging mothers to go out to work. There are those who argue that, while a mother has young children, her place is at home. I note that my hon. Friend the Member for Orpington (Mr. Stanbrook) agrees with that. On the other hand, there is clearly a tightening of the labour market, and the economic well-being of Britain means that we need to encourage more women to return to the job market—certainly after their children have gone to school, but even while they are still fairly young. The answer to the dilemma is to leave the decision to each and every woman——

Mr. Andrew Mitchell (Gedling): What about the husbands?

Mr. Riddick: Yes, the decision is also one for the fathers. They must have a genuine choice. The argument of many of my hon. Friends is that the free market should cater for the increased demand for more women to return to work. I have no doubt that, if we left that to the free market, there would be a much greater provision of workplace nurseries—but in time. I do not argue against the use of tax relief to encourage desirable or important objectives. We have used tax relief to encourage home ownership, occupational pensions and so on. Therefore, why should not it be used to encourage women to return to work if they so wish?

I welcome the tax relief announced by the Chancellor of the Exchequer in his Budget speech, but if we are to introduce tax relief for workplace nursery provision, we should do it properly. The provision in the Bill is very restrictive.

A firm in my constituency, Shaws Pallets, which is based in Slaithwaite, a village in Colne valley, has drawn my attention to a problem. The company has set up a workplace nursery to cater for the children of its employees. It wishes to offer places to employees of other companies in the village. However, the tax relief to be made available through the Bill will not extend to employees of other firms. There is a case for such an extension. The Treasury is discriminating against people whose firms cannot afford to set up a workplace nursery.

I have had a letter from the Retail Consortium; no doubt other hon. Members also received a copy. Many retailers need to encourage more women to go back to work. The Retail Consortium makes the point that the Government are discriminating against small stores that cannot provide the facilities which are required, and that there is very little flexibility in the provision for tax relief.

We should not be too niggardly. There is a sound argument that there is no need for the Government to introduce the provision at all and that we should leave it to the free market. If we are to introduce tax relief, the Government should make it meaningful and ensure that the proposal works. That is why I support my hon. Friend the Member for Billericay. I hope that my right hon. Friend the Chief Secretary will consider the matter again and take up the proposal in the amendment tabled by my hon. Friend.

Mr. Bermingham: A short time ago the hon. Member for Bristol, North-West (Mr. Stern), who is not in his place, gave way to me; I asked him a simple question when he accused the Labour party of producing a proposal that would cost much money. He spoke in his usual accountancy terms. I never trust accountants because they can make figures tell anything they want. The hon. Gentleman forgot to say that the minute someone is allowed to exercise the economic right to go back to work, because the amount involved in child minding can be deducted as a tax expense, two more taxpayers and two more jobs have been created. The person going back to

[Mr. Bermingham]

work will pay tax and the person who is being employed to mind the child will also pay tax. That figure has to be offset against tax relief.

Some years ago I read that, unless more people went to work, the gross national product would not grow. If there is a demographic profile, as there is in this country, of a reducing number of young persons entering the labour market and an increasing number of people leaving it through retirement, there will be fewer persons in the labour market. If we want to keep up the number in the labour market, thus enabling us to pay for the pensions and other benefits that we all want, we have to encourage people to go back to work. We have a massive waste of skills because married women who want to go back to work cannot afford to do so. It is no good a woman earning £50 in a part-time, shared job if it is going to cost her £40 or £60 to have her children looked after. That is lunacy.

Apart from the fact, so I understand, that women's need to go back to work is increasing, and people want to do it, they do not want to be stuck at home seven days a week with the children. My brother-in-law, who is a doctor, tells me that much of the stress and trouble within families is caused because the mother is housebound and cannot get out to work. She feels frustrated because she has so much to offer society but is denied the opportunity to do so.

The Government once again demonstrate their tunnel vision. I shall be glad when the channel tunnel is finished; we could put all the Treasury Ministers in it to show them what a real tunnel is like. They could go through it, blinkered as ever. Treasury Ministers are blinkered in their proposals in clause 20. Under the clause the employees of a big company that can provide a workplace nursery will get tax relief, but if a little company, a profession or a shop is not big enough to have its own workplace nursery, the employees will not get any tax relief. That is lunacy.

What are we doing? Once again we are saying to small businesses, "Yah-boo, tough, the Treasury does not understand your problems; you cannot compete with the big boys." We want the little businesses to prosper, but that is not the view of the Treasury. Treasury Ministers cannot see further than the end of their noses. The hon. Member for Colne Valley (Mr. Riddick) has given a classic example. The position is the same in St. Helens. The big companies such as Pilkington's will be able to provide workplace nurseries, but the little factories, particularly in the clothing trade, which desperately want machinists, cannot afford them. It takes many years to teach machinists their skills. The factories want them back, but they cannot encourage them because they cannot compete with the big boys in the provision of workplace nurseries.

If the Minister—I am sorry, I mean the Chief Secretary; I have demoted him again, but that is one of my bad habits —thought of the interests of the economy generally, he would broaden the provision to enable women to go back to work. If women could employ people to act as child minders, or if they could put their children in workplace nurseries or in nurseries provided by local authorities, the labour market would increase enormously. My hon. Friend the Member for Durham, North-West (Ms. Armstrong) told us about a local authority laying on a wonderful child minding scheme.

If the provision was widened, it would pay for itself in due course. There would be another spin-off benefit. As soon as tax relief is claimed, the Inland Revenue knows to whom the money has been paid. What an easy way to get rid of unauthorised child minders. The Inland Revenue would tell the local authority immediately if a person was not registered. The Inland Revenue is like that; it will snitch on anybody at any time. The Chief Secretary would do a wonderful job by getting rid of unauthorised child minders. They would pop out of the woodwork all over the place. The Chief Secretary would improve the standard of child care.

The Government have an opportunity to do something, but they will not take it. They never do. It will be the same with capital gains tax later this evening. Once again the Government cannot see beyond their tunnel vision. What a pity. They could do so much good if they listened to the voices of all hon. Members on both sides of the House.

Mr. Ivor Stanbrook (Orpington): I hope that the House will forgive me having been absent during part of the debate. I am totally opposed to the amendments and I believe that the Government's attitude towards the problem of working mothers is wrong. When my hon. Friend the Member for Billericay (Mrs. Gorman) proposed her ten-minute Bill recently to assist mothers of young children to go out to work, I was appalled at her apparent repudiation of traditional Conservative values with regard to the family. Therefore, I opposed her Bill. She was successful, and all I got for my pains was personal abuse from her, gratuitous insults from another lady Member of Parliament, and vitriolic attacks in the press. I also received many letters. I was, however, convinced of the support for my views by the many letters of support I received and by the guilt implicit in many of the letters which criticised me.

6.30 pm

Fortunately, I have obtained greater wisdom from that experience because it revealed to me the true nature of the evil which lies at the root of our industrial and social policies. It also helps to explain why we British have been so unsuccessful in running our economy since the war and why we, unlike our continental competitors, have weathered the 1987 economic storm so badly. It is due to the attitude that I speak of which is inherent in my hon. Friend's amendments.

Over the past 30 years or more, under Governments of both major parties, we have become addicted to the notion that happiness lies in "doing your own thing". Never mind obligations to others, to the children we have brought into the world, to the person to whom we made our marriage vows or to elderly parents; all that matters is self-fulfilment, and the yardstick of success is material reward.

The addiction affects the whole of society, all classes of people and both sexes. Feminists in particular think of the family unit and child rearing as oppressive. Getting women into the labour force is the weapon which gains the independence they desire for their sex. They have succeeded to an extent that no one thought possible 30 years ago. We now have a continuously expanding labour force in Britain, and the expansion is provided mostly by married women. We positively encourage married women, including mothers of very young children, to go out to

work. The Government have joined in the rush and the amendments tabled by my hon. Friend the Member for Billericay are designed to help it along.

There are now twice as many mothers in the labour force, proportionately, in this country than there are in any of our continental competitors. Does that improve our productivity? Of course not. As we have a larger labour force, we think that we can tolerate the inefficiency and overmanning of our industries. In Europe they know better. They have far fewer married women in employment. They positively encourage the mothers of young children to stay at home with them. The average male worker in Europe is paid more and produces more than his British counterpart because their economies are based on increasing productivity and are not dissipated on a growing labour force.

For many people we have made it necessary for there to be two or more incomes coming into the household. We have disastrously tipped the fiscal balance against the traditional family. Most working mothers are forced to go out to work out of economic necessity. It is not their fault. Their husbands are not earning enough to provide for all the needs of the family. In fiscal terms we have put enormous obstacles in the way of a family which seeks to give its children the security and love derived from the presence of the mother.

We are still committing that error in the clause we are debating. Instead of the old rule which made the breadwinner responsible for the household rates, we have substituted a system which requires the mother to pay a contribution towards local public service charges even if she is not in paid employment and has no resources of her own to pay the community charge. The community charge, if it is not modified, is likely to break up more families.

There have been 30 years of progressive fiscal neglect of the family. My original objection to the proposal by my hon. Friend the Member for Billericay was expressed in inadequate terms because it was based on only half of the truth. Never mind the social consequences of a generation brought up without love or a sense of obligation to others; never mind the unhappiness caused to children by our policies. Think only of the damage that we are doing to the economy by solving our labour problems in such a way.

One of my correspondents, Mrs. Annemieke Lines, told me:

> "Redressing the fiscal balance in favour of those bearing the responsibility of bringing up the next generation will do far more to persuade young mothers to look after their children than outright condemnation for not doing so".

I accept that.

The Government have completely the wrong approach to this problem. My hon. Friend is completely off-beam in her amendments, and I hope that they will be rejected. I implore the Government to delve more deeply into the economic and social consequences of what they are doing and to cease to be pulled along by the wretched engine of feminism.

Ms. Armstrong: I am grateful for the opportunity to speak in this debate, not least because I speak shortly after my hon. Friend the Member for Mid-Staffordshire (Mrs. Heal), who made a measured but powerful speech. I hope that some hon. Members who criticised her as a candidate will take note of the content of her speech and her performance, and will recognise that we all say things in by-elections and at election time that we regret later. I hope that some hon. Members regret some of the things that they said during the Mid-Staffordshire by-election.

The hon. Member for Orpington (Mr. Stanbrook) has just spoken and I follow him with a sense of great sadness. He seems to have no understanding of the power of relationships in which people who both work are capable of loving their children. To listen to him one would think that it was impossible for fathers to take any part in their children's upbringing, care and nourishment because they go out to work.

Both my parents worked and contributed to society, but they brought me up never to put myself first and always to think of my responsibilities in the public domain. They did that while they worked, and I know that I am not alone in the House or in the country in having benefited from parents who were able to give to other people and therefore had more to give to the family. I am sad that the hon. Gentleman does not understand the contribution that working parents are able to make to the family.

The dilemma expressed by the hon. Member for Orpington has also hit the Government because in so many of their words and actions over the past year they have demonstrated that they cannot come to terms with the fact that work and the family go together. The Government need to sort out their policies to support that ideal rather than causing contradictory problems. It is significant that this is the only Government-inspired debate in which we have the opportunity to talk about child care. That demonstrates the narrowness and the poverty of the Government's understanding of issues which face us today.

If the Government had a coherent strategy on child care, or accepted the need for one, the abolition of the workplace nursery tax would be but a marginal part of their policy. I do not know where the hon. Member for Orpington got his figures on the number of married women in Europe who go out to work. They certainly do not match up with any figures for European Community countries. The EC report on child care shows that we lag behind in our provisions for children and for parents who wish to work.

Mr. Stanbrook: Can the hon. Lady deny that fewer married women go out to work in Europe than in Britain? The Government make play of the fact that our labour force is increasing all the time, all because of the increased employment of married women.

Ms. Armstrong: In France, Germany, Italy and Spain that is not the case, but the hon. Gentleman may have figures which confound those from the EC. Britain comes near the bottom of the league when it comes to mothers with young children who are able to work. We have more women out of the work force for longer than most of our European competitors, and when they do return they do so at a lower level both in terms of status and pay. The main reason that is given for that is lack of adequate child care. During that time we are wasting the money that we have invested in their training, their experience and the commitment that they wish to make. It is for those reasons, if for no other, that we need more adequate child care facilities.

Mr. Humfrey Malins (Croydon, North-West): Will the hon. Lady give way?

Ms. Armstrong: No. The hon. Gentleman has only just come into the Chamber and we have been debating the matter for the past three hours.

The Government are prepared to tackle child care only with this minimal measure and, while that continues to be the case, we shall not be able to give our children the sort of start that they need. I hope that the hon. Member for Orpington will recognise that throughout the continent children have better opportunities than they have here. I was in Barcelona last weekend at the European child care network conference and few there were struggling in the way that the British delegation was with inadequate, patchy, mixed and poorly regulated provisions.

Mr. Malins: Will the hon. Lady give way?

Ms. Armstrong: No.

It is clear that other members of the Government have had different views of the tax. The right hon. Member for Sutton Coldfield (Sir N. Fowler), speaking on the imposition of the workplace nursery tax after his resignation, said:

"It is an eccentric policy and indeed up to April 1984 it was not policy at all. For almost 40 years the positon had been that no one had paid tax on the benefit from a workplace nursery. The policy was then changed on the view that tax had always been payable but had simply not been collected. We are now left in the extraordinary position that a motorist who has free parking at his place of work in central London does not pay tax on this undoubted benefit, while a mother who makes use of a workplace nursery does. It is time that this curious policy was taken away and put out of its misery."

I agree with the right hon. Gentleman, but he did not make his views known when he was a member of the Cabinet.

The Government's proposal is narrow. It is a small gesture which is an inadequate response to our needs or demands. However, I counsel and caution those who argue that tax relief should be the main way in which we extend our child care provisions. The experience of most countries is that that means has dismally failed. It has not served as a lever to increase the numberof places nor to maintain quality.

The Opposition are determined to increase opportunities for child care but we shall ensure that they are of the highest quality. There is no point in opening up the provision of child care of a dubious quality only to have to deal with the problems that that creates later. We have to make sure that it is of the highest quality, and that is why the Opposition have argued for a partnership among the public, voluntary and private sectors.

6.45 pm

Employers have a responsibility to contribute to child care provision, but it is the responsibility of all society to ensure that it is of the highest quality. I commend to the House those local authorities who, despite the Government, have been trying hard to ensure that they can develop such partnerships. I shall be attending the launch of such a partnership in north Tyneside on Monday. There the local authority, despite being capped by the Government, is trying its hardest to meet the needs of the economy and of children.

If the Government are serious about the changes in the Bill, I urge them to look much further. Some of the Opposition's amendments give a lead in terms of fiscal policy, but none of my hon. Friends would pretend that fiscal policy can sort out the problems. We now have the opportunity to create a completely new relationship between work and the family in which women have the right to work, to train and to gain experience.

If we develop a proper work and family policy, we shall develop opportunities for fathers to be much more crucially involved in child care and to play their part in it. That is what people are looking for. It is a popular policy wherever I go. I urge the Minister to talk to his colleagues in the Cabinet and to ensure that we have a comprehensive child care policy which will address the needs of children and of men and women who happen to be parents.

Mr. Andrew Mitchell: I shall not detain the House for more than five minutes because many of the points that I wanted to make have already been made. But it would be remiss of me not to start by congratulating the hon. Member for Mid-Staffordshire (Mrs. Heal) on her maiden speech. I too had the pleasure, along with many of my colleagues, of visiting her constituency recently. Her eloquent and elegant comments, particularly about the role and the position of the disabled in society, were well made and I hope that we shall hear more from her on that subject in future.

When one strips away the political hoo-hah, there is a wide measure of agreement on the Back Benches on both sides of the House about the direction in which the Government should move in future. It is a pity that the Government have not been given more credit for introducing tax relief for workplace nurseries. It is a major step forward, which I welcome. It is right to make it clear at the start that the Government deserve credit for that.

I declare what must at least be described as a tangential interest as the husband of a highly qualified member of the medical profession. That experience leads me to believe that while I agree with much of what has been said by almost every hon. Member who has spoken, I find little to agree with in the speech made by my hon. Friend the Member for Orpington (Mr. Stanbrook).

I, along with most of my hon. Friends, incline to the view that we should have what has come to be known since the early 1980s as a level playing field with regard to the spending of taxpayers' money and should try to strip out as many tax reliefs as possible. But let us be frank. We recognise that in some cases such as mortgage tax relief there is a political imperative and in others, such as with pensions, there is an economic and political imperative, which encourage us to produce such a tax distortion. That is the argument that the Treasury accepted when it introduced tax relief for workplace nurseries. I welcome that, but we should accept that whether or not it is a good thing to have such tax reliefs is a pass which has now been sold. The Treasury—and I agree—has expressed the view and put it into legislation that we should have them. There are personal, economic and political gains to be had from that.

There is the possibility of a tremendous economic gain. In the part of the country that I represent, we are facing a 40 per cent. reduction in the number of school leavers. We desperately need to encourage women back into the workplace. Frequently, people come to my surgeries and tell me how much they pay for child care, and what they earn from a part-time or even a full-time job; often the difference is very narrow. This is an important measure, and I hope that the Treasury keeps its effect under review in the light of what will happen this year.

The knitwear industry, which is a major industry in the part of the world that I represent, will benefit significantly from the Bill. There is also the question of personal gain. Conservatives believe in extending choice and opportunity, and the Bill will do that. Many women do not want to go out to work, but prefer to stay at home and look after the children; others are better mothers because they go out to work. There are no black-and-white rules.

Mr. Graham Allen (Nottingham, North): Will the hon. Gentleman give way?

Mr. Mitchell: No; my time is very limited.

Having made those points of principle, I shall now deal briefly with some specific points. I hope that Treasury Ministers will consider whether the Bill may prove too restrictive. There is some discrimination—as my hon. Friend the Member for Billericay (Mrs. Gorman) pointed out—against small businesses and smaller employers, who will not have the time or the wherewithal to support the necessary operations that are enshrined in the Bill. It is important for us to keep under review whether its reach is sufficient.

The hon. Member for Berwick-upon-Tweed (Mr. Beith) referred to premises being made available by employers, and a number of amendments address that point. A firm's staff may be spread around a city, and it is impractical to expect staff to bring their children to a central workplace nursery: they will not do it. I agree with the suggestion that employers should be allowed to buy space in creches or nurseries established by third parties, and I endorse what my hon. Friend the Member for Billericay said about a voucher system. We should consider the possibility of employers paying a third party direct. Creche facilities and child minding services are often provided in accommodation that may have been converted or adapted, but is still primarily occupied for domestic use. I hope that my right hon. Friend the Chief Secretary will bear it in mind that the need for specialist creche or nursery facilities as opposed to domestic accommodation is not an easy case to pursue.

In the Bill, care is defined to exclude

"supervised activity provided primarily for education purposes".

While I do not advocate a system that allows private education to be provided in the guise of child care, surely we should not prohibit the provision of pre-school education as part of those child care facilities. The line between supervised activity—as defined in the Bill—and education is difficult to draw in practice. Children may be taught to read and write at nursery; will that be disqualified by the Bill? I hope that my right hon. Friend will consider that point—if not today, perhaps in the future.

The clause is a major step forward. It is a pity that Opposition Front Benchers did not give the Government more credit for listening to what many hon. Members have said. I hope that my right hon. Friend will keep the operation of the clause under review, and consider whether next year we need to go further.

Mr. Norman Lamont: This has been a lively debate. It could hardly have been otherwise, with contributions from my hon. Friend the Member for Billericay (Mrs. Gorman) and from the hon. Member for Brent, South (Mr. Boateng). We all understand why the hon. Member for Brent, South has had to leave the Chamber repeatedly during this debate; we regret that, and sympathise with him and with his constituents.

Let me join other hon. Members in congratulating the hon. Member for Mid-Staffordshire (Mrs. Heal). Everyone who heard her maiden speech will agree that it was outstanding. It was not only confident, eloquent and authoritative but extremely knowledgable, and it demonstrated that the disabled and mentally ill have recruited a powerful ally. All Conservative Members also appreciated her generous tribute to John Heddle.

The hon. Member for Brent, South made a robust attack on the Government. Although it was an attack, he was right to identify many conflicting considerations and genuine dilemmas. I shall explain the Government's philosophy and approach, which—as the hon. Gentleman rightly said—is different from the approach that we adopted in last year's Finance Bill.

My hon. Friend the Member for Gedling (Mr. Mitchell) was right to say that we must bear in mind not only the Bill's social consequences but the consequences of our taxation policy. It is the Government's philosophy—and their repeated intention—to broaden the tax base, and whenever possible to limit the use of special reliefs. It is true that we have made special exemptions where we considered that appropriate. However, on the whole the cost of those reliefs has been modest. In general, our aim has been greater neutrality and a broader tax base, with lower rates and limited reliefs. Some of the proposals made in the debate would involve large amounts of money—perhaps not as an immediate consequence of the amendments, but they would be likely to move the boundaries of relief further away.

My hon. Friend the Member for Bristol, North-West (Mr. Stern) accurately summed up the purpose of the Budget changes. The hon. Member for Brent, South frequently used the word "largesse". I am not sure that Conservative Members have used it in relation to the amendment. My hon. Friend the Member for Bristol, North-West rightly stressed that the clause was not intended as a step towards a general child care allowance. We have never claimed that. The hon. Member for Berwick-upon-Tweed (Mr. Beith) repeated his request for a general child allowance, extending to child care in the home, but I do not agree with that in principle, and it would also be extremely expensive. It was never our intention, and it is not what the changes were designed to achieve.

Familiar points about tax policy were implicit in the speech of my hon. Friend the Member for Gedling. We do not want employers to be able to formulate tax-efficient remuneration packages; by and large, we want people to be remunerated in cash. We want fewer benefits in kind. That has been the idea behind many of our changes—for instance, the taxation of company cars.

My hon. Friend the Member for Orpington (Mr. Stanbrook) made his views clear, as he has done before. The Government's view is that the tax system should be neutral: it should be left to individuals to decide whether they wish to work or to stay at home with their children. I do not think that that neutrality is substantially compromised by this limited change. My hon. Friend the Member for Bristol, North-West emphasised that the change is limited.

The hon. Member for Brent, South asked why we were making the change. There are several reasons. First, it was

[Mr. Norman Lamont]

put to us repeatedly that employers found it troublesome to continue assessing and reporting to the Inland Revenue the value of day nurseries. Secondly, it was argued that the burden on industry was an effective deterrent to the development of workplace nurseries. It was also argued repeatedly in the House that there was some resentment about the tax treatment of workplace nurseries. We have made a limited change, putting the tax treatment of workplace nurseries very much in line with that of other benefits in kind. For example, there is a tax exemption for workplace canteens that are provided on the premises. The treatment of workplace nurseries is broadly analogous to those limited concessions.

7 pm

In the Budget and in the Bill we have done exactly what the Labour party asked us to do when we debated the Finance Bill last year. Benefits in kind are extremely complicated and it is difficult to draw boundaries. There are only two ways of achieving a policy that does not create anomalies. One is to have no relief whatsoever, and the other is to go to the extreme proposed by the hon. Member for Berwick-upon-Tweed and have relief for all the costs of child care, including child care at home. That would be enormously expensive and would carry a heavy dead weight cost.

Mr. Beith: I should like to get the definition right. I referred not to all the costs but to the costs incurred in all kinds of child care.

Mr. Lamont: I accept the correction, but the costs would still be huge, and would carry a large element of dead weight.

The hon. Member for Brent, South pointed out the irony that last year I resisted precisely what we have done in this year's Budget. I have had it quoted back to me that I said that if we moved a small way we would create a great deal of pressure for much more relief. Looking at the 20 amendments that have been tabled, I realise that all the arguents I used last year were not exactly lacking in force. None the less, it is right that we are making a small, limited change and it is equally right that it should be ring-fenced.

The hon. Member for Berwick-upon-Tweed referred to amendment No. 41, which proposes that any contribution by an employee to the cost of a nursery place provided for by an employer shall be deductible for tax purposes. It would be difficult to concede that principle in addition to the concession that we have already made that it would not be assessable to tax as a benefit. It would create a clear unfairness against those who were paying their own child care costs and did not have the benefit of a workplace nursery. To do that on top of the concession we have already made would exacerbate that unfairness.

Mr. Raison: My right hon. Friend has been making an extremely good speech directed against his own proposals. He has argued the case against tax relief on benefits in kind; he has argued that as a matter of general policy we should not be looking for more tax relief, especially when they give particular benefit to those who are better off. He also said that he sought equal treatment. How can one possibly say that there is equal treatment if one provides tax relief to those who are earning money yet provides nothing for those families in which the mother stays at home to look after her children? It appears to me to be a fundamentally unequal proposition.

Mr. Lamont: As I have tried to explain, we have made an extremely limited concession at a cost of some £10 million. It is precisely analogous to the way in which we treat certain other benefits in kind and communal facilities such as sports facilities and canteens which are provided on the employer's premises. Only in those circumstances are they exempt from tax. That is already built in to our policy on the taxation of benefits in kind. I do not think that what we have done is markedly out of line with the treatment of other benefits. That is why we can make a limited move in that direction.

The hon. Member for Brent, South also talked about amendments Nos. 8 and 9. The hon. Member for Berwick-upon-Tweed and my hon. Friend the Member for Colne Valley (Mr. Riddick) were concerned about small companies. Under the Bill it is possible for people to share in the provision of nurseries. They have to share in the financing and the management of them. We shall see whether we can clarify that in some document, but it is not intended that the management responsibility should be onerous. It would be quite sufficient for the company to monitor the performance of the nursery and to be represented on the management committee; it does not mean it would have to be involved in its day-to-day management, nor does finance have to be provided in equal proportions between the partners. It will be possible for firms to collaborate.

In the interests of saving time, perhaps I could write to the hon. Member for Berwick-upon-Tweed. I can assure him that the anxieties he expressed about companies getting together and about the BBC participating in a facility in this building are not well grounded, but I shall write to him and explain why. I shall also write to my hon. Friend the Member for Colne Valley. It will be possible for companies to operate as a group and for small companies to participate in such schemes.

My hon. Friend the Member for Billericay spoke to amendments Nos. 25, 26 and 27 with her customary verve and exuberance, and we all very much enjoyed listening to her. Amendment No. 25 seeks to insert a new provision into the Income and Corporation Taxes Act 1988 so that child care provided for an employee, including vouchers, cash allowances and reimbursement of expenses, would be exempt from taxation as a benefit in kind. I was rebuked by my right hon. Friend the Member for Aylesbury (Mr. Raison), but that really would drive a coach and horses through the tax system. We do not give people relief for vouchers except to a de minimis amount for meals or for travel. There is no limit to the number of things for which people might claim the reimbursement of expenses or a voucher for the purchase of a benefit. They might claim that any important purchase should be exempt from tax. Apart from the objection made by my hon. Friend the Member for Bristol, North-West, that would be difficult to police.

My hon. Friend's amendment shifts the relief much more in the direction of a general child care allowance. It would be much more difficult to defend the new boundary line if employers were allowed to remunerate bought in nursery care and it would be easy to ask why employers should not fund child minders. It would be extremely difficult to draw that distinction.

I am well aware that my hon. Friend wants there to be a general child care allowance, so perhaps she will forgive me if I am a little suspicious of why she proposes pushing the boundary only so far, leaving me a little anxious that it will be difficult to resist her next campaign. That applies equally to amendment No. 27.

In amendment No. 26, my hon. Friend comes a little way towards meeting us because she proposes the conditions that child care should not be provided at the residence of the child. But in doing that she is in slight danger of creating another anomaly, because employer funding of a nanny at a person's home would be excluded, but if a child was left at a child minder's home elsewhere that would be covered. That would be a very difficult boundary to defend. The cost of what my hon. Friend and other hon. Members have been proposing might be relatively small in the first few years, but it would gradually build up and, if it became more like a child care allowance, it would involve a significant sum of money. A general child care allowance would certainly cost hundreds of millions of pounds.

The amendments underline the fact that there is no logical stopping point in the debate; it is extremely difficult to draw the line. We have made a modest, limited amendment. I have tried to explain the reasons for making it, and I believe that it will make life a little easier for some employers. There is little tax revenue at stake. The amendment that we have made accords with the general policy on the taxation of benefits in kind. It is a limited change, and it will do a modest amount of good. In that spirit, I commend the clause to the House and urge it to reject the amendments.

Mr. Boateng: I thank the Chief Secretary and hon. Members for their forbearance when I had to leave the Chamber. There has been a deplorable, murderous attack on a soft target in Wembley surrounded by civilians' homes and people going about their ordinary business. That attack was futile and mindless, and those who perpetrate such attacks will not succeed in their objectives. On behalf not only of my constituents but of the whole House, I thank the police and ambulance services for their sterling work in dealing with the deceased and injured.

The debate has demonstrated the almost schizophrenic nature of the Conservative party on this issue. We heard from that tendency within the Conservative party which is geared to the philosophy of kinder, küche, kirche. They are concerned that women should remain with their children by the hearth and in the church. They see no role for them in the wider world. That philosophy is epitomised by the hon. Member for Orpington (Mr. Stanbrook), and it is alive, well and flourishing in the Conservative party.

There is the hard-line tendency, ably demonstrated by the Chief Secretary, who was almost dragged to the Dispatch Box to make the concession announced by the Chancellor, presumably against the Chief Secretary's best advice, in the Budget. That is why the Chancellor talked of a small measure and said:

> "We have always made it clear that it is not for the Government to encourage or discourage women with children to go out to work. That is rightly a decision for them to take, and one in which the Government would be wise not to interfere."—[*Official Report*, 20 March 1990; Vol. 169, c.1020.]

The Financial Secretary to the Treasury (Mr. Peter Lilley): Hear, hear.

Mr. Boateng: I hear the Financial Secretary say, "Hear hear." The erstwhile Secretary of State for Employment, before he returned to the bosom of his family, declared the 1990s to be the decade of the working woman.

Conservative Members must decide which of those tendencies they will adhere to—the recidivist, atavistic tendency of the hon. Member for Orpington, the monetarist tendency, which is in its last gasps, of the Chief Secretary or the more benign tendency of the former Employment Secretary, whose banner was well taken up by the hon. Member for Gedling (Mr. Mitchell), and who deserves a word of praise. He erred—the Chief Secretary will know this—in expecting Labour Members to say "thank you" for this measure, because in 1984, where this aberration has its origins, the Conservative party agreed that it was better to put those who seek to obtain a company car in a preferential position compared with those who seek to obtain and use a workplace nursery. Conservative Members—and the Chief Secretary encouraged them—were responsible for elevating a Porsche above Petula and Patrick. That is the reality—the Porsche comes first, and let Petula and Patrick's parents take care of them.

The Government have changed a bit, but they have not changed enough. That is why we intend to press amendment No. 9, which deals with our most modest request—that employees, particularly those employed by small companies, have the option to attend community nurseries, voluntary nurseries or local authority nurseries if that is what they decide. That is in accordance with the reality of the demand and the spirit of the Bill.

Mr. Riddick: Will the hon. Gentleman give way?

7.15 pm

Mr. Boateng: No, I am afraid that time is too short.

I must take to task the hon. Member for Bristol, North-West (Mr. Stern), who suggested that amendment No. 41 is profligate. "How much would it cost?" came the cry, as though we were about to take billions from the Treasury. If the hon. Gentleman looks in a little more detail at amendment No. 41—I know that he will give it his attention, if not now, in due course—he will find that it is strictly limited to workplace nurseries, bearing in mind the strictures of the Chief Secretary. Any contribution made by the employee will become taxable in the employer's hands. The employer may pay tax at 35 per cent. while the employee pays tax at 25 per cent. in these circumstances, there is a net gain to the Treasury. What could be more prudent, more moderate or more in tune with the correct degree of fiscal rectitude than that? It is indeed a modest amendment.

If there were any justice or any truth in Conservative Members' approach to these matters, they would accept amendment No. 41. If they cannot do so, we say that they should accept amendment No. 9. Let them do something for the kids, something for employers who are seeking to expand the pool of skilled labour on which they might usefully draw, and something for the working women and parents of this country, because—let us make no bones about it—the Government may do nothing now but we shall do something soon and we shall do a great deal.

The Chairman of Ways and Means (Mr. Harold Walker): Do I understand that the hon. Gentleman will seek to divide the House on amendment No. 9 and that he will therefore seek to withdraw amendment No. 41?

Mr. Boateng: Yes. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendment proposed: No. 9, in page 11, line 27, leave out from 'persons' to end of line 30.—*[Mr. Boateng.]*

Question put, That the amendment be made:—

The Committee divided: Ayes, 176, Noes 259.

Division No. 211] **[7.16 pm**

AYES

Abbott, Ms Diane
Allen, Graham
Alton, David
Anderson, Donald
Archer, Rt Hon Peter
Armstrong, Hilary
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beith, A. J.
Benn, Rt Hon Tony
Bermingham, Gerald
Bidwell, Sydney
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Bruce, Malcolm *(Gordon)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Carlile, Alex *(Mont'g)*
Cartwright, John
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Cunningham, Dr John
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Ewing, Mrs Margaret *(Moray)*
Fearn, Ronald
Field, Frank *(Birkenhead)*
Flannery, Martin
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galloway, George
Garrett, John *(Norwich South)*
Garrett, Ted *(Wallsend)*
Gould, Bryan
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Heal, Mrs Sylvia
Healey, Rt Hon Denis
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howells, Dr. Kim (Pontypridd)
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Johnston, Sir Russell
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kinnock, Rt Hon Neil
Kirkwood, Archy
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Stretford)*
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McFall, John
McKelvey, William
McLeish, Henry
Maclennan, Robert
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Meacher, Michael
Meale, Alan
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(G't Grimsby)*
Molyneaux, Rt Hon James
Moonie, Dr Lewis
Morley, Elliot
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Redmond, Martin
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Smith, J. P. *(Vale of Glam)*
Soley, Clive
Spearing, Nigel
Steel, Rt Hon Sir David
Steinberg, Gerry
Strang, Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Wallace, James
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Welsh, Andrew *(Angus E)*
Wigley, Dafydd
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Frank Haynes and
Mrs. Llin Golding.

NOES

Adley, Robert
Aitken, Jonathan
Alison, Rt Hon Michael
Amery, Rt Hon Julian
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Atkins, Robert
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Batiste, Spencer
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Biffen, Rt Hon John
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl't's)*
Bruce, Ian *(Dorset South)*
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Couchman, James
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Dickens, Geoffrey
Dicks, Terry
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Dykes, Hugh
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fairbairn, Sir Nicholas
Favell, Tony
Fishburn, John Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Fowler, Rt Hon Sir Norman
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Sir Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth N)*
Grylls, Michael
Hague, William
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, Ken *(Hyndburn)*
Harris, David

Haselhurst, Alan
Hawkins, Christopher
Hayhoe, Rt Hon Sir Barney
Heathcoat-Amory, David
Heseltine, Rt Hon Michael
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Hill, James
Hogg, Hon Douglas *(Gr'th'm)*
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Jackson, Robert
Janman, [illegible]
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Lamont, Rt Hon Norman
Lang, Ian
Latham, Michael
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lightbown, David
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
Lyell, Rt Hon Sir Nicholas
McCrindle, Robert
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
Madel, David
Major, Rt Hon John
Malins, Humfrey
Mans, Keith
Maples, John
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Maude, Hon Francis
Mawhinney, Dr Brian
Mayhew, Rt Hon Sir Patrick
Mellor, David
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Parkinson, Rt Hon Cecil
Patnick, Irvine
Patten, Rt Hon Chris *(Bath)*
Patten, Rt Hon John
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Raffan, Keith
Raison, Rt Hon Timothy
Redwood, John
Renton, Rt Hon Tim
Rhodes James, Robert
Riddick, Graham
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Roberts, Wyn *(Conwy)*
Rost, Peter
Rowe, Andrew
Ryder, Richard
Sainsbury, Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stradling Thomas, Sir John
Sumberg, David
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Twinn, Dr Ian
Waddington, Rt Hon David
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(T'side North)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Watts, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilshire, David
Winterton, Mrs Ann
Wolfson, Mark
Wood, Timothy
Woodcock, Dr. Mike
Yeo, Tim
Younger, Rt Hon George

Tellers for the Noes:
Mr. Tom Sackville and
Mr. Michael Fallon.

Question accordingly negatived.

Amendment proposed: No. 18, in page 12, line 37, at end insert—

'(3) This section shall operate to relieve the taxable benefit from basic rate tax only. The benefit is still to be charged at the excess of higher rate over basic rate tax.'.—*[Mr. Beith.]*

Question put, That the amendment be made:—

The Committee divided: Ayes 89, Noes 236.

Division No. 212] **[7.31 pm**

AYES

Allen, Graham
Alton, David
Archer, Rt Hon Peter
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Battle, John
Beckett, Margaret
Beith, A. J.
Bermingham, Gerald
Boateng, Paul
Boyes, Roland
Bradley, Keith
Brown, Ron *(Edinburgh Leith)*
Bruce, Malcolm *(Gordon)*
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell-Savours, D. N.
Carlile, Alex *(Mont'g)*
Cartwright, John
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cook, Frank *(Stockton N)*
Cryer, Bob
Cunliffe, Lawrence
Dalyell, Tam
Dixon, Don
Eadie, Alexander
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Fearn, Ronald
Fisher, Mark
Foster, Derek
Foulkes, George
Garrett, Ted *(Wallsend)*
Golding, Mrs Llin
Grocott, Bruce
Haynes, Frank
Home Robertson, John
Hood, Jimmy
Howells, Dr. Kim (Pontypridd)
Hughes, John *(Coventry NE)*
Johnston, Sir Russell
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kennedy, Charles
Kinnock, Rt Hon Neil
Kirkwood, Archy
Leighton, Ron
Lewis, Terry
Livsey, Richard
Lloyd, Tony *(Stretford)*
Loyden, Eddie
McFall, John
Maclennan, Robert
Madden, Max
Martlew, Eric
Maxton, John
Meale, Alan
Molyneaux, Rt Hon James
Moonie, Dr Lewis
Mullin, Chris
Murphy, Paul
Parry, Robert
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Rodice, Giles
Robertson, George
Ruddock, Joan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, J. P. *(Vale of Glam)*
Spearing, Nigel
Steel, Rt Hon Sir David
Strang, Gavin
Taylor, Mrs Ann *(Dewsbury)*
Turner, Dennis
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Welsh, Andrew *(Angus E)*
Wigley, Dafydd
Williams, Alan W. *(Carm'then)*
Winnick, David
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. James Wallace and
Mr. Matthew Taylor.

NOES

Adley, Robert
Aitken, Jonathan
Alison, Rt Hon Michael
Amery, Rt Hon Julian
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Atkins, Robert
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Batiste, Spencer
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Biffen, Rt Hon John
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia

Bowis, John
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Bruce, Ian *(Dorset South)*
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chope, Christopher
Churchill, Mr
Clark, Hon Alan *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Couchman, James
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Dicks, Terry
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Dykes, Hugh
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fairbairn, Sir Nicholas
Fallon, Michael
Favell, Tony
Fishburn, John Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Sir Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth N)*
Grylls, Michael
Hague, William
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hayhoe, Rt Hon Sir Barney
Heathcoat-Amory, David
Heseltine, Rt Hon Michael
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Hill, James
Hogg, Hon Douglas *(Gr'th'm)*
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Hughes, Robert G. *(Harrow W)*
Hunter, Andrew
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Kellett-Bowman, Dame Elaine
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knowles, Michael
Knox, David
Lamont, Rt Hon Norman
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lilley, Peter
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
Lyell, Rt Hon Sir Nicholas
McCrindle, Robert
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
Madel, David
Major, Rt Hon John
Mans, Keith
Maples, John
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Maude, Hon Francis
Mawhinney, Dr Brian
Mayhew, Rt Hon Sir Patrick
Mellor, David
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Neubert, Michael
Newton, Rt Hon Tony
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Parkinson, Rt Hon Cecil
Patnick, Irvine
Patten, Rt Hon Chris *(Bath)*
Patten, Rt Hon John
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Raffan, Keith
Raison, Rt Hon Timothy
Redwood, John
Renton, Rt Hon Tim
Rhodes James, Robert
Riddick, Graham
Ridley, Rt Hon Nicholas
Rifkind, Rt Hon Malcolm
Roberts, Wyn *(Conwy)*
Rost, Peter
Rowe, Andrew
Ryder, Richard
Sackville, Hon Tom
Sainsbury, Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Smith, Tim *(Beaconsfield)*
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stradling Thomas, Sir John
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Temple-Morris, Peter
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Twinn, Dr Ian
Waddington, Rt Hon David
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(T'side North)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Whitney, Ray
Widdecombe, Ann
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Wolfson, Mark
Wood, Timothy
Woodcock, Dr. Mike
Yeo, Tim
Younger, Rt Hon George

Tellers for the Noes:
Mr. David Lightbown and
Mr. Sydney Chapman.

Question accordingly negatived.

Clause 20 ordered to stand part of the Bill.

Mr. Boateng: On a point of order, Mr. Walker. Hon. Members will be aware that late this afternoon there occurred in Wembley, in my constituency, a cowardly and murderous attack on an army installation in a quiet suburban street. One person was killed and at least eight were seriously injured. Wembley town centre was shaken by the blast.

As this is the second such attack in London in a very short period, there would clearly seem to be a pattern to these events and it appears to be the start of a major terrorist campaign. In view of that, would it not be in order for a member of Her Majesty's Government to come to the House and make a statement about the steps that are to be taken to counter that campaign?

Clearly, difficulties are always involved in such incidents. Those responsible for these murderous attacks are likely to strike at random. They have no care for the civilian population and do not mind the hardship, suffering and agony that they cause to communities. They are beneath contempt. But some action has to be taken to alert the civilian population and such installations to the danger that exists. We must step up our vigilance and our support for the police and emergency services, which must have the resources at their disposal to deal with this menace, and have them now. I hope that a Minister will come to the Despatch Box and make just such a statement because one is urgently needed.

The Minister of State for Defence Procurement (Mr. Alan Clark): Further to that point of order, Mr. Walker. I express my appreciation of the exceedingly wise and temperate manner in which the hon. Member for Brent, South (Mr. Boateng) made his points. As for a statement by one of my hon. Friends or myself, that matter is under urgent and immediate consideration.

Clause 23

TAX-EXEMPT SPECIAL SAVINGS ACCOUNTS

Mr. John McFall (Dumbarton): I beg to move amendment No. 31, in page 14, line 26, after 'society', insert

'or an industrial and provident society'.

7.45 pm

The Chairman: With this it will be convenient to take amendment No. 32, in page 14, line 26, after 'society', insert

'or an industrial and provident society covered by a loan deposit protection scheme approved by Her Majesty's Treasury'.

Mr. McFall: I am speaking on behalf of the co-operative movement, which has been largely ignored by the Government in the Bill. We welcome the inclusion of building societies in the TESSA—tax-exempt special savings account—scheme because they are part of the mutual sector. Co-operative societies have a long tradition of being savings institutions in addition to their role as retailers. We should welcome the inclusion of co-operatives within the scheme.

Since 1844, co-ops have encouraged their members to follow a policy of self-help and thrift, in line with the present Government's view on wider share ownership. The co-operative movement was built on the policy of savings. The surpluses arising on trading were allocated to members pro rata to their trading with the co-operatives. Those amounts were credited to the members' share accounts and formed the working capital of the co-ops, on which a limited rate of interest was payable.

The membership of co-ops in the United Kingdom today is about 8 million and the retail turnover is slightly less than £6 billion. That shows that it is still a fine example of self-help and a force in the retail market.

Up to 1984 it was accepted that co-ops were different from other organisations because they were liable to corporation tax at a special 40 per cent. rate, when other companies paid 52 per cent. on taxable profits. It was then decided to make changes in the structure of taxation: relief was withdrawn for the increases in trading stock, and first-year allowances and the special rates for co-ops were withdrawn. To compensate for those withdrawals, the rate of corporation tax was reduced to 35 per cent. The co-operative movement and I felt that that change benefited companies more than co-operatives.

Along with those changes, tax incentives were introduced to assist various categories of taxpayer, for example the business expansion scheme, profit sharing and personal equity plans. In all those cases, co-ops could not take advantage of any of the tax incentives. All those factors have disadvantaged co-ops in relation to their competitors. Therefore, if the proposed TESSA savings scheme is introduced, and co-ops are once again excluded, there is a considerable danger that that will result in money being withdrawn from co-operatives and invested in TESSAs with banks and building societies. That would undoubtedly place co-ops in considerable difficulties.

Therefore, we request that co-ops should have the same opportunities to participate in the operation of the new TESSAs as banks and building societies. We emphasise that we are asking not for special treatment but merely for parity of treatment with those concerns, which we see as competitors in obtaining capital.

Amendments Nos. 31 and 32 are intended as alternatives. The first would bring all industrial and provident societies, including co-operatives and friendly societies, into the net. If the Government feel that that is too wide, the second amendment would bring in societies whose depositors are already protected under a scheme drawn up under the Banking Act 1987. Those schemes give our savers protection comparable with that enjoyed by depositors with banks and building societies.

We believe that either amendment would assist the Chancellor's objective of encouraging savings, because they would widen the social range of people taking advantage of the new concessions on TESSAs. I commend the amendments to the House.

Mr. Lilley: One of the key features of TESSA is that we have taken great care to keep the rules and regulations and general red tape to an absolute minimum. We can do that for a scheme that is confined to banks and building societies because for each of those types of institution there is already a proper statutory framework in the Banking Act 1987 or Building Societies Act 1986 providing for authorisation, regulation and investor protection, so we did not need to add that to clause 23.

Once we tried, however, to go wider than the two main groups of deposit takers, it would be necessary to complicate the Finance Bill provisions to take account of the different circumstances of the bodies concerned. I should be very reluctant to do that, and in the absence of a proper regulatory framework, the Inland Revenue would need to get more involved in checking that institutions were operating the new TESSA scheme properly.

The two amendments would appear to bring in all industrial and provident societies, many of which do not typically take deposits at all. It is true that it would be theoretically possible to limit the scope of the clause to co-ops, which I imagine is the intention of the hon. Member for Dumbarton (Mr. McFall).

It is true that co-ops have historically undertaken small-scale deposit taking. The hon. Members who sponsored the amendments were obviously well aware of that, and I recognise that the co-ops' depositors are covered by an investor protection scheme, as the hon. Gentleman mentioned. But the point is that co-ops benefit from total exemption from the Banking Act and are not subject to the detailed authorisation or prudential supervision applied to banks and building societies. I do not therefore think it appropriate that they should be allowed to offer TESSAs.

Moreover, co-ops' exemptions under the Banking Act exist largely because their deposit taking is on a small scale and incidental to their main trading activity. If societies wanted to expand their deposit-taking activities significantly or to enter the mainstream of retail banking with products such as TESSAs, those exemptions would no longer be appropriate.

Co-ops also have a certain tax advantage; they can pay interest gross on their deposits to taxpayers and non-taxpayers alike. So they do not get a bad deal overall under the present arrangements.

The co-operative movement is not excluded from TESSA altogether, since I understand that the Co-op bank is authorised under the Banking Act. I must advise the

[Mr. Lilley]

House not to accept the amendments, which go further than is necessary or desirable and which complicate unduly what is now a very simple scheme.

Mr. McFall: The Minister correctly said that the Co-op bank is included, but there are many other aspects to the co-operative movement and it was to highlight them that I moved the amendment. I have no intention of pressing it to a Division but I should like the Minister to consider incorporating co-ops in future. As I said earlier, we have a membership of 8 million and a turnover of £6 billion, a not inconsiderable element in the economy. Perhaps if the Minister cannot give me an answer today, he will do so at some time in the future.

Mr. Lilley: I shall certainly do that, and I welcome the co-operative spirit in which the hon. Gentleman moved the amendment. We recognise the valuable contribution that the co-operative movement makes, both to its members and to the economy, and I shall look into the matter in that spirit.

Mr. Harry Ewing (Falkirk, East): I have not previously attended the debates on the Finance Bill, but the Minister's agreement to consider what my hon. Friend the Member for Dumbarton (Mr. McFall) has proposed was helpful. I look forward to the outcome of his consideration.

To help the Minister's consideration, may I say a word or two as the former chairman of a co-operative society, the former chairman of the Scottish co-operative wages board and salaries committee and as a member of the national wages board? In my younger days I was deeply involved in the co-operative movement, so I am well aware of the integral part that that movement has played in various localities, especially in the industrial areas of Great Britain.

It is certainly true, as my hon. Friend would concede, that much of the co-operative movement has disappeared from industrial Britain for the very reasons that my hon. Friend adduced—the co-operative movement, through no fault of Governments, has gradually been placed at a disadvantage vis-a-vis its competitors. If the movement were placed at an even greater disadvantage, that could be serious.

The problem is that the capital that shareholders invest in the movement is not in shares in the sense in which they are quoted on the stock exchange; nor are they shares in the sense that they must be sold to someone else before a person can redeem his investment. This is a banking system from which people can withdraw share capital at seven days' notice. When more attractive avenues for savings open up, there can be a run on share capital, and co-operative societies throughout the country face severe difficulties when such runs occur because they can have a grave impact on a society's trading position.

I am glad that my hon. Friend the Member for Dumbarton has taken this opportunity to speak about his amendments, and he is right not to push them to the vote. He has given the House a chance to hear about the continuing importance of the co-operative movement in many places throughout the country. Indeed, I notice that co-operative organisations are springing up again in deprived areas where groups are getting together to form them. In many ways that takes us back to the days of the Rochdale pioneers and even to the founder of the co-operative movement himself—Owen. History has come full circle, so I am glad that the Minister is keeping an open mind. I hope that he will consider the amendments as seriously as he spoke about them.

Amendment negatived.

Question proposed, That the clause stand part of the Bill.

Mr. John Battle (Leeds, West): This was a Budget of small measures, and TESSAs are another small measure. One of the Government's claimed highlights in an otherwise lacklustre Bill is the introduction of the tax-exempt special savings accounts, now running under the acronym TESSAs. They constitute the Government's attempt to make savings more attractive.

This seems to me a backhanded attempt to acknowledge that a great economic error was made in the 1988 Budget—the tax cuts of the right hon. Member for Blaby (Mr. Lawson), which were much heralded at the time but which have since been shown to have fuelled a massive increase in consumer spending and to have generated a spending boom. By handing out deep tax cuts, the Government merely fuelled a massive trade deficit.

The tax-cutting Budget of 1988 also resulted in a massive redistribution of wealth from the poorest to the richest. In the 11 years during which the Government have been in office, £6·7 billion has been taken from the bottom 50 per cent. of the population and £5·6 billion of that has gone to the richest 10 per cent. Of that sum, £4·8 billion has gone to the top 5 per cent.

8 pm

We encourage savings, but we are entitled to ask whether that will encourage real savings or whether it will be another tax break for those who already have savings. TESSAs were welcomed by the Secretary of State for Wales and there was a tribute to that welcome in *The Times* on 21 March:

"A wry smile flashed across the relaxed face of Peter Walker, out-going Secretary of State for Wales, when John Major disclosed details of the new Tax-Exempt Special Savings Account—which he promptly abbreviated to 'Tessa'. For that is the name of Walker's wife. After the speech Walker admitted he had indeed been smiling for that reason. 'I was at the Cabinet meeting this morning when John Major told us the news and I told him that I was very grateful that, for my last Budget, there was something in it dedicated to my wife'".

Perhaps the right hon. Gentleman and his wife are thinking of taking up a TESSA. They are in a good position to do so because TESSAs will not reach down to the small savers but will be geared to people in the middle and higher income brackets.

TESSAs were welcomed with caution by the City. There was not an immediate response, nor the view that they would result in an increase in savings throughout the population. A recent report from the Select Committee on the Treasury and Civil Service said:

"We would not necessarily expect to see a very sharp increase in aggregate in savings in the short term as a result of the Budget measures."

A Mr. Olivier, of Hambros unit trusts business, was reported in the *Financial Times* as saying:

"TESSAs are more likely to reshuffle old money about."

If that is the case there may well be no real encouragement for new savings.

The key question is, who will be expected to save in the current economic climate? The Bill gives some tax

concessions to companies and to the City but does nothing to help the poorest to meet higher costs in rents, mortgages and the poll tax. It does nothing for 7 million people on low pay. The Treasury figures show that, although 85 per cent. of couples who earn more than £35,000 a year will benefit, only 25 per cent. of those who earn between £5,000 and £10,000 will gain from the Budget.

The number of people caught in the poverty trap of taxes and means-tested benefits is estimated to increase to 410,000, compared with 290,000 in November 1985. Since the poll tax was introduced at the beginning of last month, a family on half average earnings will be about £1·80 a week worse off as a result of the Bill. That also results from the holding back of an increase in child benefit and the introduction of the poll tax. Many families will pay an extra 91p a week in spending taxes.

Let us look at those who would not benefit from taking up a TESSA because they have no liability to tax anyway. They include people on benefit or income support, the unemployed, pensioners without substantial occupational pensions, and single people earning less than £6,500 who are unlikely to have much spare cash to move into TESSAs. Couples earning less than £13,000 are also unlikely to have much spare cash to spend on them.

In the case of married couples where the wife does not work and there is not much in the way of savings, the interest income is already covered by the wife's tax allowance, so TESSAs will not benefit such couples. The same applies to couples where the wife is earning less than £3,000 and there are no large savings. Anyone with a mortgage of more than £30,000 is unlikely to take up a TESSA because it would be better for him to pay off his mortgage.

The categories of people that I have mentioned make up the bulk of my constituents, and I am sure that they fit the constituents of many other hon. Members. The average wage is £269·50 a week, but on the whole people in my constituency do not earn as much as that. Although west Yorkshire is a low-wage area, it is at the top of the savings league; the people there save 14·8 per cent. of their income. They are good savers, although they have very low incomes, but TESSAs will not help them. The real beneficiaries will be married couples who already have investment income of £3,300 or more on current interest rates and who have at least £25,000 in the bank or about £60,000 in shares. Couples where the wife earns over £3,300 but who do not have a mortgage of more than £30,000 will also benefit, as will single people earning more than £6,500.

There are two essential requirements for a TESSA to be of any advantage to a family. The first is that that family has the resources to be able to put money into a TESSA. The second is that there would otherwise have been a tax liability on the interest receivable. If the first requirement is not satisfied, in practice it is not possible to use a TESSA at all or no tax advantage can be obtained. If the second requirement is not satisfied, a TESSA can be operated, but it obviously offers the family no tax advantage.

Before we can make a judgment about whether there are adequate resources to put money into TESSAs, we must bear in mind the requirement that the money cannot be withdrawn before the end of the five-year period. That means that only people who are able to save as a matter of course each year out of income are likely to be able to take up TESSAs.

As I have said, non-taxpayers, those on benefit and pensioners who do not have a substantial occupational pensions will not be able to benefit, nor will those whose incomes are largely taken up trying to survive by day-to-day expenditure. That category could be said to include single people earning less than £6,500, virtually all single-parent families and married couples earning less than £13,000 a year. They are all unlikely to have any disposable income for TESSAs, especially after mortgage rises are taken into account. We challenge the Government's notion that TESSAs are a great gift and an incentive to savers. It will be seen that the advantages of TESSAs are for high-income families and that that advantage will be magnified because both husband and wife can take up a TESSA.

Despite the Government's warnings about the inflationary wage spiral, top company directors continue to award themselves rises far in excess of inflation. Recent increases in directors' salaries have been as high as 171 per cent., and average rises are 40 per cent. I am not talking just about boardroom directors. A recent feature in the *Financial Times* showed that Britain's business managers —those earning between £30,000 and £200,000 a year—are on schedule for pay increases of between 12 and 14 per cent. Perhaps it is to precisely such people that TESSAs are directed. It would have been better not to directly redistribute income to them in the first place in the tax-cutting Budget of 1988.

It remains to be seen whether TESSAs will result in a new build-up of savings rather than switches from other accounts or perhaps from shares. Will they attract people who would have saved in the medium term anyway? It could be argued that, at a time of a high interest rates, no one with a mortgage is likely to save money on a regular and long-term basis when it could be used to repay that mortgage. Have the Government considered that argument?

One could push the logic of the argument and say that TESSAs will encourage borrowing. If the Government have not considered it they might like to take account of the way that TESSAs will impact on working out repayments of mortgage interest. In practice, they may have the opposite effect to encouraging savings.

This is a small measure, and we believe that TESSAs will have a marginal effect—at best, increasing the personal sector savings ratio. We question the usefulness of a scheme which, in the current economic climate, merely rewards existing savers for their existing savings. There is no evidence that TESSAs will encourage those on low incomes to save. A much better alternative to TESSAs would be positive public support for bodies such as credit unions, which provide community-based means of encouraging even those on the lowest incomes to save and share. Even such bodies found favour and encouragement in *The Economist* on 31 March. I shall be pressing my right hon. and learned Friend the Member for Monklands, East (Mr. Smith) to do all that he can for credit unions when he is appointed Chancellor of the Exchequer, as he will be soon.

Mr. Lilley: The hon. Member for Leeds, West (Mr. Battle) described TESSA as a tiny measure. I think that it is an important measure both for what it achieves and for the signals that it generates in the economy as a whole. It is one of the most imaginative features of the Budget. He suggested that the name "tax-exempt special savings

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account" was a deliberate attempt to ingratiate ourselves with my right hon. Friend the Member for Worcester (Mr. Walker). There may be some truth in that, but, if so, it was because I could not find a name for the scheme that would result in the acronym NORMA and that meant the same thing.

This is a straightforward and simple instrument. It took a lot of paring down to make it as simple as it is. We have deliberately kept the rules and restrictions to a bare minimum. That is desirable in any case, but it is especially important if the scheme is to attract ordinary taxpayers. We do not want a scheme which appeals only to sophisticated financial whiz kids. TESSA is for all taxpayers. I am pleased to note that it has been welcomed from both sides of the House and outside.

Contrary to what the hon. Member for Leeds, West said, TESSA is aimed at the ordinary person and, because of that, we based the scheme on the most simple and straightforward form of saving—putting money into a high street bank or building society. We are not saying that this form of saving is better than any other. My right hon. Friend the Chancellor took the opportunity in the Budget to encourage other forms of saving, including significant increases in the amount that could be saved in personal equity plans. I hope that many of those who are encouraged to begin saving in a TESSA will go on to discover the attractions of share ownership. If we are to influence people's decisions at the margins between saving and spending, rather than just affecting the choice between different ways of saving, it is absolutely right to target the most simple and familiar form of saving.

TESSAs can be started from 1 January 1991. Already there are signs that the major banks and building societies will offer TESSAs. We are delighted that they are putting their marketing efforts behind this form of savings. In some cases, institutions may offer several variants, aimed at the people in different circumstances. I welcome this because we want TESSA to reach as many people as possible. It is clear that she will be a great success.

The hon. Member for Leeds, West said that TESSAs will not benefit those in low income groups because so many of them are not paying tax. We have raised tax relief by 35 per cent. in real terms, and inevitably, if a larger chunk of income is relieved from tax, more people are paying less tax. They should not benefit twice from the absence of tax—through not paying on low incomes, and with a relief such as TESSA. That is inevitable, but it is more desirable that allowances are set at this level rather than at the level that we inherited.

The hon. Member for Leeds, West claimed that TESSA is aimed at, and will benefit, the rich. There is a £9,000 limit on the amount that can be paid into a TESSA over five years. During the Budget debate, the Leader of the Opposition said of the £16,000 limit on savings above which people could not benefit from community charge relief, that it was not "a prince's ransom". Therefore, £9,000 is even less of a prince's ransom. It is a respectable, modest amount and many people will be able to aspire to contribute that over five years.

8.15 pm

The hon. Member for Leeds, West quoted a City document which said that TESSA would simply result in the reshuffling of old money. All money is either in bank notes—in the minority of cases—or in bank and building society deposits. TESSA will encourage people to shift from highly liquid deposits to deposits for which there is a growing incentive not to spend. There is a distinction between having money in a deposit that is spent frequently and therefore circulates freely about the economy and having money in a deposit that is saved. The latter is the one that we are trying to encourage. Once people have put their money into a TESSA, they will have put it into something like a mousetrap. They will lose nothing by doing so, but should they then spend the money they will have to forgo the tax relief that has built up in the TESSA. There may be a reluctance to withdraw money from a TESSA, but there is not to withdraw from ordinary deposit accounts. That is an incentive to save and is thoroughly desirable.

Ms. Diane Abbott (Hackney, North and Stoke Newington): I apologise for not being here for the beginning of the Minister's speech.

There is an argument over whether TESSA will involve only the reshuffling of money, or, as Conservative Members imply, result in an increase in the overall volume of saving. The Select Committee on the Treasury and Civil Service has addressed this question, and we questioned Treasury officials when we took evidence on the Budget. They said clearly that any claims that TESSA would increase the overall volume of savings were invalid. It will involve switching money not from ordinary deposit accounts or current accounts but from other forms of saving. The Committee could find no one to say that TESSA would either mean people switching money from a liquid state to a savings account or do anything to increase the overall level of saving.

The claims by the Chancellor of the Exchequer that this is a Budget for saving were bogus and invalid. This is not just the common coin of political half-truths but a serious matter because under the Government the savings ratio has dropped sharply and one of our problems is lack of saving.

Mr. Lilley: I will examine the evidence to which the hon. Lady refers, but I doubt whether her interpretation of it will be the same as mine. I am sure that my officials did not say that most contributions to TESSAs would come from some other source than deposits already in the banks and building societies. We do not know where it will come from, but undoubtedly a great deal of it will come from money already in the banking system. It will be rendered less liquid by being put into TESSAs.

The hon. Member for Leeds, West said that this was a measure to redeem the tax cuts made in the 1988 Budget. That is not the case. We are trying, by the period of high interest rates through which it is necessary to go, to ensure that borrowing is discouraged and saving is encouraged, and to bring about a balance between the two. We welcome the fact that we now have much higher investment in the economy. Every pound of investment requires a pound of savings to finance it. We want a higher level of savings, so we want to encourage a climate in which savings are looked upon favourably. TESSA will contribute to the creation of a new climate, over and above the amount of money drawn into it, which could none the less be considerable. This is an important measure. It has

been widely welcomed in the City, by savers and by hon. Members on both sides of the Committee. I commend the clause to the Committee.

Mr. Battle: The Financial Secretary to the Treasury seems to have narrowed the definition of "ordinary person". He has not acknowledged that many people will be excluded from the scheme. For example, not everyone has a bank account. Surely we should encourage people throughout the income range to take up savings.

It seems that the measure will not reach the many. It appears to be a residue of the trickle-down theory. It will not reach those on low pay. It will not involve the least well-off. I accept that the limit is £9,000, and that is why it is a small measure. It will be crucially undermined by the impact of interest rates on mortgages. Until 1980, the measure could have been useful for a low to middle-income family, but with the introduction of independent taxation for women, the majority of people in that band will not enjoy any tax advantages from TESSAs. It seems that TESSAs are most handy for middle and high-income, mortgage-free families and for single people. If they were not going out of fashion, it would seem to be a classic yuppie handout. That would seem to be so unless the impact of TESSAs can be widened to embrace the entire population.

Mr. Ian Taylor (Esher): The hon. Gentleman is forgetting that there are many on modest incomes and with modest cash flows who strive to amass some capital. That is why many of my right hon. and hon. Friends were keen that the capital cut-off point for social benefits should be increased from £8,000 to £16,000. We welcomed that increase. We are talking of material sums for people on modest incomes. We want to give incentives to them, through the tax system, to save more. I think that TESSAs will have quite a considerable impact on those who are paying tax and earning an income, and at the lowest levels.

Mr. Battle: I must disagree with the hon. Gentleman. We may find ourselves in dispute over the term "modest income". I have tried clearly to identify income bands in which people will not be able to take up TESSAs. As I have said, they will not be available to most of my constituents. I represent part of west Yorkshire, an area which has the lowest pay rates in the country. I must add that it has the highest saving rates.

Mr Beith: And the Halifax building society.

Mr. Battle: There is a savings tradition, and my right hon. and hon. Friends and I are not opposed in principle to saving. We are questioning whether TESSAs represent a wide-ranging measure. They might prove to be the result of a rather narrow measure. As a throw-away line, I suggest that they might prove to be Now Only the Rich Man's Answer. That would produce the sort of acronym for which the Minister was looking.

Mr. Lilley: I shall not respond to the final part of the response of the hon. Member for Leeds, West (Mr. Battle). I merely say that I wish that I had thought of it myself.

The hon. Gentleman argued that his constituents, or many of them, will not benefit from TESSAs. There are 34 million people with deposits in banks and building societies. Of that total, 14 million are not taxpayers and therefore will benefit from the abolition of composite rate tax. I am sure that he will welcome that. The other 20 million are taxpayers, and they will be able to benefit from establishing TESSAs if they so wish. I know that we have made considerable progress, but I do not think that we are yet a nation of 20 million yuppies.

Mr. John Home Robertson (East Lothian): I am disappointed that the Financial Secretary to the Treasury has not responded to the remarks of my hon. Friend the Member for Leeds, West (Mr. Battle) about credit unions, with which I much agreed. Credit unions are a genuinely practical way in which people in deprived areas can help themselves. In a particularly deprived part of my constituency, people are trying to work together to establish a credit union. I appreciate that that is not strictly relevant to a debate about TESSAs, but the people that my hon. Friend and I are talking about would find it difficult, if not impossible, to take advantage of TESSAs. A credit union, however, is a way in which such people can help themselves and in turn help their own communities. I do not know whether the Minister has had an opportunity to consider the concept of credit unions on other occasions. I sincerely hope that the Government will look favourably on that sort of local initiative.

Question put and agreed to.

Clause 23 ordered to stand part of the Bill.

Clause 25

AUTHORISATION AND OTHER STATUTORY CONTROLS

Mr. Beith: I beg to move amendment No. 44, in page 16, line 45, leave out

'at the time the trust was established'

and insert 'immediately after the disposal'.

The Temporary Chairman (Mr. Michael Shersby): With this is will be convenient to discuss the following amendments: No. 45, in page 17, line 9, leave out 'subsection (4).'.

No. 46, in page 17, line 37, leave out 'subsection (7).'.

Mr. Beith: It is no secret that my party has been committed to employee share ownership schemes since long before I was old enough to be a member of it. It has campaigned on the issue time and again over the years. It made progress during the Lib-Lab pact, during which new legislation was introduced on share ownership. I am pleased to say that that ownership is widening. My party continues the campaign, it is glad that the Government show a significant interest in employee share ownership plans and other forms of wider share ownership, and it will continue to urge them on, year by year, to do more.

The Bill is helpful but my colleagues and I wish to suggest some ways in which employee share ownership schemes can be taken further. We believe that the concept is good in principle. It gives the employee a stake in the firm for which he works, a greater involvement in its affairs and an opportunity to share in its prosperity, not merely through the wages paid for work but through the direct fruit of the dividend on the company's profits. Wider share ownership often has a transforming effect in the workplace as more and more of a company's employees become committed by their share ownership, as well as by their work, to the success of the company. We therefore want to give this form of share ownership as much encouragement as possible.

I hope that that feeling has spread widely, even into areas of the Labour and trade union movement which

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were initially hostile to wider share ownership. In the old days, it seemed to them—it may still seem so to some of them—to be an unfortunate breaking down of the traditional distinctions between labour and capital. I am in favour of that, and that is why I am so committed to wider share ownership schemes.

The amendments necessarily take us into a technical area. Under common law, a company can claim a tax deduction for the regular payments that it makes to an employee share ownership trust, provided that it can be shown that the payments are of revenue and not of capital. Whether the payments are revenue in nature is not always clear. Last year's Finance Bill, as it then was, created the qualifying employee share ownership trust. Payments made by a company to a qualifying trust could be guaranteed a tax deduction whether the payments were capital or revenue in nature. The relief provided by the relevant sections was so restrictive, however, that so far as I know the provisions have not been used. The efforts made by the Government in last year's Finance Bill therefore seem not to have borne fruit, unless the Minister has come across an example that I have not yet found.

In practice, trusts continue to prefer the relative uncertainty of the common law provisions to which I have referred. There are two principal reasons for that. First, the structure of a qualifying trust means that it does not fall within the exemptions to the Financial Services Act 1988. The trustees must register and comply with the rules of an appropriate FSA self-regulatory organisation. That costs money and is a rather bureaucratic complication for trustees who are not really interested in providing an investment service. They are there to distribute shares to employees and to obtain funds from the company for that purpose, and having to go through the mechanism of the Financial Services Act 1988 is not something that they anticipated. Secondly, all the employees of a company must participate as beneficiaries of the trust on similar terms. That means that there can be no discrimination between employees. That, too, has proved to be a restriction.

To make the qualifying trusts more popular, clauses 25 to 32 propose to give roll-over relief to gifts of shares made to a qualifying trust. Thus, a person selling shares to such a trust need not suffer capital gains tax on the sale, provided that the proceeds are reinvested in acquiring capital assets. That in itself is good but the existing restrictions and the additional restrictions in the Bill make it unlikely that the provision will make any contribution to the trusts taking off in a big way.

We have suggested a series of amendments designed to relax some of the existing restrictions and to remove the restrictions in the Bill, some of which are contained in parts of the Bill that we shall discuss in Standing Committee. I hope that the Minister will accept our general objective, which is to try to make the provisions usable—indeed, attractive—so as to help to create further trusts. We do not want the creation of trusts to continue to rely mainly on common law provisions which existed before this legislation.

8.30 pm

Amendment No. 44 is intended to allow the trusts to be established in advance. That is especially necessary where a new shelf company is being used as a vehicle for a management buy-out. Amendment No. 45 would delete a subsection which requires at least 10 per cent. of the ordinary share capital of a company to be in the hands of the trust. In a management buy-out, 60 to 80 per cent. of the equity is provided by institutions, with 20 to 40 per cent. being in the hands of managers and employees. In that context, a 10 per cent. threshold is unrealistically high. I do not understand why it is necessary, and I hope that the Minister will reconsider.

Amendment No. 46 would remove another subsection which denies relief to a vendor if the trustees of the trust make an offside transaction. That is unfair, because the vendor will have no control over the actions of the trustees. There are three areas where there are yet more restrictions which could lead to the continued inappropriateness, in the minds of potential trustees, of the whole Finance Act mechanism in launching employee share ownership plans. I shall discuss that further in Standing Committee.

Our intention is to make the Finance Bill provisions helpful and suitable in encouraging the creation of further employee share ownership plans. I hope that the Minister realises that something must be done if that objective is to be achieved.

Mr. Lilley: To the shock, horror, and consternation of the Committee, I accept amendment No. 44. The matter could be dealt with in either of the two suggested ways, but the way suggested by the hon. Gentleman has, on balance, at least as many advantages as the way it is dealt with in the Bill. As I am in a good mood, I accept the amendment and urge my hon. Friends to support it in the unlikely event of a Division.

On amendment No. 45, given the valuable nature of the new capital gains relief, there are certain conditions which the Bill requires to be met if it is to be obtained. One of those is that within a certain period the ESOP must have a 10 per cent. stake in the company to which the sale relates. Unlike some other employee share arrangements recognised in the tax system, ESOPs will often be concerned with large stakes in companies.

The new relief proposed in the Bill is very valuable and it is right that it should be confined to cases where employees are being given a significant stake in the company. The level of what should count as significant is inevitably a matter of judgment. We think that 10 per cent. strikes the right balance, representing as it does a stake large enough to ensure the employees a degree of involvement in the company's affairs, while not being so large as to make the new relief unattractive. It was also the lowest figure suggested in representations made by the main ESOP proponents.

To remove the test altogether would mean that the new relief would be available if only a tiny proportion of the company's shares were to pass to the ESOP trust. That would mean that relief could be claimed where the employees were being given no effective stake in the company, and the proprietors maintained total effective control. We do not think that giving relief in such circumstances could be justified, and I urge the Committee to reject the amendment.

Clause 25(7) denies the capital gains relief for share disposals to ESOPs if the ESOP breaks the conditions for qualifying ESOPs in the period running from the year in which the share disposal takes place to the year in which replacement assets are acquired. Amendment No. 46 would allow relief to be claimed in those circumstances.

The main effect of the amendment would be extra compliance and administrative work. In the absence of clause 25(7), relief would be allowed and then clawed back under clauses 28 to 30, which recover the relief where, at any time after the sale of shares, the ESOP breaks the rules. In the cases covered by clause 25(7), it will usually be known when the claim is made that the ESOP has broken the rules, and in those circumstances it saves everyone work to deny the relief from the outset, as clause 25(7) does. For that reason, I cannot commend the amendment to the Committee, but I appreciate the manner in which the amendments were proposed.

Mr. Beith: I am grateful to the Minister for accepting amendment No. 44. I hope that it is a good sign and that we can further tidy up these parts of the Bill in Standing Committee. I hope that many other Liberal Democrat amendments will be accepted.

I fully appreciate and accept the reasoning behind the 10 per cent. threshold in general. However, I wonder whether the management buy-out aspect has been properly considered. To achieve a management buy-out, it is necessary for there to be a large institutional stake. If the managers are to be fully committed, they also require a significant stake. I shall take further advice on whether there is any other way to deal with that. I hope that the Minister's officials will also give it further thought. I am at one with the Minister in thinking that at least a 10 per cent. stake is usually desirable, but I should not want a management buy-out to be frustrated by that.

I shall reflect on the Minister's response to amendment No. 46. His key point was that in most cases relief will not be claimed until it is clear whether the trust has behaved as it should. My anxiety is that the person who will be denied the relief is the vendor, who has no control over the actions of those who could cause him to lose it. I appreciate the Minister's acceptance of amendment No. 44.

Amendment agreed to.

Question proposed, That the clause, as amended, stand part of the Bill.

Mr. Nicholas Brown: The clause is welcome and we do not wish to divide the House on this or subsequent clauses that deal with ESOPs. We wish only to explore technical matters of detail. I am sure that the clauses will go through Committee in a reasonably speedy and workmanlike way. That is in keeping with our approach during the past two years. This is the third year that we have discussed employee share ownership plans—or employee share ownership trusts, depending on which nomenclature people prefer.

The schemes appear to have drawn support from both sides of the House. We have arrived at a peculiar bipartisan approach, but for different reasons. Conservative Members view ESOPs as a form of popular capitalism, whereas we realise that they are an appropriate vehicle for workers' control, as our policy review makes clear.

Mr. Norman Lamont: It is the other way round.

Mr. Brown: I guess that the Chief Secretary is referring to the fact that workers' control has brought about appropriate vehicles because a large number of ESOPs are privatised bus companies——

Mr. Ian Taylor: That is a good joke.

Mr. Brown: It is all the better for being spontaneous.

The approach of the House to these issues was set during the passage of the Finance Bill last year by that opinion former, the man we thought of—just for a few minutes, no longer—as Red Norman. He said:

"In a free enterprise economy, there is room for many different forms of ownership, which can include a number of companies where a majority of shares are owned by the labour force. If the increasing awareness of and interest in ESOPs results in more worker-owned companies, I should not regret that . . . Anything that could encourage more membership by the work force in the unquoted sector is to be welcomed."—[*Official Report, Standing Committee G,* 6 June 1989; columns 304-5.]

That ringing incitement to the work force to take over their companies made my hon. Friends and myself draw breath. Indeed, given his previous disappointments in the appointments to the Cabinet, we thought that the right hon. Gentleman was making a bid for election to the shadow Cabinet instead. For those few moments one or two of us might even have considered supporting him. Of course, events moved on, and we were pleased that the right hon. Gentleman has found his rightful place in the appropriate Cabinet and has not resiled from his views on employee share ownership trusts.

It is only fair to point out that all the trusts so far relate to private companies. That is the way in which the law to date has affected the transfer of shares in public companies. The hon. Member for Esher (Mr. Taylor) has spoken on the point on a number of occasions and may take justifiable pride in the clause that is before us. For the first time the measure will give an advantage to Finance Bill schemes over case law ESOPs, which many of us felt were hitherto in a more privileged position.

The clause, and those subsequent upon it, will provide roll-over tax relief if the shares are sold into an ESOP. That relief was not available before. The requirements for democratic distribution of the shares remain, as do the requirements for worker trustees. All that is on the right lines, but there are remaining problems, and the clause is wide enough for us to discuss them.

The overriding problem relates particularly to private companies. Although I mention it, it does not detract from my overall support for the clause. If a company is doing badly, there is not a great temptation to the work force to purchase it; naturally it would be reluctant to do so. If a company is doing well, unfortunately it is the case in British industry that those who run it want to retain it. There are still more tax-efficient methods of rewarding executives for the contribution that they make to the company. Indeed, it is widely felt in British board rooms that executives need incentives. The same view does not seem to have been transferred to the approach to the rest of the work force. Far too many British board rooms still seem to think that their work force needs to be competitive and priced down rather than given incentives and further involvement.

There are other difficulties that pertain particularly to the ESOT structure. It is still the case that a majority of the trustees of the ESOT have to be employees. I hope that the Financial Secretary will consider the matter again, perhaps not now but for future Finance Bills. I am sure that the commitment given by his predecessor to review the issue year by year continues. In the larger ESOTs, the need for professional, financial and other expert advice is not just

[Mr. Brown]

necessary but of overwhelming importance. No doubt some of the larger ESOTs could not function unless such professional advice was available.

In issues that are fairly complex, the existing employee trustees not only have to form a majority, and therefore take responsibility ultimately—if they are all voting the same way—for decisions, but they are also completely exposed to personal liability. I understand the reasons for it, but those two burdens are heavy ones to place on people who ideally should be shop floor workers. To mix their involvement with the involvement of professional advisers, experts in their own spheres, seems to be desirable. The burden of complete personal liability is very heavy and is not an inducement to an ordinary working person to seek election.

I want to take the opportunity to praise members of the different work forces in the road transport industry in particular and in other industries for having taken an adventurous step in coming forward to undertake a burdensome office on behalf of their fellow workers. It is a heavy responsibility to shoulder. The individuals to whom I have spoken are very conscious of that.

I also want to take the opportunity to praise the Unity Trust bank which, as hon. Members who follow the matter know, is the main financial backer of employee share ownership trusts. Without the encouragement that the bank has given to such schemes, many of them would not have got under way.

8.45 pm

The Financial Secretary should consider for future Financial Bills the inclusion in ESOTs of regular part-time workers as well as full-time employees. I am not talking about people on short-term contracts. I see the difficulties there, but it should be possible for people who are permanently employed, but for a smaller number of weeks, to be involved in the ESOT, even on a pro rata basis, although ideally they should have full-time involvement.

The new relief is designed to be limited to sales of shares in qualifying ESOPs. It will provide a boost for them at the expense of the case law ESOPs. As the Financial Secretary said in answer to the hon. Member for Berwick-upon-Tweed (Mr. Beith), the relief is limited by a number of tests. It is limited particularly to ESOPs set up by trading companies or trading groups. The Finance Act 1989 allowed investment companies to set up ESOPs. Indeed, no reason was put forward at the time as to why investment companies should not set up ESOPs.

Of course, it gave them the corporation tax deductions consequent upon that. However, clause 25 and the subsequent clauses will not allow an investment company ESOP the roll-over tax relief. I understand that tax avoidance issues may be involved. Given everything that I have said on tax avoidance in the past, it would be wrong for me not to be conscious of the potential. If the Financial Secretary says that that is his defence, I shall certainly understand his motivation. However, it is right to explore it further and that is what I hope to do.

I understand the position to be that a qualifying ESOP can be set up by a non-trading investment company—that was common ground on last year's Finance Act—and that the new roll-over relief cannot be claimed for the sale of shares in such a company to its ESOP. That is what we are deciding this year. I accept that it is in line with the general view of the Inland Revenue that trading companies or groups are more commercial and less easy to manipulate for tax purposes. That is probably right.

However, we have to ask whether the Government's approach is wholly consistent. If investment companies are intrinsically undesirable, why should we have allowed them to establish qualifying ESOPs in the first place? If clause 25 and the succeeding clauses are intended to encourage shareholders to sell to ESOPs rather than to creditors or others, how does the restriction help? I do not put those questions to the Financial Secretary in a spirit of animosity, because I realise that tax avoidance issues may sit alongside my remarks. Nevertheless, I shall welcome a response from him in his summation of the debate.

The hon. Member for Berwick-upon-Tweed referred to the 10 per cent. test contained in clause 25(4). As a test, it is arbitrary, and I was much taken with the Financial Secretary's statement that it represented the lowest test of all the representations that the Government received from interested groups.

Why is such a test needed? Although I followed what the Financial Secretary said to the hon. Member for Berwick-upon-Tweed, that question still merits an answer, because, although the 10 per cent. test is less strict than the 25 per cent. test used at one stage in the Capital Gains Tax Act 1979, it is stricter than the section 85 rule, for general offers, which has no threshold.

If an ESOP currently holds 2 per cent. of the founding company's shares, why should relief be available if Peter sells 8 per cent. of his 29 per cent. shareholding, but not be available to Nick if he sells all of his 7 per cent. shareholding? Why should relief become available to Nick only if Peter later decides to sell 2 per cent. of his shareholding to the ESOP? The threshold sets up those ambiguities. Has the Financial Secretary thought of a way through, or does he believe that such ambiguities are consequent upon the setting of any threshold? I suspect that that is the answer.

I must raise a number of drafting issues with the Financial Secretary. Clause 25(5) states that the claimant must obtain consideration. That would be difficult to interpret and I am not sure that it is right. Can the Financial Secretary justify inclusion of that phrase in the clause? Similarly, in clause 25(7), am I to understand—I may have got it wrong—that a small chargeable event could mean that roll-over relief would be completely denied? I am sure that that is not the Government's intention, but the clause could be interpreted in such a way. Could the Financial Secretary respond a little more fully than simply to say that that is not his intention, and that it could not be interpreted in such a way?

Clause 25(5) states that all the consideration must be used to purchase replacement assets. Surely that is contradicted by clause 27(2), which we shall discuss further in Standing Committee. At this stage, I merely want to draw the Financial Secretary's attention to the fact that clause 27(2) and clause 27(3) enable partial roll-over relief. If that is enabled by clause 27, why should clause 25(5) say that it is not?

In principle, the relief given in clause 25 is much wider than existing roll-over relief. It extends to the acquisition of almost any type of chargeable asset and to assets the eventual sale of which is unlikely in practice to cause capital gains tax to be paid.

I must return to the issue of tax avoidance, where my sympathies are entirely with the Inland Revenue. The clause may provide substantial possibilities for avoidance, and I should like the Financial Secretary to tell us how much consideration the Government have given to that issue and precisely what steps they have taken to minimise avoidance, which is implicit in the clause.

Relief is aimed principally at sales of shares to an ESOP at full market value. How will the clause cope with what I should have thought were socially desirable steps—I should have thought that they were desirable to the Government, too—for example, when shares are gifted to an ESOP or sold at a lower or nominal value? I am sure that the Government will have considered that matter in general, but how does the clause affect it in particular? I am sure that we would all agree that the sort of thing to be encountered is when the owner of a small or medium-sized company, which is not asset-rich, is retiring or seeking to leave for other reasons and the company can be given over to the work force. The tax system should positively encourage such an idea. As the hon. Member for Esher has said in previous debates, at least the system should not provide a positive disincentive.

As I am sure hon. Members will appreciate, these are technical matters and they are difficult to popularise. Nevertheless, the events that lie behind the drier points that we are discussing today are serious, and have had a profound effect on the lives of a number of working people, whose companies have been transformed from municipally owned undertakings or companies that traded in the public sector into employee share ownership trusts.

Many trade union branches have been involved in such transfers. The bus industry is the prime example. Unions had to think long and hard before encouraging their members to enter into such undertakings. I note on the latest list of such groups that the Buswise group on Tyne and Wear, with some 18,000 employees, is by far the largest existing ESOP.

My constituents ask me whether they should enter into such an undertaking. They also ask, as well they might, given my current duties on the Opposition Front Bench, what will happen when the Government change. Will their investment in the ESOP be for naught? Will the risk that they have taken come to nothing if the municipal bus trust is taken back into public ownership? It is not our intention to take such trusts back into public ownership. Our commitment to an integrated passenger transport network in the metropolitan areas can be carried out without renationalising enterprises which we regret have been put into such difficult positions.

I applaud the endeavours of employees of ESOPs to take the best possible option available to them in the most intractable circumstances. They were placed in such circumstances by the Government and not due to economic circumstances or anything else. They have taken a brave step and next year, or the year after, we may well be discussing the affairs of people working in community care who are also considering whether, given the changes that the Government are making, ESOPs are the vehicle for them. People in that walk of life are looking carefully at what has happened in the bus industry.

ESOPs have a much wider future than merely providing a refuge of last resort for municipal undertakings that are being privatised. I regret that debate has sometimes been too narrowly focused on privatisation. There are many good things about ESOPs and I hope that, with continued encouragement from the Opposition and, in fairness, with the good will that has come from the Government as well, albeit for different reasons, we shall eventually arrive at the point where ESOPs are not only desirable in theory but positively attractive in practice.

9 pm

Mr. Ian Taylor: It is an annual pleasure to follow the jovial hon. Member for Newcastle upon Tyne, East (Mr. Brown) in debates on employee share ownership, and today is no exception. I will pass on to him a message given to me by the managing director of another bus company, who said that, when the shares passed into the hands of the workers in that bus company, for the first time the buses stopped for passengers, so there is hope for the hon. Gentleman if he is late for a meeting in Tyne and Wear.

This is one of the remarkable subjects that seems to unite the House. It unites the supporters of Karl Marx and Adam Smith and, in deference to the hon. Member for Berwick-upon-Tweed (Mr. Beith), probably Lloyd George —I do not know the latest guru of the Liberal Democrats.

Just to show that I am a good party man at heart, I should say that, although the hon. Member for Newcastle upon Tyne, East said that he saw ESOPs as a means of workers' control, it is important that he should explain to some of his colleagues that workers may end up in control through a progressive transfer of shares into their hands which, if it happens, is a good thing, but that workers' control, in some sort of socialist sense, should not be the sole justification for employee ownership. It is better to start at 1, 2 or 3 per cent. if that is all that is possible, than to hold out for 51 per cent. I have often found on platforms that that understanding has not spread completely through the Labour party, but I am sure that the hon. Gentleman will continue to spread the gospel of popular capitalism, even if he calls it something else.

I welcome clause 25. It represents satisfaction of one of the most important of the submissions that were made to the Treasury last year when we were considering some of the implications of the introduction of the qualifying ESOP in the Finance Act 1989. I also particularly welcome the 10 per cent. criterion. The Americans have a 30 per cent. criterion, so the Treasury has been excessively generous. I withdraw the word "excessively" as it might set a precedent, but the Treasury has certainly been generous in bringing in the 10 per cent. criterion.

My only worry would be that 10 per cent. is still a substantial number of shares if they all come in one go. One thing that we shall be looking at in Standing Committee is whether it is possible, using only the 1978 Act scheme, for 10 per cent. of a company to pass out to shareholders during the seven-year period, which is one of the qualifying conditions. That is in no way a criticism —it is merely an attempt to ensure that there is a possibility of understanding whether the seven-year rule is sufficient.

Sadly, during the past year there has been difficulty in persuading companies to use the qualifying employee share ownership trust set up in last year's Finance Act. Trusts have been set up under the case law, as the hon. Member for Newcastle upon Tyne, East said, but those of us who believe that this should become a proper system, widely understood, with clear tax provisions, welcome the fact that it is proposed that, under clause 25, the roll-over relief will apply only to transfers of shares into a qualifying

[Mr. Ian Taylor]

share option trust. That seems to make the qualifying route much more popular and is certainly a boost to it in comparison with the case law version.

I want briefly to draw attention to two other points which could transform some of the attitudes of potential appliers of ESOPs because they were not available until recently. The first is the fact that the Companies Act 1989 came into force on 1 April 1990. That was an important provision, giving companies the ability to guarantee the borrowings of an employee benefit trust. That is something which many of us wanted early on, and now that it has come in, I think that it will attract the attention of practitioners.

I was delighted when my hon. Friend the Financial Secretary announced in a written answer on 9 May—at column *123* of *Hansard*—that a clearance procedure was to be introduced, and was under discussion by the Inland Revenue. Tax advisers are used to telephoning the Inland Revenue and obtaining clearance procedures for other financial purposes. Given the complexities of employee share ownership schemes, and the similarity of terms provisions, they felt that such procedures were necessary here.

In many instances, lack of clearance procedure made the case law version more desirable. The matter needed to be tidied up, and I thank my hon. Friend the Financial Secretary for doing that.

I believe that the Treasury could make further gestures to remove some of the cotton wool around the employee share ownership plan. All the hon. Members who have spoken tonight want the ESOP scheme to expand. If it is to expand, companies and their advisers must regard it as a vehicle that is not only a sensible way to spread capital to workers, but something that will not cause horrendous corporate problems. It must be something that firms see as meeting their objectives.

Although I have always favoured the similarity of terms provisions, I have a slight doubt as to whether we should always insist upon it, as it seems to be a disincentive for many firms which cannot decide whether to introduce the schemes. Some firms seem not to believe that running an ESOP with similarity of terms provisions in parallel with the 1984 executive share option scheme is sufficient. To date I have always thought that it was, but there is an increasing volume of evidence to the contrary.

The hon. Member for Newcastle upon Tyne, East raised some good points about part-time workers. Increasingly, they will be an essential part of any labour force, and part-time workers who have a proper contract should be beneficiaries under an employee share ownership plan.

In Committee last year I raised the question of capital gains tax liability within a trust if the trust disburses shares at a higher price than that at which it first bought them that would involve double taxation.

It is interesting that many of the people who advise companies on whether to adopt a qualifying employee share trust—especially those from the Unity Trust bank —are concerned about the trustee clauses, not only in regard to personal liability but because of the complexity of an election among the workers. My hon. Friend the Financial Secretary should consider whether there should be an alternative system. Appointing as trustees one representative each from the work force and management, plus an independent adviser, would simplify matters. That is not an anti-union suggestion—I think that it would find widespread support among Opposition Members.

As for the seven-year period during which shares must be distributed to the individual beneficiaries, I support the requirement to get shares into the hands of individuals as soon as possible. That is an essential part of individual share ownership, which is inherent in the employee share ownership trust principle. We are not moving into an institutional shareholding area. The problem emerges when a substantial number of shares could be obtained by the employee trust. It is then difficult to get them out within the seven-year period if only the 1978 Act is used, particularly if a company wanted to make available one 1978 Act share plus one other share, difficulties would be involved. We may need to consider either extending the period or altering the point at which tax arises when a share is distributed to an employee outside a 1978 Act scheme. Perhaps employees could get some roll-over relief so that they pay tax when they realise a share as opposed to when they receive it.

There is not time to discuss technical matters this evening, but in fairness to the Standing Committee, it was worth while flagging them. The Government have done an excellent job. Industry and practitioners have been flabby and slightly weak-willed about introducing the scheme. I hope that we can now toughen them up. The giving of taxation reliefs only to a qualifying trust should make that much more attractive, and I hope that in the coming months we shall see a fairly rapid and wide rise of employees becoming shareholders through that system. That would be extremely welcome. One of the great objectives of the next 10 years is spreading capital through share ownership. This is one measure in which the Government can justifiably take pride.

Mr. Lilley: We have had an excellent debate with knowledgeable speeches by the hon. Member for Newcastle upon Tyne, East (Mr. Brown) and my hon. Friend the Member for Esher (Mr. Taylor), both of whom have acquired expertise outside the House and, I suspect, from paying more attention to finance debates than I did previously. I have had to make up for lost time in studying this important subject.

It is useful to know that, having said a few words in favour of co-operatives, if I now advocate ESOPs as a vehicle for worker control I can hope to pick up some votes in the Labour party national executive elections, should I be so inclined. I was a little surprised by some of the inquiries of the hon. Member for Newcastle upon Tyne, East, who did not feel it was necessary to have a majority of worker trustees or to transfer a minimum amount to employees. I thought that he might have been making a bid for membership of our Cabinet, so that he and I could pass en route.

The Government have consistently supported and encouraged employee share ownership. Privatisations have always included valuable and widely seized opportunities for employees to obtain shares on very favourable terms and, more generally, we have introduced and extended a wide range of tax relief in 10 out of the last 11 annual Budgets. We estimate that up to March last year, the latest date for which figures are available,

all-employee share schemes resulted in 2 million employees receiving shares or options over shares with an intitial market value of some £5 billion.

Against that background, we introduced our legislation on ESOPs last year. My right hon. Friend explained then the difference between approved employee share schemes and ESOPs, and acknowledged that ESOPs have a particular role to play in the unquoted company sector.

The clauses provide a futher tax relief to encourage the establishment of statutory ESOPs. The relief takes the form of a capital gains tax deferral for sales of shares to ESOPs. The clauses set out the conditions to be met if relief is to be obtained, the nature of the relief and provide for its recovery if the statutory ESOP subsequently ceases to meet the qualifying conditions.

ESOPs involve trusts, set up for the benefit of a company's employees, which invest in the company's shares and then distribute them to its work force.

Following discussions with the main proponents of ESOPs, sections 67 to 74 and schedule 5 of last year's Finance Act provided relief from corporation tax for company contributions to ESOP trusts. Relief is due provided certain conditions are met. They are designed to secure the Government's objectives for ESOPs. First, individual employee share ownership in the companies in which they work should be extended. Secondly, it should be on an all-employee, similar-terms basis. That is valuable, despite the slight wavering of my hon. Friend the Member for Esher. Such ownership should be provided as promptly as possible, and it should be under arrangements that do not lend themselves to the sort of criticism that we have heard of ESOPs abroad, where they can be used for poison pill operations and the like.

9.15 pm

In line with the commitment given by my predecessor during last year's Standing Committee debates, we have kept a close watch on developments, and I have had meetings with those most closely concerned with promoting ESOPs.

The case for giving a further incentive to ESOPs has been strongly put to us, and, consistent with our underlying aim of ensuring individual employee ownership on reasonable terms and within a reasonable time, we have decided to demonstrate our continued commitment to ESOPs by introducing this further relief. We hope that this up-front capital gains tax relief will make the difference in some cases between a company deciding to set up an ESOP or not. We hope that the existence of the relief will persuade owners of shares in unquoted companies to sell them to an ESOP. Comments made since the Budget strengthen our hope that that will be so.

I am grateful to my hon. Friend the Member for Esher and the hon. Member for Newcastle upon Tyne, East for the broad support that they have given to the relief, and I welcome their contributions. My hon. Friend the Member for Esher, who has established a position as probably the leading exponent of ESOPs in the House, welcomed our 10 per cent. rule and remarked that it was more generous than the 30 per cent. rule that obtains in the United States of America. None the less, he wondered whether it might prove higher than necessary. ESOPs will often be concerned with large stakes in the company concerned. They may often rely on borrowings and individual contributions; distributions may, in consequence, take some time. Up to seven years is allowed under the 1989 legislation; a 1·4 per cent. per annum transfer does not seem excessive.

My hon. Friend the Member for Esher correctly remarked that the changes under the Companies Act 1989 have only just come into effect and that they will provide greater stimulus to statutory ESOPs, along with the new incentive. The fact that Companies Act changes have only recently come into force may be why we have not seen much sign of activity in statutory ESOPs. We would not expect to know about them because it takes some time before they come to the notice of the authorities.

My hon. Friend welcomed the clearance procedure that I recently announced. He said that it was under consideration, but it is established and available to those setting up trusts.

My hon. Friend reinforced the inquiry made by the hon. Member for Newcastle upon Tyne, East about the position of part-time workers. ESOPs can distribute to part-time workers as long as they are distributed through an approved all-employee arrangement.

The last point that my hon. Friend the Member for Esher made was about capital gains tax if shares are sold at a higher price than that for which they were acquired. We have received some interest, but not much. Given the freedom of operation available to ESOPs, unlike approved employee share schemes, large amounts could be involved and there would be the risk, if these reliefs were given, of ESOPs being used solely as tax shelters. We are determined that that should not happen. ESOPs should serve only as a means of furthering individual employee share ownership and as a means of producing it without unnecessary delay. To exempt their income and gains would encourage ESOPs to delay for as long as possible the distribution of shares to employees.

The hon. Member for Newcastle upon Tyne, East made constructively comments. He said that, if a company was doing badly, employees would not wish to take up shares via an ESOP and that, if it was doing well, they would not be able to afford to do so. In fact, quite a number of ESOPs are the result of shares being gifted to employees. I am happy to say that all the schemes of which I am aware are in successful companies. They seem to have overcome the obstacles foreseen by the hon. Gentleman.

Perhaps I can spell out a little more clearly the position of part-time employees. The benefits for an ESOP trust could be substantial and, although distributions must be on an all-employee similar terms basis, there is scope for variation, depending on length of service and level of remuneration. It seems right to restrict those benefits to those who make the most substantial contributions to the success of their company. If, however, the ESOP trust operates in conjunction with a profit-sharing scheme trust, where the tax relief is more narrowly confined, part-time employees may still be allowed to benefit, as they frequently are under these schemes.

Mr. Beith: Will the hon. Gentleman settle for the first answer?

Mr. Lilley: The answers are more or less the same. If the hon. Gentleman studies the text, he will find that one answer was more condensed than the other.

The hon. Member for Newcastle upon Tyne, East said that shop floor workers who are trustees bear full liability and that this is a burdensome responsibility. In fact,

[Mr. Lilley]

companies are able to indemnify them against the responsibility. That would ease the burden and help employee trustees to play a full part, which is what we want to happen.

Exclusion of relief for investment companies was tentatively queried by the hon. Member for Newcastle upon Tyne, East. He was right in his suspicion that this restriction has been introduced to prevent tax avoidance. Our contacts with proponents of ESOPs suggest that interest in the new relief is likely to be related essentially to trading companies. If the relief were extended to investment companies, there would be a risk of it being abused for what are really sales and transfers of investments to third parties. I know that the hon. Gentleman would not wish that to happen any more than I do.

The hon. Gentleman made a number of inquiries about drafting matters. Clause 25(5) deals with whether the claimant must obtain consideration—CGT jargon for a sale. Normally gifts already attract CGT deferral under last year's rules for gifts. The hon. Gentleman asked whether under clause 25(7) even a small chargeable event would deny relief. I am afraid that that is the case. Substantial scope for abuse would be opened up if we differentiated between small and large-scale chargeable events. Again, this measure was introduced to prevent tax avoidance.

The hon. Gentleman asked whether relief was confined to all cases where all proceeds were reinvested. No; clause 27(3) extends relief to cases where part is reinvested. I was asked how the provisions would cope in terms of shares gifted to ESOPs. In most cases, gift holdover relief will be available where shares are given to ESOPs and, where it is not, the new relief will be available.

I hope that I have dealt with most of the points raised by the hon. Member for Newcastle upon Tyne, East. If on studying the *Official Report* I find that questions have not been answered or have been inadequately answered, I shall either write to him or take the opportunity in the pleasurable meetings which we are scheduled to hold on Tuesdays and Thursdays henceforth to respond more fully to his points. I am grateful for hon. Members' constructive and knowledgeable contributions to the debate.

Question put and agreed to.

Clause 25, as amended, ordered to stand part of the Bill.

Bill (Clauses 3, 9, 10, 20, 23, 25 and 68), reported, with amendments; to lie upon the Table.

Personal Equity Plans

9.25 pm

Mr. Chris Smith (Islington, South and Finsbury): I beg to move,

That the Personal Equity Plan (Amendment) Regulations 1990 (S.I., 1990, No. 678), dated 20th March 1990, a copy of which was laid before this House on 21st March, be revoked.

We tabled a prayer on these regulations because we thought that it would be useful to discuss some of the issues of anxiety to which the personal equity plan system and the changes proposed in the statutory instrument give rise. We do not intend to divide the House on the matter, but we wish to flag up several issues which give us pause for thought.

Personal equity plans were initially announced in the Budget of March 1986 with a start date in January the following year. At that stage, a limit of £2,400 was placed on the annual investment qualifying for a PEP. Provided that the shares were held for a minimum period of between 12 and 24 months, any capital gains and reinvestment dividends were free of tax. In the 1988 Budget, the annual limit was raised from £2,400 to £3,000. In 1989, the annual limit was raised again, from £3,000 to £4,800. It is worth recalling that the overall increase was well over 50 per cent.

The regulations before us raise that annual limit of £4,800 still further, to £6,000. That is a 25 per cent. increase in one calendar year. The House will note that the successive increases in each of the three years were well over the rate of inflation. The overall increases in the annual limit are extremely generous. Therefore, it was with some surprise that when I looked at the Red Book to see what figure was included for the cost of the changes to personal equity plans this year, I found that the item was marked as carrying a negligible cost.

Given the fairly dramatic increase in take-up of PEPs in the past 12 months, I fail to understand why the cost of a substantial increase in the annual limit can be regarded as negligible. It will lead—admittedly with a time lag of at least a year—to considerable taxation benefits in terms both of capital gains and of income tax on dividends. It would be useful to have some further thoughts from the Financial Secretary about why that estimate has been included in the Red Book.

We have a number of criticisms to make of personal equity plans in general. I should make it clear, as I have done a number of times to many different audiences in the City and elsewhere, that Labour Members will honour the tax treatment of those shares that are included in the PEPs portfolios, and the income from them, when we come to Government.

Our criticisms of PEPs are, first, that they have tended to benefit larger investors, repackaging existing portfolios of shares, rather than encourage new investors to come into the equity market. The Financial Secretary will doubtless recall that when we had an extremely interesting discussion on that precise point about a year ago the then Financial Secretary, now elevated to Chief Secretary, maintained that the take-up of PEPs was being substantially generated by new, small savers, rather than by larger investors.

We did not agree then, and we do not agree now, as experience and logic seem to show that precisely the opposite is the case. That is especially true in logic, because, to take best advantage of a PEP, remembering

that the key advantage lies in capital gains tax relief rather than income tax relief, one has to have already exceeded the £5,000 threshold for capital gains tax purposes. The small-scale saver with a handful of shares will certainly not find himself in that position. Studies carried out by the Institute for Fiscal Studies seem to show that, by and large, PEPs are being used by people with large-scale shareholdings, and the benefits are considerable in those cases.

Secondly, we doubt whether it is wise to have accorded PEPs far more favourable tax treatment than any other sort of saving. When we debated PEPs last year, one matter that I pressed on the Government was the removal of the composite rate tax system for building society interest. I am delighted that the Government actually listened to that, albeit a year later.

We find it odd, however, that PEPs have been given such special treatment within the tax system, even after the additional boost to savings of a number of different kinds that the Finance Bill and Budget have provided. For example, the increase in the annual limit for PEPs has gone up by well over 100 per cent. in two years. That is in contrast with the treatment in the Finance Bill of the tax-exempt limit for friendly societies, which we shall be discussing soon in Standing Committee. The increase in that limit has been from £100 to £150—an overall increase of 50 per cent., and the last increase was five years ago. The contrast becomes absolutely clear—a more than 100 per cent. increase in the overall limit for PEPs over three years, but a figure of 50 per cent. over five years for friendly societies. We do not regard that as even-handed.

Thirdly, we believe that PEPs by and large serve in the equity markets merely to recycle existing equities. Of course there is a place in the economy for such recycling, but do we really want to give such generous tax treatment to encourage it? On the whole, PEPs do not encourage or facilitate the creation of new wealth or enterprise—they encourage people to continue making profits out of existing wealth and enterprise.

Mr. Gerald Bermingham (St. Helens, South): Does my hon. Friend agree that, if PEPs were structured so as to include employee shareholders within companies, that might be a way of encouraging employees of companies to take, by way of bonus or other dividend, shares within the company for which they work, thus giving them greater involvement within the company?

Mr. Smith: I do not think that my hon. Friend was present for our last debate, when my hon. Friend the Member for Newcastle upon Tyne, East (Mr. Brown) set out in extremely learned and expert fashion the constructive view that we take of employee share ownership trusts. In our view, they are perhaps a more appropriate and useful vehicle for encouraging share-owning participation by workers in their companies than the sort of scheme that my hon. Friend has in mind.

Nevertheless, I would point out to my hon. Friend, for whom I have great respect, that his idea is an important one. We should certainly want to examine ways of using the tax system to encourage new enterprise and business in our economy, but I fear that PEPs are a very badly targeted vehicle for achieving that end. That is why we have doubts about the precise benefits that PEPs, with their enormous tax advantages, can bring.

The statutory instrument has two major defects, the first of which—the rise in the annual limit from £4,800 to £6,000—I have already mentioned briefly. There is a danger that that substantial increase may render nugatory all the other changes to improve savings of other sorts that the Chancellor is making in the Finance Bill. If we advance the case in the tax system for PEPs by a much greater amount than the case for other forms of saving, other forms of personal saving are not necessarily thereby improved.

Our second and more important criticism of the order relates to regulation 7, which reduces to 50 per cent. the value of investments that must be held by unit trusts, funds of funds and investment trusts in United Kingdom companies. In other words, regulation 7 makes it easier for holders of PEPs, by means of various trusts and funds of funds, to hold their investments abroad instead of in this country.

The issue arose briefly during our discussions a year ago. At that time, the then Financial Secretary to the Treasury, now the Chief Secretary and presumably one of the authors of the document before us, said:

"we thought it only right to require that unit and investment trusts should invest mostly in United Kingdom equities."—[*Official Report*, 10 May 1989; Vol. 152, c. 951.]

We agree with that, but we now find a year later that the Government are placing before the House an order which reduces that requirement to 50 per cent. Tax relief should not be generously available on income derived from investments up to 50 per cent. of which can be held abroad.

Government policy should be not just about encouraging saving but about encouraging investment in Britain. The change in regulation 7 goes completely in the wrong direction. That is a grave error and we hope that the Government will have second thoughts. Despite our criticisms of PEPs as a whole, we think that the system should be used as far as possible to encourage investment in United Kingdom equities. Providing tax advantages and tax relief to facilitate investment abroad is not one of the priorities for which we want to see the tax system used.

9.42 pm

Mr. A. J. Beith (Berwick-upon-Tweed): I was reassured to hear that the hon. Member for Islington, South and Finsbury (Mr. Smith) does not wish to divide the House this year. He divided the House and voted against the PEP scheme in the equivalent debate last year. That could be a milestone on the long road that the Labour party is taking towards popular capitalism, but we must not get too excited. Perhaps some of the hon. Gentleman's comments gave a rather different impression.

The Minister knows that I have been a critic of the PEP scheme from the start, not because I disagree with its objectives but because I do not think that it went far enough to meet them and in particular it did not go far enough to meet the objectives of extending share ownership to the largest possible number of people. That remains my criticism of the scheme and that is why I shall suggest further changes that should be made to it.

Before the Budget we outlined a series of measures designed to boost savings, and widen savings and share ownership. I am pleased to say that the Government have moved on some of our suggestions. The first of the three key elements that we suggest now, just as we did last year, is the abolition of composite rate tax on building society and bank accounts. I am pleased that the Government

[Mr. A. J. Beith]

propose to do that in a year. The second is the extending of PEPs to bank and building society accounts, which to a large extent is met by the TESSA scheme. Our third measure is the creation of an alternative PEP scheme for people who are not liable to capital gains tax. The Government have not adopted that suggestion and have not yet addressed the issue.

The only major benefit of a PEP scheme is the capital gains tax relief that it provides. By definition, the vast majority of people whom one might wish to encourage to take out a PEP as an objective of widening share ownership have no capital gains tax liability at all. The people who are most likely to benefit from the present scheme are those who have already used up their considerable capital gains tax relief and must therefore possess a fairly substantial portfolio of shares in any case.

If the scheme is to be widened, it must contain reliefs that make it attractive to people who do not have any capital gains tax liability and are first-time share buyers or people who may at the moment own shares in one or two privatised companies, or perhaps in three such companies, and whose total portfolio is only £1,000. They will have no capital gains tax to pay, so they are a long way from needing such relief. Therefore, there must be some other form of relief. They get relief on dividends, but we know that that is small, and less than they would get if they had the same money in a bank or building society, as the divident income would be less than that from a bank deposit.

Our proposal was that there should be an alternative PEP scheme giving front-ended income tax relief on the money deposited in the scheme, but that nobody should be allowed to have both types of scheme. That would mean, if one was offering it to large numbers of people who have no or only a few shares, the opportunity of a real and encouraging tax relief. If the Government are serious about widening share ownership by means other than employee share ownership plans, they must widen the scheme in such a way. That is easily the most promising route to take if the PEP scheme is to fulfil the purposes for which it was originally set up.

The hon. Member for Hackney, North and Stoke Newington (Ms. Abbott), who serves on the Select Committee on the Treasury and Civil Service, referred to the exchanges in the evidence sessions of that Committee about whether this was a Budget to increase savings. The Chancellor was careful in his choice of words when questioned on the subject. He said that it was not a Budget for savings but a Budget for savers. In other words, it gave certain advantages to those who chose to save. He held out no hope that it would greatly extend or increase the amount of saving in the economy. Many people agree. I hope that there will be some increase.

A different social purpose would be achieved by widening the number of people who save, even if that did not increase greatly the savings ratio. It is socially desirable that more people should be encouraged to save and develop the habit of saving and that ownership of industry should be much wider. Therefore, the Government have missed the boat in not developing PEP in the way that I have suggested. That does not lead me to resist the changes that they are making this year, some of which will prove useful.

The hon. Member for Islington, South and Finsbury referred to a point that came up both last year and this year, which is about what was last year the 75 per cent. rule, which will become this year the 50 per cent. rule, on the amount of investments by a trust that can be made overseas. That presents a problem to the Government. It appears to me to be a breach of the Prime Minister's Madrid conditions for entering the exchange rate mechanism. It is a restriction on capital movements of the sort that she told all other European Countries they must get rid of before Britain would join the ERM.

That point was emphasised and repeated by Lord Joseph in an article in the *Financial Times*, I think today. The Government had better produce an answer on that. This year, they have reduced the restriction from 75 to 50 per cent. but that restriction is still inconsistent with the principle of the single market and free movement of capital. The Government may say that it is a bargaining counter and that when other countries remove their restrictions we shall remove ours.

The widening of savings and share ownership is desirable. I shall support the Government's improvement of PEP but I wish that they would go much further.

9.48 pm

Mr. Gerald Bermingham (St. Helens, South): When I intervened in the speech of my hon. Friend the Member for Islington, South and Finsbury (Mr. Smith), I received the reply that my point had been partly dealt with in an earlier debate. I also received the assurance that my party is beginning to think along the lines of what is best for the capital market and the investment market. I suppose that I should declare a disappointed interest in PEP in that, in 1988, I bought into a scheme. It must be about the only one that ever lost money, and it managed to do so faster than the stock market was going down. I became a little disillusioned.

I have watched the limit rise from £3,000 to £4,800 and now to £6,000 and I have listened to what has been said about capital gains tax allowances. All the time one asks oneself, "What is the Treasury playing at?" We have PEPs, which have nil capital gains tax as long as one remains within their terms. In the old days there would be part unit trusts and part shares in the capital market. There had to be management, of course, and a great deal of money was made managing. Managers are now trying to reduce their charges and are becoming terribly competitive. The Government are allowing the unit trust element to fall to 50 per cent., and that means that 50 per cent. of the unit trust element will be invested abroad. More capital is leaving the country, and one begins to wonder what the Government are playing at.

The Government introduced similar schemes that were capital gains tax-free provided that they were held for long enough. Again, what are the Government playing at? Are they in favour of CGT or are they not? They are encouraging people to find schemes whereby they avoid CGT. If I had been sitting on the Government Benches last year listening to the Budget statement, I should have blown my top trying to think, as Conservative Members should, what the Government were doing. Effectively, they increased CGT by 33 per cent. They took it from 30 per cent. to 40 per cent. That was done by a Government who are meant to be interested in capital. There are schemes to avoid CGT, the Government have increased the rate of

CGT and at the same time they are driving industry towards considering shareholdings from an income-providing point of view, not from the standpoint of capital growth. That means that companies have to pay a dividend, so capital flow is reduced. Companies have to borrow from the banks, which are doing rather nicely with a current borrowing rate of about 18 per cent. That is doing nothing to help industry.

My remarks are not Labour party policy and I may have to answer for some of them later, but be that as it may. If we try to apply a purely logical mind to capital investment in industry, we must ask whether we are to encourage investment for capital growth or income return. If people want income return, the obvious answer is to encourage them to invest in building societies, for example. The Japanese do things extremely well if a capital return is required. They encourage investment in companies with a view to capital growth. They do not discourage that by having the majority of investment taxed at 40 per cent., which is the income tax rate in any event. We do not encourage the small investor by taxing him because he invests in a single investment whereas if he goes to a managed fund he may well escape CGT.

If we encourage people to invest for capital growth by, for example, coupling the investment with a provision that states that if dividend is reinvested it will not be subject to taxation, there is a logical approach to be perceived. It is a fairly rational idea that is employed elsewhere. It stops companies distributing moneys, it allows reinvestment in the company and at the same time it means that companies do not have to borrow. With that approach I can understand people being encouraged to invest.

By and large, the small investor does not invest for income. He puts money away for a rainy day, and sometimes for the children. Sometimes he is making provision for something that will confront him in five or 10 years' time. If he realises that he will not pay tax on capital growth, there will be a considerable incentive for him to invest.

I appreciate that the fund managers will say, "If the pension funds find that there is no such thing as capital gains tax any more and there is only capital growth, not income growth, how are pensions to be paid?" I understand the argument, but logic tells me that the managers will dispose of some of their shareholdings from time to time. That might make the market move around a little.

At the end of the day, what is the logic of PEPs? Either we believe in capital gains tax or we do not. Perhaps the Minister will care to answer my question: do the Government believe in capital investment, or do they not? Do they believe in capital gains tax? If they do, why should two schemes be exempt from capital gains tax provided that they are held for long enough? If there is to be capital gains tax, let it be upon every gain.

If the Government do not believe in capital gains tax, they should have the courage to say so. Their action last year in raising it from 30 per cent. to 40 per cent. shows little sense if they do not believe in it, and they should abolish it. The market could then reconsider the value of capital growth as opposed to income growth. The Government must not play around. They should not use the idea of investment abroad together with an increase in the percentages because that encourages capital outflow rather than capital inflow and investment in Britain. The Government should come clean. It is either one or the other.

I am interested to know where the Government stand. The next general election cannot be too far away, and I am interested in what the Government propose thereafter. Will Britain become just an offshore island of Europe, or will we once again encourage investment in British industry? Will we encourage British industry to expand? Will we encourage fund managers to invest in British industry rather than abroad?

I hope that the Minister will give us a clue about the direction of his thoughts. If he is not thinking, and if his Department is not thinking, but simply dealing with each issue as and when it arises, please say so. At least that would be an honest answer and the House is entitled to know.

9.56 pm

The Financial Secretary to the Treasury (Mr. Peter Lilley): I thank the Opposition for providing an opportunity once again to debate personal equity plans, which are a tremendous Government success story. The success of our policies is evident in the figures from the latest stock exchange share ownership survey published at the time of the Budget. About 11 million people, or one adult in every four, now owns shares, compared with one in 14 in 1979. Share ownership is widely spread—two thirds of share owners are outside the ranks of professionals and managers and 60 per cent. are outside the south-east.

The Government remain committed to widening and deepening share ownership, building on the remarkable achievements to date, and PEPs are playing their full part in that. The effect of the measures that we have introduced to improve the attractiveness of PEPs is shown in the figures that I gave the House on 23 February. They showed that, by 31 December 1989, the number of plan managers had risen to 340 compared with 180 a year earlier. Some 300,000 plans were taken out in 1989 and the total amount contributed to PEPs has risen to £1·5 billion, not counting investment growth.

I am pleased to give the House the latest provisional figures for 5 April this year. In 1989-90, 400,000 plans were taken out and £1,200 million invested, both figures setting new records for PEPs. That brings the total number of plans taken out since PEPs started to nearly 850,000, and the total invested—ignoring investment growth—to almost £2 billion. Those figures do not reflect the impact of the changes that we announced in this year's Budget, which were implemented in the regulations that we are debating today.

In the Budget, my right hon. Friend the Chancellor made four significant further improvements to personal equity plans. First, the overall annual limit on annual investment goes up from £4,800 to £6,000. Secondly, the limit on qualifying unit and investment trusts rises from £2,400 to £3,000. Thirdly, the rule for qualifying unit and investment trusts is relaxed—they now need to hold at least 50 per cent. rather than 75 per cent. of their portfolio in United Kingdom ordinary shares. Fourthly, the amount which can be invested in unit and investment trusts not meeting that requirement goes up from £750 to £900.

Those measures are an important component of my right hon. Friend's Budget for savers. They will increase

[Mr. Peter Lilley]

the amount that individuals can save, increase incentive for managers to market schemes, and remove obstacles facing investment trusts.

Those four changes are the meat of the regulations before us, but the regulations also sweep up some technical relaxations and clarifications which we announced last year. For example, regulation 6(1) clarifies the market value rule in the light of comments made by the Select Committee on Statutory Instruments last year. All in all, the effect of the changes in the regulations should be to make PEPs still more attractive. I look forward to an even more successful year than the last.

The hon. Member for Islington, South and Finsbury (Mr. Smith) asked why the cost of the relief is negligible, given the excellent take-up to which I have referred.

It being Ten o'clock, the debate stood adjourned.

Ordered,

That, at this day's sitting, the Motion in the name of Mr. Neil Kinnock relating to Income Tax may be proceeded with, though opposed, until half-past Eleven o'clock or until the end of a period of one and a half hours after it has been entered upon, whichever is the later—*[Mr. Nicholas Baker.]*

Question again proposed.

Mr. Lilley: The cost of the relief is simply the cost of tax forgone on capital gains made within the plans and on dividends paid into them. It is thus not a relief on the total amount of money put in. It only builds up over time. Often there will not be any gain that would have been taxed until the gain exceeds £5,000. In any case, most gains may not have been realised until later, so it is a long-term cost in terms of tax forgone. It builds up over time—hence the negligible figure.

Mr. Chris Smith: Am I right in thinking, therefore, that a cost is anticipated to the Exchequer in, say, three or four years but not in 12 months' time? If so, has the Treasury any idea of the likely cost?

Mr. Lilley: The hon. Gentleman is correct—the cost will build up in future. It may still be fairly small in the short time scale. I will let him know whether we have any estimates about how rapidly it will build up and whether I can give him any figures in our planning timetable.

The hon. Gentleman said that the relief has benefited larger investors, particularly those repackaging portfolios, and not the new investor. Last year the average amount committed to PEPs was only £3,000, whereas people could have invested £4,800 in a new plan or, because of a change in the regulations during the year, a total of £7,800. That suggests that the PEP is not just being used by people transferring a slug of a large existing portfolio each year into a plan to take advantage of the relief. Quite a few people are putting aside the amount that they can afford to save.

As for new investors, we have no direct information on what proportion of those taking out plans had not previously invested in equities. The hon. Gentleman referred to the survey by the Institute of Fiscal Studies, which suggested that one third of new plans were taken up by people who had had no equities before. If so, that is very encouraging news, especially as that would not include those who had privatised shares before. If we manage to increase by one third the total number of shareholders through the battery of measures that we are introducing, that will be a major achievement which will be welcomed by my hon. Friends. We have already trebled the number of shareholders. A further increase would be a major gain.

The suggestion was made that PEPs get a bigger tax advantage than any other form of saving. That is not the case. The tax relief on PEPs is arithmetically equivalent to relief given on pensions. Indeed, the hon. Member for Berwick-upon-Tweed (Mr. Beith) proposed that, since the relief is no great advantage to those who have unused capital gains tax relief of £5,000, who are not making similar gains within PEPs, or who for other reasons are not getting a tax advantage, we should introduce front-ended relief.

I assure the hon. Member that front-ended relief, so long as one pays tax when one takes out money from a PEP, is arithmetically equivalent to relief given on PEPs but involves more regulatory problems because people try to use it as a tax avoidance device. Therefore, he would not achieve anything by going down that route that we do not achieve by the PEPs scheme. I think that that is the case —I am always hesitant at this time of night, and it took me a long time to convince a lot of people that that was true.

The hon. Member for Islington, South and Finsbury contrasted the present PEPs rules with those for friendly societies. I agree that we have uprated the special tax privilege for friendly societies by only 50 per cent., to £150, but we also introduced a Green Paper stating that friendly societies will be allowed to handle PEPs, so they will be able to take full advantage of PEP relief.

Mr. Chris Smith: The Financial Secretary referred to the Green Paper on friendly societies. He will recall that last year, when he was Economic Secretary to the Treasury, we pressed hard for an anticipated date for the proposals contained in the Green Paper to be brought before the House. Can he give us a date now?

Mr. Lilley: I regret that I cannot give a specific date, but we have made progress by issuing a Green Paper and the matter is moving in the direction that the hon. Gentleman would wish. The nods and winks that I gave then about the timing of such a procedure are still valid. My hon. Friend the Economic Secretary has fingertip control of the whole legislative procedure.

My predecessor was quoted as saying that it was only right that most of the PEPs relief should be available for investment in United Kingdom equities. The hon. Member for Islington, South and Finsbury criticised the reduction in the requirement for qualifying investment trusts from 75 per cent. to 50 per cent. In practice, investment trusts will have to maintain more than 50 per cent. on average to avoid falling below the amount when they make changes in their portfolios. Therefore, the requirement for investment to be mainly in United Kingdom equities will in effect be maintained, and the average will be above 50 per cent.

Investment trusts told us that they found it difficult to be sure of meeting the 75 per cent. limit which previously obtained. Most trusts are not tailored exclusively for PEPs. Therefore, they have to have portfolios with attractions for people who do not have PEPs. A number of trusts run saving schemes which are desirable and can be matched with PEPs—people put a regular amount of money into a PEP. It is desirable to harness an investment trust behind a PEP. Therefore, we thought it right on balance to make such changes.

The hon. Member for Berwick-upon-Tweed asked whether we were being sufficiently Euro-fanatical and whether we were meeting the Madrid criteria. That is a de minimis matter. The absolute bar and restrictions which operate in certain areas of the investment and savings industry on the continent constitute a more substantial restriction on the flow of funds. The noble Lord Joseph made the same point in his article, to which the hon. Member for Berwick-upon-Tweed referred.

I hope that I have covered most of the issues raised in the debate. I shall not detain the House longer at this late hour.

Mr. Bermingham: Like the beggar who comes to the club of professionals and asks the question to which he never gets an answer, I wonder whether the Financial Secretary will be kind enough to answer a simple question. Are he and the Government committed to retaining or to getting rid of capital gains tax?

Mr. Lilley: I apologise to the hon. Gentleman for not responding to the question that he elaborated in his speech. We have no current plans to get rid of capital gains tax. We reformed it in the 1988 Budget, aligning the capital gains tax rate with income tax. For the majority of people, that had the effect of reducing the capital gains tax rate that they faced—previously it was 30 per cent. and now it is 25 per cent. It may come as a surprise to hon. Members to learn that the majority of people in Britain pay tax at the basic rate—rather than at the higher rate, as most hon. Members do—but that is the case and the majority of those paying capital gains tax are basic rate payers, not higher rate payers. The higher rate payers pay large amounts of capital gains tax. The Treasury is happy to relieve them of those sums and has good use to put them to.

Question put and negatived.

DEFENCE

Ordered,

That Mr. Dick Douglas be discharged from the Defence Committee and Mr. John Home Robertson be added to the Committee.—*[Mr. Ray Powell, on behalf of the Committee of Selection.]*

ENVIRONMENT

Ordered,

That Mr. George Howarth be discharged from the Environment Committee and Dr. Kim Howells be added to the Committee.—*[Mr. Ray Powell, on behalf of the Committee of Selection.]*

North Tayside (Flooding)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Kenneth Carlisle.]*

10.10 pm

Mr. Bill Walker (Tayside, North): On Sunday night of 4 February and on Monday 5 February the River Tay burst its banks in a number of places and severe flooding occurred on a scale not previously experienced this century. That was hardly surprising because on 3 February the River Tay was already flowing at record levels—three times the normal February levels.

Following weeks of precipitation and with the ground saturation at record levels, the intense rainfall and the melting snow of 4 and 5 February produced a massive run-off of water from the catchments of the central and southern highlands, all of which went into loch and river systems which were already well above their normal levels for the time of year.

I remind my hon. Friend the Minister that the River Tay, the longest river, has a flow of water far greater than any other United Kingdom river. Evidence from the Tay river purification board shows that the River Tummel had a flow going through the Pitlochry dam which was the largest ever recorded. That flow reached its peak of 90 cumecs at 1.30 am on 5 February, the Hydro Board reported that about 75 per cent. of that flow originated in the River Garry catchment. The board has no control of flows in the River Garry.

On the River Tay at Grandtully the peak flow of 683 cumecs was reached at 3 am on 5 February. Below Logierait the combined rivers of the Tay, Tummel and Garry produced an immense volume of water—about 1,500-plus cumecs.

The railway line was subjected to all the force of that immense volume of water and, not surprisingly, the line was washed away, as was much of the top soil in the adjacent farms. At least five breaches occurred in that area and a huge washout hole was created.

Two tenanted farms are facing a bill of £32,000 just to clear the fields of sand and stone, and that does not include repairs to flood banks. At other farms and private dwellings in the area the damage to the flood banks and the environment was substantial.

It is essential that an independent hydraulic inquiry be set up, particularly to look into the main causes of the flooding and to get rid of some of the myths that have been circulating about who is to blame.

Afforestation and the Hydro Board are frequently given as the cause. Unless the truth is ascertained, those accusations—the myths—may just stick. In the area of the Dalguise railway viaduct, and downstream of Caputh, the damage calls for a report to define where future flood waters should go.

If the banks of the River Tay had not been breached in those and other areas, Perth city centre would have been flooded. The new flood warning scheme proposed by the Tay river purification board is to be welcomed, as is the Government's support for the scheme. However, warnings or not, the flood water must go somewhere, and only an in-depth hydraulic inquiry can produce viable proposals about where future flood waters should go. The people of Perthshire are looking to the Government to restore the environment and to provide sensible, viable solutions to the risks that a similar future flood may bring.

[Mr. Bill Walker]

The Victoria bridge at Caputh was subjected to massive pressure when the river flow reached its peak of more than 1,700 cumecs at 7.15 am on Monday 5 February. My hon. Friend the Minister will be aware that I have a meeting arranged with him for Friday morning when I shall lead a delegation from the Tayside region to talk about the bridge.

In the area below Caputh, major breaches in the flood banks occurred. That was before the peak flow at about 3 am. A large area of land in the vicinity of Spittalfield, Meikleour, Kercock and Braecock was flooded to a considerable depth. A new river course was created in the area, and topsoil was washed away up to a depth of between 10 and 12 ft. Raspberry Fields vanished, and a new deep loch was created between Braecock and Meikleour. The village of Spittalfield was within inches of being completely flooded. The new loch probably saved Perth city centre from severe flooding. It delayed the peak measurement of 1,750 cumecs downstream at Ballathie. That was the greatest flow recorded at Ballathie since the station was opened in 1953.

Throughout the upper Tay system and down to Ballathie, the flood of 4 and 5 February 1990 surpassed any previously recorded in the gauging station's records. Expensive new bungalows at Little Dunkeld were flooded to a depth of 10 to 12 ft. Many old Victorian buildings were flooded for the first time. The police and emergency services performed magnificently. A pregnant woman was lifted by helicopter from the Delvine estate and taken to hospital; cattle were also airlifted out by helicopter. I was astonished that none of that was reported in the national news.

Many individuals and livestock were rescued by boat, and the Glenlyon road was washed away, as was the railway line north of Dunkeld, and the village of Dalguise was flooded. The Tay river purification board, the National Farmers Union and the Scottish Office all responded quickly and positively. A Scottish Office Minister—the noble Lord Sanderson—and I made an early visit to the area.

I wish to pay special thanks to the Tayside police, who did a magnificent job. However, sadly, the Tayside regional council, which is responsible for emergency planning and which was requested by Lord Sanderson to call a meeting to discuss the problem, has still not held the meeting, although more than two months have elapsed since the floods. In my view, because the floods and environmental damage were in rural Perthshire, the Labour administration of the Tayside region was not bothered, and is still not bothered. It is clear that it does not care. It would have been different had the floods been in Dundee, and of course it is just possible that they could have been in Dundee if they had not been in my constituency.

The standards and specifications laid down by the SDD for river flood bank repairs are unrealistic. The use of clay-based material for the repair of banks involves the transport of the clay from a long distance away as there is no local adequate source. Transport costs make that requirement unrealistic. The repair also has to be fully turfed and finally netted, all of which makes the cost of repair considerable. Consequently, many farmers and landowners have decided to replace their respective flood banks in the former traditional manner which the Department used when much of the flooded farmland was in its ownership. Consequently, because the farmers and landowners are pursuing that course, the claims for grant aid will not be made. That is not satisfactory. It cannot be what my noble Friend the Minister of State envisaged or intended when he announced that he was instructing his officials to be flexible and helpful. That all makes nonsense of the Government's wish to be seen to be acting positively and sympathetically towards the victims of the flood.

As the Department has made no contact with Perth college and its advisers, John Dakers and Alex Taylor, who regularly give advice to farmers and landowners on such matters as flood banks, it appears that the Government's good intentions are being frustrated by their own officials, who made a very bad impression at the meeting called by the Perth National Farmers Union on 10 February in Birnam.

It is essential that the Government look urgently at means of restoring the environmental damage. It is right that we should restore damage created by man, whether by coal mines, old steel works or any other form of environmental damage. We should also restore environmental damage caused by nature. I hope that the Government will join me in pressing the EEC to allocate funds for that project and will be prepared to put up adequate funds to restore the badly damaged areas which will require huge quantities of top soil and adequate flood barriers.

I remind my hon. Friend that the banks are not looking kindly on requests for loans to restore the land to its original state. I shall let my hon. Friend have details of the likely cost of the environmental restoration.

I recommend that no new bailey bridge should be erected over the River Tay, for extracting pyrites or other purposes, until the independent hydrology report has been presented. Until we know what caused the flood and the damage, it would be unwise to erect any structure across the Tay. My hon. Friend will be aware that the Tay was washed away during the floods.

I also recommend that a single body be made responsible for flood prevention schemes throughout the river and that the Tayside region be instructed to act positively and constructively and be required to operate with Tay river purification board, which did such a splendid job. I recommend the chief executive and the chairman for the positive and responsible way in which they acted. The council should be instructed to co-operate with the Hydro Board, the NFU committee established to watch over the river and with British Rail, all of which have an interest in what has happened. An urgent review should be made of the demands being made by SDD officials before grants are awarded for river flood bank repairs.

This has been a serious and traumatic experience for many of my constituents, and we are grateful and thankful for the Government's positive and quick response. I hope that they will not now be frustrated by the actions of their own officials and by the inaction of Tayside regional council.

10.24 pm

The Parliamentary Under-Secretary of State for Scotland (Lord James Douglas-Hamilton): I am glad to respond to my hon. Friend the Member for Tayside,

North (Mr. Walker) and I congratulate him warmly on having secured this debate on the Adjournment on behalf of his constituents.

I join my hon. Friend in paying tribute to the emergency services, which acted speedily. There was considerable damage. For example, the village of Spittalfield, being one of two main outflows from a large flood bank breach at Braecock farm, Caputh, appeared to be threatened by a cross-country torrent of flood water. After an emergency meeting of interested parties at Spittalfield on 7 February, Tayside roads department deposited a considerable amount of material at Braecock, which successfully diverted the Spittalfield flood flow into the other main flood channel.

I assure my hon. Friend that the Government have every sympathy for those affected by the flooding early in February. I know that rivers burst their channels with much force and quickly inundated large tracts of land. My hon. Friend knows that my colleagues and I have kept closely in touch with what is happening about the flooding in north Tayside and elsewhere. Not only have we had regular and frequent reports from our officials, but the Minister of State visited the worst affected areas in the immediate aftermath of the floods in the company of my hon. Friend to see the damage at first hand and to talk to councillors, farmers and local residents about the problems confronting them in restoring things to normal.

Scottish Office officials have been active in the area and have maintained contact with Tayside regional council, the National Farmers Union for Scotland and individual farmers. My hon. Friend has written on behalf of many of his constituents. From all those wide-ranging contacts, we have been kept well informed of the losses and damage suffered by the people in north Tayside, and by the farming community in particular.

Without doubt, the rainfall and river levels experienced in February and March were quite exceptional. The most important thing that can be done for farm land is to ensure that flood defences are restored to good order to prevent further damage. For that reason, the Scottish Office moved swiftly to make special assistance available for the repair of elevated farm flood banks. For a temporary period, grant rates are being increased to 75 per cent. in less favoured areas and 60 per cent. elsewhere, from the normal rates of 50 per cent. and 40 per cent. respectively. Those are the same arrangements as were made last year, which proved effective in securing comprehensive, good quality repairs. The prompt announcement of those special arrangements was widely welcomed. If taken up in full, the total amount of grant will be some £600,000 in Scotland; I announce that figure for the first time.

My hon. Friend will be interested to know that 29 applications from his constituency have been made for approval of proposed repair work to damaged flood banks. Engineering specifications have been provided by specialists in the Scottish Office in almost all those cases, enabling the farmers concerned to obtain estimates from the contractors.

There is also assistance for the non-agricultural sector. The scheme of financial assistance to local authorities—the Bellwin scheme—was triggered by my right hon. and learned Friend the Secretary of State on 8 February. It has been reviewed because of the abolition of domestic rates and their replacement by the community charge on 1 April. The main change is that the threshold above which grant will be paid is now expressed as a flat rate per community charge payer, and in all cases this results in lower thresholds than before. The level of grant above the threshold is also increased from 75 per cent. to 85 per cent. Claims are still awaited from local authorities, which have until 31 July to make their applications. The Scottish Office has recently sent out a circular to local authorities which brings together the various sources of central Government funding available to offset expenditure arising from an emergency.

I am glad to confirm that the Scottish Office has endorsed proposals by the Tay river purification board to install a flood warning system and has adjusted the board's borrowing consent to permit the necessary expenditure to be incurred this year. I feel sure that the board will welcome that.

My hon. Friend has correctly focused on the need for a co-ordinated approach to water management problems in Tayside. It is true that the number of interests is large and, individually, their views may not always be compatible. My hon. Friend has called for a public inquiry. I entirely agree with him on the point of principle. We need to look beyond individual cases and beyond immediate questions of repair and restoration. If we thought that a public inquiry was the right way to look into those wider issues, we should hold one, but there is a mechanism to hand which we think is more appropriate.

Under the Flood Prevention (Scotland) Act 1961, Tayside regional council is the flood prevention authority for non-agricultural land. It also has powers under local government legislation to take measures to safeguard life and property and to incur expenditure where an emergency or disaster threatens or has occurred. Accordingly, my noble Friend the Minister of State suggested to Tayside regional council that it was best placed to invite parties to meet to identify the various viewpoints, to discuss how problems should be addressed and, no doubt, to form a working group. I am sure this is the correct way forward. It follows the pattern set in the Highland region following flooding last year, and I am confident that it will achieve my hon. Friend's objective.

The council has agreed to do this and has already said that an independent study by experts in hydrology—my hon. Friend called for such a study—should be commissioned to examine the feasibility of river management measures for flood alleviation. The council has asked for assistance towards the cost of such a study and my noble Friend the Minister of State will write to the council soon with an offer of a financial contribution up to a maximum of £10,000.

I should like to turn to some of the specific issues which have arisen. I am well aware that there was a quite prolonged period when wet ground and high river levels prevented heavy plant and machinery from gaining access to the floodbank breaches. Working conditions have improved dramatically in the past few weeks and I would urge farmers to press ahead with repairs and to take advantage of the enhanced grants. Other assistance is also available which would be of help to farmers suffering from the after-effects of the flood. Arterial drainage grants provide help with restoring eroded river banks or clearing blocked drainage ditches, and the European Community element of the farm and conservation grant scheme provides assistance towards replacing fences and the reseeding of grassland.

We have helped in a variety of other ways, too. Officials have been instructed to operate the grant schemes and

[Lord James Douglas-Hamilton]

other schemes with the maximum flexibility that the rules will allow. Farmers who are already following fixed plans will be given greater freedom than is usual to change these so as to take account of flood damage. Farmers who wish to enter the set-aside scheme but who had missed the application deadline are being allowed to make late applications.

I well understand the anxiety of some farmers who think that the deadline of 31 August for floodbank claims is too tight and that the engineering specifications are too demanding. On the first of these, it is essential to establish the repairs so that they can resist erosion when high waters next return, which could be as soon as September with the Tay. As to the standards required, my hon. Friend must recognise that these must be closely related to the threat of attack by flood water, which will vary from place to place. It could jeopardise investment if standards were insufficient for the purpose. My hon. Friend will wish to note—I emphasise this point because he was concerned about it—that officials of the Scottish Office would be happy to discuss individual cases on their merits with farmers. The officials gave me that undertaking.

I am very much aware that floodbank grants of 75 per cent. or 60 per cent. still leave individuals to find the remainder. Since floodbank repairs are costly, some may find difficulty raising their share, but I cannot agree that the Government contribution should be raised to 100 per cent. as has been suggested. For the Government to do that would be to take over responsibility for protecting private property. Responsibility for agricultural land lies with riparian landowners, and it is right and proper that they should contribute on an individual basis. As I have already pointed out, the same arrangements were effective elsewhere last year and it would be most unfair to the other farmers to make a further exception now.

We have also looked at the costs of land restoration. They can be, as my hon. Friend knows from estimates that he has seen, nearly £40,000 per acre. Prime agricultural land in north Tayside is valued at about £1,000 per acre. Restoration at those prices would not be a good investment for a landowner, or the taxpayer, on cost-benefit grounds.

My hon. Friend referred to the damage to agricultural land and called for assistance, on environmental grounds, for its restoration. However, the latest reports that I have had suggest that even the worst-hit farms made a remarkable recovery in the favourable weather of April and early May. Cropping has resumed in all but isolated pockets on individual farms. I have to say that this is a tribute to the skill, hard work and dedication of the farmers who are my hon. Friend's constituents in the area. In some cases, the deposit of silt will actually provide a fertility bonus in the longer term.

However, in one or two cases, areas were totally scoured out, or cut off so dramatically that they can no longer serve any useful agricultural purpose. Some areas may have to be written off. Land restoration is excluded from the farm and conservation grant scheme. To qualify for the environmentally sensitive areas scheme, land must be within an area specially designated for the purpose. The seriously damaged cases in question are not in such a designated area. The Nature Conservancy Council and the Countryside Commission for Scotland, which have small grant budgets in any case, could not apply their funds for the purpose of restoring agricultural production.

Mr. John Home Robertson (East Lothian): Will the Minister give way?

Lord James Douglas-Hamilton: No. I have a great deal to say in the two minutes that remain.

The Scottish Development Agency's arrangements for derelict land are for the purpose of recovery from industrial dereliction created by man. There are no powers, therefore, which would clearly apply for the purpose of restoring these areas of land.

The hope has been expressed that assistance might be obtained from EC funds. The provisions of EC regulation 4256/88, which governs assistance from the Community's agriculture funds to help areas recover agricultural production after a natural disaster, do not apply to north Tayside. It does not fall within the specially designated areas which qualify for such aid, which are Northern Ireland, the Highlands and Islands development board area and parts of Dumfries and Galloway. So assistance for Tayside from this source would not qualify under the agriculture fund. Nor can I hold out any hope of assistance from the funds made available to the United Kingdom as emergency aid. Those funds are entirely at the Commission's discretion and are given primarily as a humanitarian gesture.

I hope that my hon. Friend is ready to acknowledge that the Government have responded sympathetically to the difficulties of his constituents. We are making generous grants available for floodbank repairs with a public sector contribution which could run to more than £600,000 in Scotland, more than half of which would be available to farmers, in north Tayside in my hon. Friend's constituency. That is a reasonable offer to farmers, and I hope that they will take full advantage of it.

We shall also contribute up to £10,000 towards the cost of the independent study by consultant hydrologists, which Tayside regional council proposes to commission. We responded promptly and positively to the Tay river purification board's proposals for a flood warning system, and, of course, I have described the improvements in the Bellwin arrangements. All in all, I suggest to my hon. Friend, that the Government have taken rapid and measured action both to help deal with the immediate emergency and to have the longer-term issues properly

I congratulate my hon. Friend again most warmly on bringing this subject to the attention of the House. It has provided an opportunity to state clearly the terms of the circular sent out to local authorities on what is being done in Scotland. I shall read with utmost care what has been said and respond to him more fully if any details have not been covered in this brief debate. I thank him again.

Mr. Home Robertson: I am sorry that the Minister could not give way to me. I simply wish to associate the Opposition with the anxiety expressed by the hon. Member for Tayside, North (Mr. Walker) about the disaster that affected his constituency. I am a little disappointed by the Government's piecemeal approach, which the Minister outlined. There seems to be a case for some co-ordinating unit at the Scottish Office to help to draw together advice, practical assistance and financial support in order to overcome this type of natural disaster wherever it may strike. As I said, I am sorry that the

Minister could not give way to me. I simply wished to say that I shared the anxiety of the hon. Member for Tayside, North.

Lord James Douglas-Hamilton: I am glad to respond to the hon. Gentleman's point. I thank him for associating himself with the pleas of my hon. Friend the Member for Tayside, North. We believe that the way forward for Tayside regional council is to establish a working group. That suggestion has been made. It has worked well in the Highland region. Often, things are not best organised in detail from the centre. The people on the spot who are responsible for the emergency services have to play a key role. My hon. Friend appreciates that and has paid tribute to those people. I thank him again for having given the House the opportunity to consider the matter today.

Question put and agreed to.

Adjourned accordingly at twenty minutes to Eleven o'clock.

House of Commons

Thursday 17 May 1990

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

BIRMINGHAM CITY COUNCIL (No. 2) BILL *(By Order)*

Order read for resuming adjourned debate on Question proposed [26 February],

That the Bill be now considered.

Debate further adjourned till Thursday 7 June.

BRITISH RAILWAYS (No. 2) BILL *(By Order)*

Order for consideration, as amended, read.

To be considered on Thursday 7 June.

ADELPHI ESTATE BILL *(By Order)*

Read a Second time and referred to the Examiners of Petitions for Private Bills.

LONDON DOCKLANDS RAILWAY BILL *(By Order)*

LONDON UNDERGROUND (VICTORIA) BILL *(By Order)*

Orders for Second Reading read.

To be read a Second time on Tuesday 22 May at Seven o'clock.

Mr. Speaker: As the remaining seven private Bills set down for Second Reading have blocking motions, with the leave of the House I shall put them as a single group.

CATTEWATER RECLAMATION BILL *(By Order)*

SHARD BRIDGE BILL *(By Order)*

VALE OF GLAMORGAN (BARRY HARBOUR) BILL *[Lords] (By Order)*

LONDON UNDERGROUND BILL *(By Order)*

Orders for Second Reading read.

To be read a Second time on Thursday 7 June.

EXMOUTH DOCKS BILL *(By Order)*

Order read for resuming adjourned debate on Question proposed [29 March],

That the Bill be now read a Second time.

Debate further adjourned till Thursday 7 June.

GREAT YARMOUTH PORT AUTHORITY BILL *[Lords] (By Order)*

HEATHROW EXPRESS RAILWAYS BILL *[Lords] (By Order)*

Order for Second Reading read.

To be read a Second time on Thursday 7 June.

Oral Answers to Questions

AGRICULTURE, FISHERIES AND FOOD

Pigs

1. **Mr. Donald Thompson:** To ask the Minister of Agriculture, Fisheries and Food what factors affect monetary compensatory amounts on pigs.

The Minister of Agriculture, Fisheries and Food (Mr. John Gummer): The 9·8 per cent. devaluation in the pigmeat green rate that we obtained for the United Kingdom at the price fixing will, at current rates of exchange, eliminate our pigmeat MCAs.

Mr. Thompson: I am sure that my right hon. Friend will accept the thanks of the industry for that. Will he take this opportunity to thank the pig industry for its fight against Aujesky's disease and the way in which it has funded the fight with such successful results?

Mr. Gummer: I am pleased to confirm that. I think that I was the first Member to raise the question of Aujesky's disease in the House in the first year of this Government. I am pleased that I am the Minister who will probably be the first to say that the disease is finally removed from Britain.

Mrs. Ann Taylor: Why did the Minister fail to take the first opportunity to alert the public to the problems arising from feed contaminated with cyanide being fed to pigs in Yorkshire, which resulted in the slaughter of more than 1,200 pigs? Is not that another example of the secrecy and cover-up tactics adopted by this Minister, which have led to such a lack of trust in his Ministry?

Mr. Gummer: The hon. Lady should not suggest that there has been a cover-up. If ever a Ministry announced everything and gave all the information, it is this Ministry. She makes that suggestion because she does not know the facts. She does not know that the French feed was discovered and that Bibby's did the work necessary to withdraw it, or that it presented no public health hazard whatever. She should stand up and congratulate my officials who did the work, rather than insult them.

Mr. Hunter: Bearing in mind the fact that the cyclical nature of the pig industry reflects the size of the national herd, does my right hon. Friend think that it is desirable to introduce greater stability through a tighter EEC regime, or that that area of agriculture is better left more open to market forces?

Mr. Gummer: My hon. Friend is right to say that we must be particularly generous in eliminating the MCAs for the pig industry because it has so little support under the present common agricultural policy. In the end, the British industry will do much better if it can regain a large proportion of our home market, which has been taken over by competitors.

Mr. Morley: Further to the question of my hon. Friend the Member for Dewsbury (Mrs. Taylor), it appears that on 3 May the Minister was aware that pig feed was contaminated with a cyanate product, Cyanox 425, as well as the insecticide Isofenphos, yet it was not until 9 May,

through parliamentary questions from my hon. Friend the Member for South Shields (Dr. Clark), that the information was made known. When the Minister goes round the country making silly speeches about such matters as vegetarianism being an unnatural activity, while suppressing important information on contamination of pigmeat in Yorkshire, Humberside, Durham and Nottinghamshire, is not his personal credibility damaged in dealing with public anxiety about food safety?

Mr. Gummer: What the hon. Gentleman says would be true if it were right. The press was fully informed of that matter long before the question was raised in the House. It recognised that as there was no threat whatever to human health, it was not even worth putting into the press. It is not surprising that no one but the hon. Gentleman seems to think that it is a matter of secrecy. It can hardly be secret if the press has been told.

Miss Emma Nicholson: Will the Minister remind the Opposition that cabbage contains cyanide and that it is a natural part of the human diet, although that may worry vegetarians? Will he also remind the Opposition that scare stories about food are quite unwarranted? We have some of the safest food in the world.

Mr. Gummer: I have to admit to my hon. Friend that I have not advised the public about the cyanide that is in cabbage. If the press feels that it would like to take that up, no doubt we can discuss it. I keep nothing from the public and I am prepared always to tell the public the truth. It is only because the Opposition want to find a conspiracy that they are determined to say that, largely because they have very little else to say about agriculture.

Fishing Industry

2. **Mr. Wallace:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the present state of the fishing industry.

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. David Curry): Landings of all species by United Kingdom vessels in the United Kingdom for 1989 were worth some £389 million compared with £396 million in 1988. While fishing opportunities and earnings from North sea cod and haddock in 1990 have been reduced, the estimated value of landings in the early part of the year was at least similar to that at the same time last year.

Mr. Wallace: Does the Minister accept that notwithstanding the figures that he has given for earnings, the industry is still facing depression and is apprehensive? He mentioned the decline in earnings from cod and haddock. Is he aware that many producers are experiencing a squeeze on their catches of whiting? Will he explain to the House why, when the total allowable catches of whiting went up this year, the amount for industrial fishing went up even more, thereby affecting our fleet, which catches fish for human consumption? What steps are the Government taking in current reviews to alter that and to allow more fish to be caught for human consumption? That would help our fleet, which needs every little bit of help that it can get.

Mr. Curry: I draw the hon. Gentleman's attention to the consultation paper called "Entitlement Aggregation". That is the next phase of our management improvement and will be in the Library today. It will tackle some of the problems of the fleet. The hon. Gentleman asked about whiting. It is true that scientists recommended an increase in the industrial catch, which is why the total allowable catches went up. We keep those figures under review, and I am sure that the hon. Gentleman will be glad to know that we are seeking an increase in cod availability because of an agreement with Norway. That increase will be distributed according to the normal rules. We are presently negotiating that with the Community.

Sir Michael Shaw: Has my hon. Friend had a chance to read the thoroughly misleading leaflet being circulated by the hon. Member for Great Grimsby (Mr. Mitchell)? Does he agree that there must be agreement between all hon. Members with constituencies adjacent to the North sea if the North sea fishing industry is to be preserved? Does he further agree that the present problem is mainly about the number of fish there? It cannot be solved unilaterally. Will my hon. Friend assure the House that the Government will do everything possible to preserve the long-term interests of the British fishing industry?

Mr. Curry: I am grateful to my hon. Friend. The hon. Member for Great Grimsby (Mr. Mitchell) produced a sort of samizdat. It was written in small print, no doubt to deter people from reading it so that they would not be too bemused. It was an exercise in historical nostalgia and was very selective in its facts. My hon. Friend is right to say that it is only by common effort in conservation and by achieving better management, which the Government have already embarked upon, that we can conserve stocks for the future of the fishing industry.

Mr. Austin Mitchell: Does the Minister accept that even if the print on the document, which many Conservative Members support, was small, the message is still loud and clear? In its present crisis the industry needs a decommissioning scheme as a conservation measure. It needs proper conservation by way of an increase in mesh sizes, a ban on industrial fishing and the use of square mesh panels. Why does not the Minister take the lead in introducing those measures instead of leaving all the running to a Commissioner who seems to do more for his native Spanish industry than for the industry of this country?

Mr. Curry: First, it is nice of the hon. Gentleman to come here. Secondly, we have introduced a series of management measures. I commend the latest paper to the hon. Gentleman and I am sure that his fleet in Grimsby will find it of great interest. We are pursuing the conservation options with a great deal of enthusiasm, together with our Scottish colleagues and the remainder of the United Kingdom.

By a combination of more intelligent and better management measures and effective conservation measures, we shall achieve real benefits for our fleet—rather than taking the hon. Gentleman's purely theoretical and rhetorical stance, which no doubt is in keeping with the media personality that he wishes to pursue.

Mr. Harris: Has my hon. Friend received my letter about the renewed and growing fears of fishermen, especially in Cornwall, about the apparent reappearance of the so-called flags of convenience vessels on the register? He will know that some 136 vessels were removed from our

fishing fleet as a result of legislation passed by the House, but now there are fears that 29 such vessels have come back on to our register. Can my hon. Friend enlighten us on that?

Mr. Curry: Yes, I can give my hon. Friend some information. The vessels that are now back on the register are under British ownership, with a single exception that is Spanish owned. They all fulfil the requirement for management of their fisheries from a United Kingdom economic base. They also fulfil the domiciliary and residence requirements. To all intents and purposes, those vessels are no longer quota hoppers; they are legal under British registration and licensing procedures.

Mr. McGrady: Is the Minister aware of the grave concern of the Northern Ireland Fish Producers Organisation about the proposal to change the navigational system for fishing in the Irish sea from the well-tried Decca method to an obsolete air system that has been abandoned by the United States? Will he undertake to consult the Northern Ireland Fish Producers Organisation and respond reasonably to its concerns about its members' livelihoods? In the aftermath of a very bad winter, it wants to ensure that the capability to fish will be safeguarded.

Mr. Curry: The substance of the matter is more for my right hon. Friend the Secretary of State for Transport. However, my Department has taken an interest in it and we hope to obtain a significant cut in the light dues paid by fishermen. We have managed to achieve a long transition period, which I believe will be very useful to the industry. I am conscious of the position of the Northern Ireland fishing industry and, in consultation with my hon. Friend the Parliamentary Secretary, who is on the Bench with me, we do our utmost to safeguard the industry's livelihood.

Mr. Mans: What sort of support can the industry on the west coast, especially in my port of Fleetwood, expect from the Government to meet the European Community's hygiene regulations in 1992?

Mr. Curry: As my hon. Friend knows, a series of measures will enable us to support the development of modern hygiene facilities. Of course, a considerable part of that must fall upon the industry because it is important that it can meet the single market and claim that fish is a product that is handled cleanly as well as being exceptionally healthy. We shall do our utmost to ensure that the British fishing industry, which is the largest in the northern part of the European Community, can compete effectively.

Food Labelling

3. **Mr. Malcolm Bruce:** To ask the Minister of Agriculture, Fisheries and Food whether he has any plans to make further changes to the present regulations covering the labelling of food.

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. David Maclean): There are in various stages of development, both here and in Brussels, proposals covering date marking, lot identification marks, nutrition labelling, quantitive ingredient listing, ingredient listing for alcoholic drinks, controls on claims and the labelling of irradiated food. The Food Advisory Committee is also carrying out a review of food labelling at my request.

Mr. Bruce: Is the Minister aware that concern has been expressed by British-based exporters of meat that they are not on a level playing field? Is he further aware that a company in my constituency recently had a load of pigeon breasts condemned by the Italian authorities on grounds that had not been previously advised—that is, that the labelling was not in Italian, although it had not been requested, and that there was not a full veterinary certificate, even though the company had met all the British requirements? Is the Minister satisfied that other members of the European Community are offering trade on equal terms?

Mr. Maclean: If any of the hon. Gentleman's constituents encounter certification problems on the export of meat or meat products, my officials will be ready to give all the help and advice possible. The hon. Gentleman demonstrates the importance of having a regime for such matters with common standards and well-understood rules throughout Europe, which are enforced equally by all member states, and that is our policy.

Mr. Lord: Now that our egg industry is probably the most carefully controlled and hygienic in the world, will my hon. Friend give further consideration to the possibility of stamping individual eggs, as we used to do with the old British lion? We are all well aware that it is possible to stamp boxes, but boxes marked "Packed in Britain" may be full of imported eggs. Bearing in mind the privations that the egg industry has had to put up with in recent months in order to reach its present position, is not it time to identify individual eggs for the benefit of consumers and egg producers alike?

Mr. Maclean: I partly disagree with my hon. Friend. It is contrary to the rules to stamp individual eggs and the last time that that was done consumers believed that they were not as fresh as unstamped eggs. I commend to my hon. Friend and to the House the excellent campaigns being run by British egg organisations to draw to consumers' attention the benefits of British eggs. I also commend the report of the Select Committee on Agriculture, which made some excellent comments about the quality of British eggs.

Mr. Ron Davies: Does the Minister now regret not having introduced fuller regulations on the labelling of animal feedstuffs? Does he agree that many farmers would not be using many of the feedstuffs that are fed to pigs and poultry, which contain the rendered remains of scrapie-infected sheep and BSE-infected cattle, if they knew the contents? Why does not he introduce a compulsory labelling scheme so that producers know what they are using?

Mr. Maclean: In addition to producers and consumers knowing what they are using, the hon. Gentleman should know what is happening on the European front. In January this year agreement was reached on the draft directive on ingredient listing for animal feedingstuffs. We are negotiating fuller details on animal feedingstuffs, which will apply throughout Europe. It is not possible, and it would be wrong, for me to try to act unilaterally.

Food Safety

4. **Mr. Roger King:** To ask the Minister of Agriculture, Fisheries and Food what representations he has had with regard to the accuracy of statements in the book entitled, "Parents Guide to Safe Food".

Mr. Maclean: I understand that the book has yet to be published. However, references that I have seen in the press suggest that some of the subjects are treated in a misleading and alarmist manner. If that is correct, the publication will be of little help to consumers in reaching a balanced judgment about the food available to them. I hope that it will be more accurate than recent allegations made by Parents for Safe Food regarding residues of pesticides in food.

Mr. King: Does my hon. Friend agree that we suffer from an over-supply of experts on food quality and that it is high time that sensible observations were made about the high quality of British food? We could do with fewer reports based on spurious science and inaccurate information peddled by people masquerading as experts. In most people's eyes an expert on this subject is "ex", a has been, and "spert", a person under pressure.

Mr. Maclean: My hon. Friend makes a good point. As we are always urged to be as safe as the Americans with regard to pesticides such as Alar, I should tell hon. Members that the American Agriculture Secretary said: "unlike us, the British have decided not to ban EBDCs, because they found there was really no health risk involved. British science is at least as sophisticated as ours. Our government has banned products of significant value to mankind in recent years on the basis of what I consider unpersuasive evidence. We ought not to be doing that." I agree.

Ms. Quin: As the Minister has mentioned pesticides, will he comment on the recent case of the consumer who thought that he had bought organically grown potatoes but found that they had been treated with tecnazine? Consumers surely have a right to know whether the food products that they buy have been treated with pesticides.

Mr. Maclean: The hon. Lady raises two very good points. First, any pesticides used on crops in this country are safe. If they were not, they would not be authorised. Secondly—*[Interruption.]*

Mr. Speaker: Order. I appeal to hon. Members seated below the Gangway, as it seems that I have to do every day lately, not to barrack other right hon. and hon. Members from a sedentary position.

Mr. Maclean: Secondly, of course the consumer has a right not to be conned. If a person thinks that he is buying organic produce, he has a right to be certain that it has been organically grown. We have established the United Kingdom register of organic food producers, and we want to ensure that throughout the EEC, organic labels mean exactly what they say and that there is no cheating. That matter is for the enforcement authorities.

Mr. Boswell: Will my hon. Friend confirm his readiness to consider any objective and scientific evidence that is offered by scare campaigns? Will he equally criticise and treat on their merits any claims unsubstantiated by evidence, or supported by evidence that is unscientific and inadequate?

Mr. Maclean: My hon. Friend is absolutely right. We have an open-door policy, whereby people can come to us with their evidence and views. It is interesting that in the past few weeks, on several occasions when I have called for evidence from the so-called experts who crop up in the media, that evidence has been very slow in coming. In most cases, it has not been presented at all.

Dr. David Clark: Has the Minister seen today's opinion polls, which show, contrary to his assertions, that the majority of British people do not believe that the Government can be trusted "to tell the truth" about food issues? Is not that a scandalous state of affairs? Will the Minister consider abolishing the old-fashioned Agriculture Ministry and replacing it with a modern Ministry of Agriculture and Food, backed up by an independent food standards agency?

Mr. Maclean: It is interesting that the only reform that the hon. Gentleman can suggest is to turn the title of the Ministry of Agriculture, Fisheries and Food into the Ministry of Food, Agriculture and Fisheries. If that is the substance of his policies, no wonder he has proved that Labour, just like its leader, is unfit for government.

Dairy Farmers

6. **Mr. Pawsey:** To ask the Minister of Agriculture, Fisheries and Food what are the prospects for dairy farmers' incomes during 1990-91.

Mr. Gummer: Net income from dairying in 1989-90 was estimated to be 75 per cent. higher in real terms than in 1983-84, before the introduction of quotas. This year, the sector will benefit from the substantial devaluation in the green pound and from the shorter intervention payment delays that took effect earlier this week.

Mr. Pawsey: I thank my right hon. Friend for his extremely helpful reply, which will be widely welcomed by farmers not only in my constituency but throughout the country. Does he expect that the improvement will continue, and what does he think are the industry's long-term prospects?

Mr. Gummer: Many of the factors behind the improvement are continuing. I hope that the dairying industry will take seriously the new challenges of 1992 and of the single market, seek to be more competitive than ever against our European partners, and look to the type of structure that will most help to ensure that.

Mr. Home Robertson: In his calculation of the prospects for dairy farmers' incomes in the coming year, has the Minister taken any account of the certain consequences of his step-by-step resistance to the imposition of effective measures to control the menace of bovine spongiform encephalopathy, including the suggestions put forward by the National Farmers Union? Will he accept that he is meant to be responsible for food as well as agriculture and that his imitation of Corporal Jones running around saying, "Don't panic", is not good enough? Can we have some action to restore confidence in the meat and dairy industry?

Mr. Gummer: If what the hon. Gentleman suggested —step-by-step resistance—was the case he might have some basis for his argument, but the farmers are being

protected by the consumer interest of my Ministry, which puts the consumer first and is therefore able to say categorically, in the words of the chief medical officer, that

"British beef is entirely safe to eat".

Farmers know that by putting the consumer first I ensure that their future is safeguarded. The people that farmers and consumers are looking askance at are people such as the hon. Gentleman who seek to spread scandal and fear when it is not necessary.

Scottish Fishing Industry

8. **Mr. Andrew Welsh:** To ask the Minister of Agriculture, Fisheries and Food when he next expects to meet representatives of the Scottish fishing industry to discuss catches.

Mr. Curry: I met Scottish fishermen's representatives at the recent Glasgow fishing exhibition and my noble Friend the Minister of State, Scottish Office, regularly meets them.

Mr. Welsh: Is the Minister aware that in the past month in my constituency two fishing boats have been sold and another five boats are nearly on the market as the effects of the Government's failure ripple through the industry? Is he aware that I am not talking about big corporations but about small businesses and individuals who are now caught up in the worst of all possible economic worlds? They cannot catch enough fish to run their boats, but they are left with assets which cannot easily be converted. The Government have betrayed the fishing industry. The hon. Gentleman is in charge—what is he going to do about it?

Mr. Curry: That is a load of—[HON. MEMBERS: "Say it."] I was seeking a suitable expression. That is rubbish. The hon. Gentleman cannot expect any Government to guarantee the continued existence in its present shape of any industry in this country. He can, however, expect the Government to ensure that the industry's management is effective and ask the industry to be serious about conservation measures. We have improved management and we are seriously pursuing conservation measures, but we do not intend or claim that we can maintain the industry in its present state. The rationalisation of the industry is necessary, as it recognises.

Mr. Bill Walker: Does my hon. Friend agree that one of the great problems is the structure of the industry and that the bulk of the catch in Scotland is brought in by large vessels? Small vessels catch only a small proportion of the total catch. It would be extremely difficult for any scheme to benefit those who make such a small contribution to the total catch.

Mr. Curry: As I am sure that my hon. Friend knows, very small vessels are not subject to the licensing and quota arrangements. They remain outside the management system. We are concerned about the future of small fishermen. That is why we are introducing measures that will enable the fleet to rationalise sensibly through a combination of market forces and Government assistance which still represents one of the greatest financial commitments in any industry in this country in comparison with the industry's turnover.

Mr. Foulkes: Will the Minister confirm that he has had representations from fishermen on the west coast of Scotland about fishermen from the east coast who are forced to come round to the west because of restrictions imposed by the haddock quotas? Will he consider the proposal that west coast fishermen have put forward to introduce local fishing plans to protect their interests and to make prawns a pressure stock?

Mr. Curry: The hon. Gentleman knows that a consultation paper has been published on the west coast problem. We have received representations from the industry. The Department of Agriculture and Fisheries for Scotland and the Ministry of Agriculture, Fisheries and Food are considering those representations. If we think that further management measures on the west coast are necessary and that they will not penalise efficient fishing methods and add a new layer of bureaucracy for fishermen to cope with, we shall consider them seriously. We recognise that there is a problem.

Mr. Michael Brown: When my hon. Friend meets Scottish fishermen, will he draw to their attention the view expressed to the three Members of Parliament for south Humberside last Friday when we met English fishing industry representatives from Hull and Grimsby? They felt that Scottish fishermen were getting a far better deal at the expense of English fishermen, which underlines exactly the point that my hon. Friend made earlier.

Mr. Curry: I regularly meet representatives of the English fishing industry and, indeed, the whole United Kingdom fishing industry. I have never felt that they are short of words and I am sure that they are capable of expressing those sentiments to Scottish fishermen.

Mr. Robert Hughes: As the Minister has acknowledged that the fishing industry is going through perilous times and that drastic and painful restructuring is needed, with which the industry is prepared to co-operate, why does he continue to set his face against the decommissioning scheme and the temporary lay-off scheme so that restructuring could be carried out sensibly and the people concerned receive proper compensation? Do we have to invent mad fish disease before he is prepared to give the matter his attention?

Mr. Curry: If the hon. Gentleman wants a sensible restructuring of the industry, a decommissioning scheme is just about the last way to go about it. Capacity would not necessarily be reduced and people would not necessarily leave the fishing fleet as we should like. It would be a very expensive option. It would be much more sensible to pursue a twin course. First, we must give fishermen the right to make their own decisions. I recommend to the hon. Gentleman the licensing aggregation proposals. Secondly, we must pursue the adoption of conservation measures at the European level. We shall pursue those courses and they will result in an efficient, well-structured British fleet which is competitive on a European scale.

Emergency Orders

9. **Mr. Anthony Coombs:** To ask the Minister of Agriculture, Fisheries and Food what representations he has received concerning the incurring of non-recoverable losses by farmers due to the implementation of emergency orders.

Mr. Maclean: I have received representations from a number of sources—including, both directly and indirectly, the National Farmers Union, the Country Landowners Association and food industry interests.

Mr. Coombs: I accept the need for emergency Government powers, where appropriate, to protect food safety, but will my hon. Friend confirm that many of the farmers covered by these powers were found subsequently not to be affected by contamination and were unable to recover their losses? Will my hon. Friend look carefully, sympathetically and urgently at introducing legislation to try to rectify that problem?

Mr. Maclean: We always look carefully at the effects of any of the orders or decisions that we take. If my hon. Friend is referring to the recent problem of lead in feed in the west country, he will be aware that the Government's first priority is to protect public health. We had to act on information received from the feed companies. The farmer's first recourse must be to the perpetrators of the incident—those who supplied them with the feed, and their suppliers. That is where the liability for error lies.

Mr. Wilson: Does the Minister accept that his bumptious music hall turn performance at the Dispatch Box today is an insult to the public, who are seriously worried about food safety issues? Will he at last come to the Dispatch Box and speak for consumers instead of acting as a mouthpiece for the British food industry? Does he not understand that by talking so much rubbish in defence of vested interests, and by promoting the eating of rubbish, he is doing damage to the health of this country's population?

Mr. Maclean: It was nice today during food questions to come across an example of one of the things that we have been facing this week—the nonsense that we have heard from Opposition spokesmen. The hon. Gentleman has demonstrated that he has been going around as has his hon. Friend the Member for East Lothian (Mr. Home Robertson), like a demented Private Fraser from "Dad's Army" saying, "We're all doomed." It is a doomsday scenario. That is the kind of rubbish and nonsense that we are hearing from Opposition Members. The hon. Gentleman is wrong, just as his hon. Friends have been wrong all week. I chair the consumer panel, I meet consumers who come into my office and I represent consumer interests.

Agricultural Development Advisory Service

10. **Mr. Marland:** To ask the Minister of Agriculture, Fisheries and Food when he last met the head of the Agricultural Development Advisory Service to discuss the future of the Agricultural Development Advisory Service.

Mr. Gummer: I regularly meet the director general of the Agricultural Development and Advisory Service to discuss a range of matters including organisational issues.

Mr. Marland: My right hon. Friend will be aware that there is considerable disquiet in the agricultural industry about the future of ADAS. Will he undertake to discuss any major moves with the chairmen of the regional panels?

Mr. Gummer: ADAS is always a matter of discussion in our meetings with the regional panels. I assure my hon. Friend that I will continue those discussions. We are pleased with the way in which ADAS has started to respond to the increase in its charging facilities and with the effect that it is having on the agriculture industry.

Mr. Tony Banks: When the Secretary of State met the head of the advisory service, did he by any chance discuss the growing of vegetables? Is he aware how offensive his recent remarks were when he suggested that people who were vegetarian were somehow indulging in unnatural practices and acting against the word of the Lord, or words to that effect? May we assume that those words were bovine spongiform-induced? Does the Secretary of State intend to put a health warning on carrots, telling people that they may be damning their eternal souls if they eat them, or does he intend to apologise to the House and in particular to Mr. Speaker who is a well-known vegetarian?

Mr. Gummer: Mr. Speaker, you and I have corresponded to some end on that matter, and I repeat what I said to you—that I eat vegetables with great pleasure. I object only to those people who say that I should be a vegetarian. I do not want to make them carnivorous, although man does appear naturally so to be.

Green Pound

11. **Mr. Speller:** To ask the Minister of Agriculture, Fisheries and Food what further actions he intends to take to help British agriculture while the green pound remains in existence.

Mr. Gummer: The Government are committed to ending disparities between green and market rates of exchange of the pound by the end of 1992 at the latest. To achieve that, we shall be seeking further substantial devaluations of the green pound between now and then.

Mr. Speller: I thank my right hon. Friend for his hard work and the success that he achieved recently at the Commission. May I also remind him of another way in which he could help? Last July we lost an appeal with the Commission to extend the less-favoured areas. If that appeal could be pushed forward so that we get a reply in under 12 months, it would be a great help to the farming community in areas such as my constituency.

Mr. Gummer: I assure my hon. Friend that we are seeking to ensure that that review is completed as soon as possible. We are constantly pressing the Commission for the result.

Mr. Maclennan: Does the Minister accept that, as the Prime Minister has pointed out, the underlying rate of inflation in Britain is within a percentage point of that in Europe, so the case for remaining outside the exchange rate mechanism has exploded? Does he recognise that British agriculture will be tremendously assisted by immediate entry in to the ERM?

Mr. Gummer: The Government are committed to joining the ERM at the time when it is right for us to do so. British agriculture would be harmed considerably if we chose the wrong moment. The hon. Gentleman will know that my European credentials are clear, but I do not wish to damage the British agricultural industry merely to follow the course of action that the hon. Gentleman wishes at a time when it would not be helpful.

Food Prices

12. **Mr. Harry Greenway:** To ask the Minister of Agriculture, Fisheries and Food what has been the movement in food prices in the last five years; what was the equivalent movement between 1974 and 1979; and if he will make a statement.

Mr. Curry: Over the past five years the annual increase in food prices has been 4·4 per cent. That compares with an increase of 16·5 per cent. per year between 1974 and 1979.

Mr. Greenway: Will my hon. Friend underline again and again and again that food prices rise much faster under Labour Governments than ever they do under Conservative Governments? Will he use the present favourable conditions to phase out battery farming and intensive farming wherever possible? Above all, will he let the housewives know that a Labour Government would cost them a fortune?

Mr. Curry: My hon. Friend is right. The Labour party has spent most of this afternoon pretending to be the friend of the consumer, but any Government who presided over rising food prices of that order are the enemy of every consumer in the country.

Royal Society for the Protection of Birds

14. **Dr. Kim Howells:** To ask the Minister of Agriculture, Fisheries and Food when he last met the Royal Society for the Protection of Birds to discuss matters within its responsibilities.

Mr. Maclean: The Government have commissioned extensive research—*[Interruption.]* I am sorry—I should be answering question No. 14. My noble Friend the Minister of State, Baroness Trumpington, met the RSPB on 14 May 1990.

Dr. Howells: When the Minister next meets the director of the RSPB, will he discuss with him the wholesale slaughter of wild birds on the hillsides of mid-Glamorgan as a result of fires sweeping across that area, usually deliberately started by teenagers? There have been at least 1,400 such fires in the past two months. They are endangering people living in the valleys, who are left unattended by fire engines which are stuck up on the mountain dealing with the fires. Will the Minister discuss that and the effect that it is having on wildlife in the area?

Mr. Maclean: I can give the hon. Gentleman the assurance that he seeks. The whole House will deplore anyone deliberately starting fires—whether in urban, rural or hillside areas—endangering, I presume, not only wildlife but human life. We at the Ministry will use our best endeavours to draw the problem to the attention of all concerned and hope that it will be stamped out as soon as possible.

PRIME MINISTER

Engagements

Q1. **Mr. Hayward:** To ask the Prime Minister if she will list her official engagements for Thursday 17 May.

The Prime Minister (Mrs. Margaret Thatcher): This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings today, including one with President Mubarak of Egypt.

Mr. Hayward: Does my right hon. Friend regret the rise in unemployment announced earlier today as it is an indication of an increase in unit labour costs? Has she noticed, however, that in the regions of the north and the midlands, and in Scotland and Wales, unemployment has continued to fall?

The Prime Minister: Yes, I agree with my hon. Friend. The seasonally adjusted figure has risen by just over 1,000, although the headline total is down by 20,000. As my hon. Friend knows, unemployment has fallen by some 250,000 in the last year and we still have more people in jobs than ever before, but there is a danger about unit labour costs rising—if they continue to rise more than those of our competitors, we shall see unemployment rising. I notice that in this country last year unit labour costs rose by 5 per cent. while in the Federal Republic of Germany and in Japan they stayed absolutely static, in the United States they rose by only 2 per cent., and in France they actually fell by 2 per cent. That is a measure of the task that we have to face.

Mr. Kinnock: May I take this opportunity of telling the Prime Minister that the whole House is united in its condemnation of the terrorist bombings this week and that the whole House will want to offer condolences to the family of Sergeant Chapman, who was murdered yesterday, and to all who have been injured? May I also say once again that no Government formed from either side of this House will ever concede to violence?

The Prime Minister: I agree very much with the right hon. Gentleman that the vicious and sick minds that plan and execute these attacks bring shame and discredit on themselves and their cause and on all who associate with and support them. The fact is that they all have a full democratic vote which they can exercise in just the same way as anyone else. Because they do not like the result, they try to bomb and maim people out of it. We cannot tolerate that and we must and will do all in our power to fight these terrible and brutal attacks—and to restore order once again and full democracy to Northern Ireland —and of course, here, where they are now trying to pursue their deadly attacks.

Q2. **Mr. Moate:** To ask the Prime Minister if she will list her official engagements for Thursday 17 May.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Moate: Does my right hon. Friend agree that we should be wise to listen carefully to the words of the Leader of the Opposition when he talks about credit controls? After all, did not the previous Labour

Government have extensive experience of using credit controls, exchange controls, devaluation and high interest rates? Yet they still managed to achieve inflation of almost 27 per cent. We do not need to look into the crystal ball when we can look at the book.

The Prime Minister: I agree with my hon. Friend that in the modern economy, with the amount of freedom that we now have, credit controls will not work. A former Treasury Minister, the right hon. Member for Llanelli (Mr. Davies), had it right when he said:

"The Labour Party idea that you can have credit controls is rubbish. There is no way you can control credit except by controlling the price of credit, and the price of credit is bank rate."

Q3. **Mr. Mullin:** To ask the Prime Minister if she will list her official engagements for Thursday 17 May.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Mullin: Has the Prime Minister read the speech by the Secretary of State for Trade and Industry in Tokyo on Monday, in which he boasted that Britain had some of the cheapest unit labour costs in western Europe? Does she agree that whatever the cause for today's rise in unemployment it can therefore have nothing to do with wages?

The Prime Minister: I gave my hon. Friend the Member for Kingswood (Mr. Hayward) the latest figures from last year. Unfortunately, our unit labour costs are now rising faster than those of many of our competitors and that is serious. In Japan and in Germany, unit labour costs have not risen at all. In the United States they have risen by 2 per cent., in France they have fallen by 2 per cent., and in this country they have risen by 5 per cent. That means that we are taking out more pay than we are putting back in productivity. That can only have a damaging effect on jobs in the future.

Sir Ian Lloyd: Does my right hon. Friend consider that it is feasible, desirable or in the public interest that, in effect, the motor vehicle should be used as an instrument for enforcing total prohibition on the roads? If not, does she agree that as the most modern, accurate and sophisticated technology is now available to enable the motorist to ensure that he or she does not approach the limit, it should be used in the same way as the motorist uses the speedometer? If my right hon. Friend is with me thus far, will she encourage the Home Office to abandon its ancient policy of proceeding in front of all new technology at 4 mph with a red flag?

The Prime Minister: I have been trying to follow my hon. Friend without lurching in logic, but I am finding it a little difficult to do so. I know that he is always anxious to make full use of the very latest technology and I will refer the matter to my right hon. and learned Friend the Home Secretary.

Q4. **Mr. Bill Michie:** To ask the Prime Minister if she will list her official engagements for Thursday 17 May.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Michie: Is the Prime Minister aware that some school governors operating the pilot scheme for the local management of schools are resigning and that in some cases, such as Meersbrook Bank school in my constituency, they are not setting budgets because they cannot use budgets which mean sacking experienced teachers? How can the Prime Minister call for better education and training while agreeing with a budget which has forced school governors to sack experienced teachers?

The Prime Minister: I do not accept that. Many schools —possibly most—welcome the opportunity to control their own budgets. Head teachers are highly educated people who are well able and willing to take the responsibility that comes with freedom and they much prefer to have the say over their own school budgets. The complaint used to be that head teachers had control over only about £3,000 a year. Now they and the governors have control over the school budget and I am sure that they will use it better than it has ever been used before.

Mr. Butcher: As a staunch believer in the Act of Union, does my right hon. Friend agree that it would be in the interests of a fair-minded and even-handed approach between the peoples of England and Scotland if there were to be an increase in the number of English constituencies so that English Members of Parliament might enjoy serving constituencies of the same size as those in Scotland?

The Prime Minister: My hon. Friend has clearly asked a fundamental question, which it would take us a long time to consider in the House. I cannot see us bringing in any legislation ahead of the next election to put that into action.

Q5. **Mr. Carlile:** To ask the Prime Minister if she will list her official engagements for Thursday 17 May.

The Prime Minister: I refer the hon. and learned Gentleman to the reply that I gave some moments ago.

Mr. Carlile: Does the Prime Minister support the Gladstonian doctrine of self-determination for all nations including small ones, or is she so dizzy with big-power politics as to appease the Soviet Union, particularly with regard to the Baltic states, and especially Lithuania?

The Prime Minister: I support the doctrine of self-determination for fully separate nations as set out by the United Nations. As for Lithuania, as I have said from the Dispatch Box before, we support its right to independence. We have never accepted that it was annexed legally by the Soviet Union. President Gorbachev also says that those states have a right to be independent. The difference of opinion between Lithuania and President Gorbachev concerns how that is to be brought about. It is a pity to get stuck on such matters when both sides can get down to practical discussions about how to bring independence fully into practical being. I hope that the Prime Minister of Lithuania goes to Moscow with proposals, as we all support that independence coming about by discussion.

Mrs. Peacock: Is my right hon. Friend aware of the great interest—especially in my constituency—in the Government's review of the community charge? Will she assure the House and my constituents that the Government will look sympathetically at all the representations now being put to them?

The Prime Minister: The Government are doing precisely that. There are several varying representations.

Some will have to be tackled in the longer term rather than in the period coming up to next year's community charge, but some can be dealt with before then. We shall make a statement to the House when we are ready.

Q6. **Mr. Haynes:** To ask the Prime Minister if she will list her official engagements for Thursday 17 May.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Haynes: Mr. Speaker, Sir, is the Prime Minister aware that in the past few weeks she has not had a very good time at Prime Minister's question time—have you, duckie? Is she also aware that the morale of the teaching profession is falling lower and lower because of Government policies? Is she further aware that I have two daughters and a son-in-law who are teachers and doing a first-class job? It is time that she got the Secretary of State for Education and Science by the scruff of the neck and dragged him out of negotiations which ought to be taking place between the authorities and the trade unions to negotiate proper earnings for teachers—then all our children will receive a better education.

The Prime Minister: Bearing in mind that all hon. Members address their remarks to you, Mr. Speaker, I thought that the hon. Gentleman addressed you by a rather endearing term. I believe that I heard him correctly, as I usually do.

With regard to the more serious aspects of the hon. Gentleman's question, I remind him that teachers are better paid than ever before. Their current pay, when it is fully implemented in January, will be 12 per cent. above Houghton, which was the largest salary that the Labour party aimed to attain. As the hon. Gentleman knows, we have also put forward new proposals for determining teachers' pay. In the meantime, I should point out that most teachers with seven years' experience will be at the top of the scale, and have a big incentive allowance; their salary will be £19,000, the deputy head of a typical secondary school will be earning £26,000—*[Interruption.]* I must answer the hon. Gentleman's question thoroughly, especially as so many members of his family are involved in teaching, and I am sure that they are very ambitious. The head of a typical secondary school will be earning nearly £34,000.

Mr. Gow: Has the proper condemnation by Her Majesty's Ministers of the two terrorist attacks in London this week been accompanied by an equal condemnation from Ministers in the Irish Republic? If those suspected of responsibility for the attacks in London should escape to the Irish Republic, in the belief—understandable—that they would find safe haven there, how confident is my right hon. Friend that a proper request for extradition would be upheld by the Irish Supreme Court?

The Prime Minister: I wish that I could answer my hon. Friend by saying that I would be confident that an extradition order would be upheld, but I cannot do so, as he knows. If justice is to be meted out, it is vital that we should be able to extradite people so that they have no safe haven in the Irish Republic. It is also vital, from the point of view of the police and all citizens of this country and Northern Ireland, that we fully uphold the Prevention of Terrorism Act.

Beef

The following question stood upon the Paper:

7. **Mr. Andrew Mitchell** (Gedling): To ask the Minister of Agriculture, Fisheries and Food what discussions he has held with the organisation, Parents for Safe Food, with regard to its allegations concerning the safety of British meat.

3.31 pm

The Minister of Agriculture, Fisheries and Food (Mr. John Selwyn Gummer): My officials offered some time ago to meet Parents for Safe Food to discuss its concern about BSE and meat, but the organisation has not taken up this offer, nor has it submitted any scientific evidence that we can study.

I am naturally concerned to ensure that the public know that the clear and consistent advice of the best scientific opinion is that British beef is safe.—*[Interruption.]*

Mr. Speaker: Order. This is an important matter, on which I am sure the House will wish to hear the Minister.

Mr. Gummer: I refer the House to the statement that the chief medical officer made yesterday. He said that he had taken advice from the leading scientific and medical experts in this field. To quote his words, "They have consistently advised me in the past that there is no scientific justification for not eating British Beef and this continues to be their advice.".

The Government have tackled the problem of BSE with a carefully considered and coherent programme of measures based on the advice of the most authoritative and independent scientific experts.

First, we destroy any animal that is found to have BSE and no part of it enters the food chain in any way. Secondly, any cattle entering the slaughterhouse have the specified offals that could harbour the agent removed. Those offals are not allowed to be used in any food or food products. Thirdly, almost two years ago we stopped the feeding of ruminant protein to cows and other ruminants. We thus cut off what is considered to be the source of infection.

In all this, we have followed the best independent scientific advice available. Even our critics must support this clear policy of taking that advice. The health of the public is our overriding concern.

There are always those who want us to take their advice and not the advice of the experts. I have been asked, for example, to ban the use of ruminant protein in pig and poultry diets. Doctors and scientists see no justification for that. Some have suggested that there should be a ban on breeding from the offspring of BSE-infected cattle. The Southwood committee did not recommend this. But I was concerned to ensure that all up-to-date information was taken into account so I referred the question back to the Tyrrell committee. It confirms fully what Southwood said. I am placing a full statement of its advice on this point in the Library.

We have taken action to deal with the public health concerns and the animal aspects of BSE on the basis of the best independent scientific advice. We have published that advice together with full information on the disease and how it is being tackled. We shall continue to keep the public fully informed. We have taken all necessary measures to tackle this disease. There is certainly no justification for the alarmist reporting that has appeared over the past few days. As the chief medical officer has confirmed, British beef can continue to be eaten safely by everyone—adults and children alike.

Mr. Mitchell: I thank my right hon. Friend for that helpful and detailed statement, which will be reassuring to the many consumers who have been alarmed by much of the speculative comment in the press in recent days. Will my right hon. Friend give the House the absolute assurance that to protect the interest of the consumer, he will base his policy on the best medical and scientific advice from independent expert sources and eschew some of the quack solutions and quick fixes that have been suggested in recent days?

Mr. Gummer: There must be two basic rules behind our action. First, consumer safety comes first and last. Secondly, our actions must be based on the best available medical and scientific advice. I assure the House that I shall not deviate from those two bases.

Mr. Geraint Howells (Ceredigion and Pembroke, North): I am sure that the Minister will agree that the irresponsible statements that have been made in the past fortnight about the BSE issue, without any proof or evidence, have caused consumers and producers alike a great deal of concern. To try to end this problem, will the Minister advise the Chairman of the Select Committee on Agriculture to interview scientists on both sides of the argument and to produce a report as soon as possible that will clarify the position? Does the Minister further agree that British beef today is better and healthier than ever?

Mr. Gummer: I very much welcome the Select Committee's inquiry and hope that the Chairman will take the hon. Gentleman's advice. I also hope that those people who have pontificated on television will now send the Tyrrell committee the research material that they claim to have so that it can be considered. I further hope that before interviewing people as "experts", the BBC, ITV and others will ask, first, whether those people have published their evidence in journals that their peers can check and, secondly, whether they have submitted their evidence to the Tyrrell committee. If those interviewed cannot say that, I hope that they will be interviewed not as experts but merely as people who have an idea or two.

Mr. Paul Marland (Gloucestershire, West): I join my hon. Friend the Member for Gedling (Mr. Mitchell) in thanking my right hon. Friend for his trenchant reply. I hope that it will do much to reassure the general public that British beef is safe. Does my right hon. Friend agree that it is outrageous that so many unsubstantiated claims have been made about BSE and British beef and that Opposition Members are flying in the face of sound scientific evidence, preferring to be guided by a bogus professor and a dead cat?

Mr. Gummer: We must not underestimate the anxiety that people are bound to have about an unpleasant disease that we wish to eradicate and which we must ensure is no longer in the British herd. Having said that, I should add that those who seek to make capital out of the perfectly natural concern of the public should look most carefully at their motives and wonder whether they are putting party political points before any real concern.

Mr. Alan W. Williams (Carmarthen): As scrapie is known to be transmitted from ewe to lamb and as BSE is closely related to—indeed, derived from—scrapie, is not there every danger that BSE could be transmitted from cow to calf? Why do the Government hide behind Southwood and Tyrrell and not listen to the National Farmers Union president Sir Simon Gourlay, who wants the Government to introduce a slaughter policy of the calves of BSE-affected animals with 100 per cent. compensation?

Mr. Gummer: Although the hon. Gentleman is a doctor, he will agree that he is not an expert on this subject. He will also agree that on several occasions he has told me that I should not listen to the National Farmers Union but put the interests of the consumer first. Now he has said something peculiar. He said that I should not hide behind the opinions of the experts. I hope that he will read carefully what the expert Tyrrell committee said to me. It said that there may be positive disadvantages in taking the measures that the hon. Gentleman advocates.

The hon. Gentleman may shake his head, but he is not an expert. He may be a doctor, but he is not an expert. I should prefer to take the views of doctors who are experts than those of a doctor who is not an expert.

Mr. William Hague (Richmond, Yorks): Is my right hon. Friend aware that many of my constituents have expressed great support for his approach to these matters, but great surprise at the reference to him as a lout by an Opposition spokesman on a television programme? Would not that description be better applied to some of the academics and journalists who have written about the matter than to a Minister who is dealing with it responsibly?

Mr. Gummer: The serious issues that we are discussing are not helped by the abusive comments that have been made on television by the Opposition spokesman. We must deal with the matter seriously. I hope that the hon. Member for South Shields (Dr. Clark) will read the teleprint of what he said and perhaps take the opportunity to apologise. The matter is too serious to make that type of cheap comment.

Mr. Nigel Griffiths (Edinburgh, South): Will the Minister join me in congratulating the staff of the Moredun research institute in my constituency on its world-leading research on scrapie? Will he further condemn the cuts in the budget of that institute and guarantee to review the budget and increase it as necessary?

Mr. Gummer: I willingly admit how much we rely on the work that has been done by that institute. That is part of the reason why I have made it clear that the money that is necessary for research into both scrapie and BSE and across the board will be available wherever it is required. We must find the best answers to these questions. The hon. Gentleman is a responsible man and I hope that he will help by pointing out that the points that I have put forward today are fully supported by expert opinion, including that of the people at the research institute in his constituency.

Sir Hector Monro (Dumfries): May I thank my right hon. Friend and the Parliamentary Secretary, my hon. Friend the Member for Penrith and The Border (Mr. Maclean) for their outstanding efforts to bring home to the British public the fact that there is no risk in eating British beef? Will he personally contact all the local authorities that have banned British beef? Will he make every effort to stop people pontificating on television and in the media without any scientific evidence?

Mr. Gummer: I have already contacted all the local authorities with the full background briefing. I have given them a fax number so that they can fax to a central control point any questions they may have. It is noticeable that Westminster city council first banned beef without considering any of the evidence. When it considered the evidence, beef went straight back on the menu. That must show that, when one reads and listens to what the Department of Health and the Ministry of Agriculture, Fisheries and Food say, the evidence is overwhelming that what we are doing is right. The chief medical officer is perfectly correct in saying that British beef is safe to eat for adults, children and NHS patients.

Mr. Martyn Jones (Clywd, South-West): I do not profess to be an expert on this subject. We have had a definition of "expert" as "ex" being the unknown factor and "spurt" being a little drip under pressure, and we are bandying the word about rather too much. Evidence shows that once the scrapie agent has passed through one set of laboratory animals, in this case hamsters, it would infect a rabbit, although not directly. That particular property of the organism is worrying. Has the Minister taken it into account? As the NFU and consumers are both asking for the same thing, the Minister should take on board what Simon Gourlay is telling him.

Mr. Gummer: The hon. Gentleman should be clear what the NFU said in its statement. I respect his knowledge of the scientific method, acquired from his own expertise. The information of which he speaks has been available for nearly 20 years and it has certainly been taken into account. Because I take the matter extremely seriously, I am happy to pass to the Tyrrell committee any information that he would like me to take fully and specifically into account. The committee's purpose is to bring the best group of experts together to look at the evidence and to advise.

I hope that the Opposition will follow the hon. Gentleman's view, which I have read in the press and believe to be accurate, which is to consider the situation as impartially as possible. Certainly, I am willing to take any sensible advice from him or anyone else, because we should all be involved in the eradication of BSE from Britain, and from animals in Britain and, above all, in the continued protection of the British public.

Sir Richard Body (Holland with Boston): Although I appreciate that my right hon. Friend is taking the matter seriously, does he agree that, if his officials continue to go about the country advising us in the farming community how to keep our animals in ever more intensive conditions, we shall face serious risks because we cannot continue to rely on the present level of antibiotics?

Mr. Gummer: I have read my hon. Friend's article in today's *Evening Standard* and many of the concerns that he raises are serious and are being addressed in a number of policy changes that we are making, not least the important proposals on extensification and the like. At a time when over-production rather than shortage is the key

[Mr. Gummer]

word in farming communities we certainly have the opportunity to look most carefully at what we do. I have already said publicly that I believe that feeding the ruminant to animals that are naturally herbivore is wrong because it is contrary to what would occur naturally. That is the line which I wish to draw and I believe that there is a real response to that in the public mind.

Dr. David Clark (South Shields): I wish to clarify the allegation made today in the House that I accused the Minister of being a lout. I was most upset when I heard that reported about me. We have a sound clip of the news item. I did not say that the Minister was a lout and I am sure that if he checks, he will find that that is not the case. I said that he had done nowt. If southern stenographers cannot understand the northern vernacular, I do not apologise for that.

May I take this opportunity of saying once again today that the Minister has done nowt? Does not he realise that his indecision and vacillation this week have lost the general public's confidence in beef? It has threatened the long-term future of our cattle industry. What the Minister said today has done nothing to reassure the general public or the farmers. The Minister made great play, and I take his point, of the need to follow the recommendatons of his own expert committee, the Tyrrell committee. If he takes that line, he cannot pick and choose advice from that committee. Why will he not implement the recommendation of the committee and take a random sample of routinely slaughtered cows so that we can judge the extent of BSE in the British herd and plan accordingly? In the meantime will he support the call for not feeding offals to pigs and chickens and to our pets?

Mr. Gummer: As I understand the hon. Gentleman's policy, it is to have regulations about Britain's food set by an independent group that is outside the Government. No doubt the hon. Gentleman would expect to take the advice of such a group. He says that when we ask an expert committee about, for example, the feeding of animal matter to animals that eat it, and the committee says that we should do so and there is no justification for not doing so, we should ignore the official advice. I cannot understand why the hon. Gentleman advances that proposition. He must accept that advice from such an independent body must be followed in a matter as serious as this.

The recommendations to which the hon. Gentleman refers are part of the Tyrrell recommendations for research and were in three groups. The first was about priority research, the second was about research that is not high priority but ordinary priority, and the third was about low-priority research. I have already instituted all the high-priority and normal-priority research and I am now going through the low-priority research. I am following that order, first, because the expert committee asked me to do it like that. That is why it had three sets of priorities. Secondly, there is a shortage of people with the expert knowledge that is needed to carry out this research. I have therefore placed those people in areas that the Tyrrell committee said were most important for public health reasons. I think that the House will accept that.

The hon. Gentleman has clarified that he did not call me a lout but said that I had done nowt. He cannot have been listening for the last 20 minutes. If he had, he would have heard me say that I have done everything that the expert advisers have asked. Indeed, I have gone further because I take from every healthy animal all the specified offals in order to provide yet another protection. It is entirely untrue to say that I have done nowt.

Business of the House

3.50 pm

Dr. John Cunningham (Copeland): Will the Leader of the House state the business for next week?

Several Hon. Members: On a point of order, Mr. Speaker.

Mr. Speaker: Order. We are in the middle of business questions. I am amazed at hon. Members who have been here long enough to know that I do not take points of order before business questions.

The Lord President of the Council and Leader of the House of Commons (Sir Geoffrey Howe): The business for next week will be as follows:

MONDAY 21 MAY—Opposition Day (12th Allotted Day). Until about seven o'clock there will be a debate on Ravenscraig, followed by a debate on bovine spongiform encephalopathy (BSE). Both debates will arise on Opposition motions.

Motion to take note of EC documents relating to the social charter. Details will be given in the *Official Report*.

TUESDAY 22 MAY—Opposition Day (13th Allotted Day, 1st part). There will be a debate on a motion in the name of the Social and Liberal Democrats entitled "Alterations and Amendments to the Poll Tax".

Remaining stages of the Town and Country Planning Bill *[Lords]*, the Planning (Listed Buildings and Conservations Areas) Bill *[Lords]*, the Planning (Consequential Provisions) Bill *[Lords]*, and the Planning (Hazardous Substances) Bill *[Lords]*, which are consolidation measures.

The Chairman of Ways and Means has named opposed private business for consideration at seven o'clock.

WEDNESDAY 23 MAY—Motion for the spring Adjournment.

Motion on the Appropriation (No. 2) (Northern Ireland) Order.

THURSDAY 24 MAY—Adjournment debates.

It may be for the convenience of the House if I indicate that the business for the first week after the spring Adjournment will be as follows:

TUESDAY 5 JUNE—There will be a debate on the Army on a motion for the Adjournment of the House.

WEDNESDAY 6 JUNE —Opposition Day (14th Allotted Day). There will be a debate on an Opposition motion; subject for debate to be announced.

THURSDAY 7 JUNE —Remaining stages of the Food Safety Bill *[Lords]*.

FRIDAY 8 JUNE —Private Members' motions.

[Monday 21 May 1990

Relevant European Community documents

(a) 9978/89	*Action Programme on Community Social Charter*
(b) Unnumbered	*Community Charter of Fundamental Social Rights*

Relevant Reports of European Legislation Committee

(a) HC 11-vii (1989-90), para 4 and HC 11-xvi (1989-90), para 1

(b) HC 11-ii (1989-90), para 3]

Dr. Cunningham: I thank the Leader of the House for his thoughtful announcement of the business for the week following the Whitsun recess. That is a great help to all hon. Members. May we be told before the recess exactly when the Government intend to proceed with the division of the Select Committee on Social Services into two Committees, one on health and one on social services? There has been an extraordinarily long delay in the implementation of that decision. It is of considerable importance to hon. Members in all parties that the two new Select Committees should be established and allowed to get on with their work as soon as possible. Will the right hon. and learned Gentleman tell us his intentions before the Whitsun recess?

May I also request information about the Government's intentions for the 21 poll tax-capping orders that the House will have to consider? I must make it clear that it would be intolerable if the House were asked to decide, in one short debate, the budgets and poll tax levels of 21 separate local authorities, covering services used by millions of people. It is unprecedented—it does not happen in any other country—that a national Parliament should decide these matters. It would be unacceptable to deal with all those orders in one and a half hours after 10 o'clock. I urge the right hon. and learned Gentleman to consider providing more time, preferably in prime time, for those important debates.

We shall have a debate in Opposition time next week on the devastating news for Scotland of the proposed closures at Ravenscraig. Can it be made clear who will be speaking for the Government, and exactly what the Government's policy is towards those closures? We hear a different story about the Government's attitude towards the Ravenscraig job losses from the Secretary of State for Trade and Industry from that given by the Secretary of State for Scotland. The House and the people of Scotland, given the importance of Ravenscraig to the Scottish economy, are entitled to a clear and unequivocal statement of Government policy on the Scottish steel industry, exactly who is deciding that policy, and whether the Secretary of State for Scotland's position in the Government has now become untenable.

Sir Geoffrey Howe: On the hon. Gentleman's first point about the future of the Select Committee on Social Services, I have already given positive indications to the House about our intentions. I hope that the House will be patient for a little longer.

On the hon. Gentleman's point about charge capping, as he appreciates, it is now open to my right hon. Friend the Secretary of State for the Environment to lay before the House the draft order setting authorities' caps. He is considering carefully how and when to proceed, but, as was made clear to the court on his behalf, caps will not finally be set for the authorities involved in the judicial review before 18 June. As to when those debates should be conducted, there is room for more than one view, apart from that expressed by the hon. Gentleman.

The Government's speakers for the Opposition's debate on Monday will be made plain in due course, but there is no doubt that the Government's policy is that of the Government as a whole. The first and essential feature to notice is that the decisions taken in relation to Ravenscraig are being taken by the company on commercial grounds and the Government will be responding as Government, not seeking to influence those decisions beyond the powers that they have, which are extremely limited.

Several Hon. Members *rose*——

Mr. Speaker: Order. As the House knows, I am always reluctant to curtail business questions, but we have an important statement and a debate in which we have to deal with many amendments after this. Therefore, I propose to allow business questions to continue until 4.30. If hon. Members ask single questions, all of them should be accommodated within that time. Mr. Harry Greenway.

Hon. Members: First again.

Mr. Harry Greenway (Ealing, North): I have been last for the past two weeks.

Mr. Speaker: Order. Hon. Members should know that those who are called last on Thursday tend to be called early the next.

Mr. Greenway: May we have an early debate on gipsies and the legislation relating to them? There has been a large encampment of gipsies and tinkers at the side of the A40 in my constituency causing great harassment to the people of Greenford and Northolt. May we have an early debate on the need to improve legislation to get those people moving away from other people's homes?

Sir Geoffrey Howe: The operation of existing legislation gives rise to concern in more than one constituency, but I cannot offer the prospect of an early debate.

Mr. Greville Janner (Leicester, West): Why is there no opportunity next week or the week after to debate the disgusting, disgraceful and dirty conditions in which the Vietnamese refugees are forced to live in Hong Kong and which have given rise to the recent riots? Does not the Leader of the House see that the way in which those refugees are kept is unworthy of us, that they are treated as prisoners by people who are trained to look after criminals, and that we are asking for more riots unless we treat people properly in those camps?

Sir Geoffrey Howe: There is no immediate prospect of a debate on that topic, although it has been brought before the House on more than one occasion, as the hon. and learned Gentleman knows. He must acknowledge that, however hard the people in charge of the camps may try, the conditions there are bound to become increasingly difficult until there is a satisfactory solution to the problem of how to achieve the speedy return of many of those people their own country.

Mr. Nicholas Bennett (Pembroke): Does my right hon. and learned Friend share my surprise that once again the Opposition have not chosen one of their Supply days to discuss their new policy review? That would give Conservative Members the opportunity to point out that, if tax rates had remained as they were in May 1979, every man on average earnings with two children in Britain would be paying £1,000 a year more in income tax. We find it strange that the Opposition, having always supported high taxes, now seem to be in favour of low taxes without explaining how they could spend more and yet cut taxes.

Sir Geoffrey Howe: My hon. Friend draws attention to a point of legitimate importance. The House had an opportunity to discuss that on Monday on the motion in the name of my hon. Friend the Member for Hertford and Stortford (Mr. Wells).

Mr. James Wallace (Orkney and Shetland): The Leader of the House told the hon. Member for Copeland (Dr. Cunningham) that whoever speaks for the Government in Monday's debate on Ravenscraig will enunciate the policy of the whole Government. Before that debate, will the Leader of the House draw to the relevant person's attention the words of the Secretary of State for Scotland yesterday, when he said:

"we shall seek to persuade British Steel to reconsider its proposal in the interests both of the company and of its work force."—[*Official Report*, 16 May 1990; Vol. 172. c. 887.]?

Does the Leader of the House intend to keep us waiting, or will that be the policy that the Government will enunciate on Monday?

Sir Geoffery Howe: The decision was taken on commercial grounds, in the light of the company's judgment of market conditions, and it must remain a matter for the company's commercial judgment. I understand that the decision is not due to be implemented until the first half of next year. Any right hon. or hon. Members who are concerned about the matter, whether or not they are in government, will no doubt bring to the company's attention any commercial arguments for reviewing its decision.

Mr. Michael Latham (Rutland and Melton): What has happened to the debate on the Police (Amendment) Regulations 1990? As they are extremely unwelcome to many policemen in my constituency, will my right hon. and learned Friend confirm that he will bring the regulations before the House for proper debate shortly?

Sir Geoffrey Howe: As my hon. Friend knows, I have been seeking a suitable opportunity for just such a debate. Although one was not included in the business for next week that I announced today, I propose to arrange a debate at an early opportunity.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): Does not the Leader of the House realise that, in his replies to my hon. Friend the Member for Copeland (Dr. Cunningham) and to the hon. Member for Orkney and Shetland (Mr. Wallace), he contradicted what was said by the Secretary of State for Scotland yesterday? The right hon. and learned Gentleman has in fact disowned the Secretary of State for Scotland. I understand that he was disowned also by the Prime Minister's spokesman this morning. Will the deputy Prime Minister confirm that that was the case, and tell the House whether the Secretary of State for Scotland will come to the Dispatch Box to make a personal statement?

Sir Geoffrey Howe: The Government's policy is consistent and is held by all members of the Government. My right hon. and learned Friend the Secretary of State for Scotland made a statement to the House about Ravenscraig yesterday, and the House will have a further opportunity to debate it on Monday.

Sir Alan Glyn (Windsor and Maidenhead): My right hon. and learned Friend will be aware of the situation in the Baltic states, particularly in Lithuania. Will it be possible to arrange an early debate on how this country can best help them economically and with supplies in what is a very difficult situation?

Sir Geoffrey Howe: My right hon. Friends the Secretary of State for Foreign and Commonwealth Affairs and the

Prime Minister continue to stress how important it is that moves should be taken to reduce, not heighten, tension in order to reach a solution acceptable to the people of Lithuania.

Mr. Ron Brown (Edinburgh, Leith): As the Leader of the House may know, Shell intends to sell a subsidiary, Mitchell Gas, based in my constituency to Calor Gas. If that is allowed to go through, it will mean that there will be a virtual monopoly in Scotland, with one firm controlling the supply of certain gases, including butane and other gases important to industry and to people in general. Will the Leader of the House arrange a special debate next week? More importantly, will he block that takeover bid, bearing in mind the fact that the Government apparently believe in market forces?

Sir Geoffrey Howe: I shall bring that matter to the attention of my right hon. and learned Friend the Secretary of State for Scotland and my right hon. Friend the Secretary of State for Trade and Industry.

Mr. Richard Holt (Langbaurgh): Will my right hon. and learned Friend resist the temptation to say, "There are Adjournment debates coming up"? Will he consider the situation on the Isle of Man, where we have had a Barlow Clowes all over again, and where there has been malfeasance of the worst possible kind, yet the Government are doing nothing about it? Is it not time that the Government exercised their responsibilities to the Isle of Man far more rigidly, brought to book those who have committed crimes, and made sure that everyone who has lost money is fully and properly compensated?

Sir Geoffrey Howe: I shall bring my hon. Friend's points to the attention of those responsible for the enforcement of law on the Isle of Man.

Mr. Tony Benn (Chesterfield): Are we to have a debate on Europe before the Dublin summit? The Leader of the House will know that there is great interest in that meeting among right hon. and hon. Members on both sides of the House—not always following precisely party lines. What might be determined in our name could affect the future of the House of Commons, vis-a-vis not only Brussels but the Executive. It will not be satisfactory to be told after the Dublin summit that the Prime Minister has entered into agreements that might affect the future of the House of Commons in its relations with Europe. That matter is causing great concern. Will the Leader of the House give an absolutely clear assurance that the House will be able to give its view before the Prime Minister gives her decision?

Sir Geoffrey Howe: The right hon. Gentleman may recollect that that topic has been the subject of study by the Select Committee on Procedure and it reported on it some months ago. In the course of the next week I hope to make available the Government's response to its recommendations, which will bear upon the points that the right hon. Gentleman has raised.

Mr. Richard Tracey (Surbiton): Could my right hon. and learned Friend arrange for a debate in the House on the extraordinary behaviour of the producers of the BBC programme "On The Record"? Apparently, an opinion poll which showed overwhelming support for the Prime Minister among Conservative councillors was suppressed when the poll, seemingly, did not suit the purposes of the programme's producers.

Sir Geoffrey Howe: As my hon. Friend appreciates as well as anyone, the commissioning of research and the selection of material for use in programmes are matters for the editorial judgment of the broadcasters. I hope that they will take account of the views expressed by hon. Members, including those that my hon. Friend has just expressed.

Mr. Dafydd Wigley (Caernarfon): Will the Leader of the House find time for a debate on the financial crisis facing so many health authorities, in particular Gwynedd health authority, which is facing a £4 million shortfall, leading to the closure of wards and the elimination of services, and is hitting disabled people, the young and the old? In addition, six hospital closures have been announced for the next 12 months. May we have an early debate on that subject?

Sir Geoffrey Howe: I cannot offer the hon. Gentleman the prospect of an early debate, but I shall bring the matters he has raised to the attention of my right hon. and learned Friend the Secretary of State for Health.

Sir Ian Lloyd (Havant): The Leader of the House will doubtless have seen the extremely disturbing report in yesterday's edition of *The Times*, based on evidence given to a United States Senate committee, that the cost of dealing with the greenhouse effect could absorb the entire national income of the United States. In view of that report, and the report of the committee in the other place on the scientific background to the greenhouse effect, may we have an early debate on that important subject, which has vast policy implications?

Sir Geoffrey Howe: I do not doubt the importance of the issue my hon. Friend has mentioned, as it raises many questions. I cannot offer the prospect of an early debate specifically on that issue, but I shall bring his remarks to the attention of my right hon. Friend the Secretary of State for the Environment.

Mr. Dennis Skinner (Bolsover): Will the Leader of the House make time for a statement or a debate on the question of the parliamentary building across the road? Is he aware that there has been considerable delay and that one of the problems concerns the 40 marble fireplaces in rooms for Members of Parliament. Due to the Government's attitude to manufacturing industry in Britain, we have no one to produce such fireplaces, with the result the Italians have been called in to provide these £20,000 marble fireplaces—[HON. MEMBERS: "Each?"] Yes, £20,000 each. The contractors in Italy have said that they would like to provide the fireplaces but that they need to use Italian labour. No wonder the unemployment figures are beginning to rise.

Sir Geoffrey Howe: The hon. Gentleman will understand that all matters relating to the provision of the new building across the road, including phase 1, are under the closely attended management of the New Building Sub-Committee of the House.

Mr. Michael Marshall (Arundel): Will my right hon. and learned Friend assure us that we shall have an early opportunity to debate the electoral processes in central and eastern Europe, given that they will come to a head

[Mr. Michael Marshall]

next month? Will he particularly bear in mind the concerns of hon. Members on both sides of the House who have met Romanian parliamentary candidates about the election there? Will he reiterate the Government's position in that regard?

Sir Geoffrey Howe: I am grateful to my hon. Friend for drawing attention to that matter once again. The House has expressed its anxiety on more than one occasion about the manner in which those elections are being and are likely to be conducted. As he knows, provision has been made for the presence of independent observers there to assess the standards to which he has drawn our attention.

Mr. Bob Cryer (Bradford, South): Will the Leader of the House arrange for a statement next week from the Secretary of State for Employment on the sale of skill centres, because the Government have failed to reveal information about why they did not tell bidders for the centres that £11 million would be given to three civil servants and would not be available to the others? The Government did not tell other bidders that 27 skill centres were to be sold to Astra Training Services. There has been a conspiracy of secrecy on the matter. It is taxpayers' money and we should know the details, and it is vital that there is a requirement that civil servants should not be given inside advantage to purchase publicly owned assets. We should have a statement next week about this further rip-off of taxpayers.

Sir Geoffrey Howe: The hon. Gentleman will have an opportunity, in a more intelligent setting, to ask those questions of my right hon. Friend the Secretary of State for Employment on Tuesday next week.

Mr. Bob Dunn (Dartford): Is the Leader of the House aware that the Labour party is now committed to repealing all the trade union reforms that we have introduced during the past 10 years? Since that hostility bears down on individual rights and can only create confusion and mayhem in the workplace, may we have an urgent debate on the matter after the Whitsun recess?

Sir Geoffrey Howe: My hon. Friend correctly draws attention to yet another aspect of the Opposition's policy that could do grave damage to the economy.

Dr. John Reid (Motherwell, North): Does the Leader of the House recall that last week I asked him whether the Government would make a statement on steel policy? Is he aware that, had such a statement been made, we might have been able to change British Steel's disastrous decision to close the hot strip mill at Ravenscraig? The absence of a Department of Trade and Industry statement is tragic both for the Government and for Ravenscraig, since there are deep divisions between the Department of Trade and Industry and the Secretary of State for Scotland. It was extremely unfortunate that we did not have the opportunity, during Prime Minister's questions today, to hear that the Government support the fight for Ravenscraig. Unfortunately, the random selection of supplementary questions did not allow any of the Scottish Members of Parliament to be called, and——

Mr. Speaker: Order. That is a reflection upon the Chair. I hope that the hon. Gentleman will withdraw that remark. He was called twice yesterday.

Dr. Reid: I said that the random selection of questions unfortunately did not allow one Scottish Labour Member of Parliament to be called, and I stand by that. Will the Leader of the House allow us to question the Department of Trade and Industry by bringing the Secretary of State for Trade and Industry to the Dispatch Box to answer directly for the consequences of his privatisation programme?

Sir Geoffrey Howe: The position remains exactly as I have already stated it: this is a matter for the commercial judgment of the company. It was the subject of a statement and questions in the House yesterday afternoon; it will be the subject of a further debate in the House next Monday.

Mr. Michael Jack (Fylde): Will my right hon. and learned Friend find time in the near future for a debate on the regulations governing the Data Protection Act 1984? A document has been sent to me by constituents—it is a Labour party document from the private office of the Leader of the Opposition—requesting Conservatives to give money. It has not attracted much support, but the document purports to say the following, in very small print: "Labour would never make"——

Mr. Speaker: Order. The hon. Gentleman must paraphrase, please, not read.

Mr. Jack: The document goes on to say that people's names and addresses will be given to carefully screened companies as a result of this application. This is a matter for investigation.

Sir Geoffrey Howe: I am sure that the House will be grateful to my hon. Friend for raising the matter. I hope that it is studied as it ought to be by those responsible for the circulation of the document.

Mr. Thomas Graham (Renfrew, West and Inverclyde): Will the Leader of the House confirm the statement made by the Prime Minister's press officer, Mr. Bernard Ingham, that the Secretary of State for Scotland is receiving no support in Cabinet and that he stands alone? Will he arrange for the Secretary of State for Scotland to make a statement about why he stands alone and why he is not getting support for the steel workers at Ravenscraig?

Sir Geoffrey Howe: The Secretary of State for Scotland stands as a member of the Government with the full support of the Government. Government policy is the same for all Ministers. Obviously there is concern about the consequences of any commercial decision, but the fact remains that the decisions affecting Ravenscraig are commercial decisions. They were the subject of discussions in the House yesterday, and they will be the subject of further discussion on Monday.

Mr. Stephen Day (Cheadle): Will my right hon. and learned Friend arrange for a debate next week on the appalling decision of the Civil Aviation Authority not to recommend the mandatory introduction of smoke hoods into civilian aircraft? Is he aware of the seriousness of the matter? It is rumoured that many people lay the blame at the door of the CAA for the consequent cancellation by British Airways of an order for smoke hoods and for the possible withdrawal of one leading manufacturer? Given that safety matters are involved, particularly in the light of what happened at Manchester airport a few years ago, will he allow the House to debate the competence of the CAA?

Sir Geoffrey Howe: I cannot comment on the detail of what my hon. Friend has said, but I promise to bring the matter to the attention of my right hon. Friend the Secretary of State for Transport.

Mr. Speaker: Mr. Salmond.

Mr. John Maxton (Glasgow, Cathcart): He has not been here.

Mr. Speaker: Order. I decide who is called. The hon. Gentleman represents the Scottish National party.

Mr. Alex Salmond (Banff and Buchan): The whole House heard the Leader of the House say earlier that the Government would not seek to influence British Steel over Ravenscraig. The whole House heard the Secretary of State for Scotland yesterday tell the House that he would seek to persuade British Steel to change its position. Will the Leader of the House now try to reconcile those apparently irreconcilable statements or tell us who has cut adrift from the Cabinet; is it himself or the Secretary of State for Scotland?

Sir Geoffrey Howe: There is no rift of any kind whatsoever. It is a matter for commercial judgment, but, as I said earlier, it is open to hon. Members on both sides of the House to advance any arguments that they wish to bring to the attention of the company. That matter can be debated on Monday.

Mr. Edward Leigh (Gainsborough and Horncastle): May I return to the question asked by my hon. Friend the Member for Surbiton (Mr. Tracey)? Although I suppose that one should take opinion polls commissioned by the media with a pinch of salt, hardly a weekend passes when I do not vote in *The Sunday Times* poll for my hon. Friend the Member for Littleborough and Saddleworth (Mr. Dickens) as leader of the Conservative party. However, there is an onus on the media when they commission such polls which claim to speak for the public to publish all the polls or none of them; otherwise, they are seriously misleading the public.

Sir Geoffrey Howe: My hon. Friend is entirely right to draw attention to that matter and to express his view on it.

It remains the responsibility of those in the media who handle these matters, but clearly they will wish to take note of what has been said by my hon. Friend, among others, in the House.

Mr. Norman Buchan (Paisley, South): Will the Leader of the House seriously reconsider what he has said this afternoon? First, he has totally and utterly repudiated the statement that we heard yesterday from the Secretary of State for Scotland. Secondly, he is jumping ahead of the debate. The right hon. and learned Gentleman has been presupposing the decision of the debate before the House of Commons debates the matter. He is not entitled to presuppose whether we shall decide to interfere with the decision taken by British Steel, or at any rate to bring pressure to bear on the company. Each time he says that it is purely a matter of commercial decision by the firm, he is jumping ahead of the decision of the House. Will he withdraw that?

Will the right hon. and learned Gentleman ensure that the spokesman for No. 10 Downing street speaks openly? Even a civil servant has been put in the position of denying the statement by the Secretary of State for Scotland, and it is time that that finished.

Sir Geoffrey Howe: I have been making the same point throughout the discussion——

Mr. Buchan: But the right hon. and learned Gentleman should not do that.

Sir Geoffrey Howe: The decision is a matter for the commercial judgment of the company. It remains that, but, as I have also made clear, it is perfectly open to hon. Members——

Mr. Buchan: It is open to this House.

Sir Geoffrey Howe: Hon. Members, individually and collectively, are entitled to make representations and express views on matters that should be taken into account by the company. However, the decision is a matter for the company on commercial grounds.

Mr. Chris Butler (Warrington, South): Will my right hon. and learned Friend find time next week for a debate on bureaucratic insensitivity in local government? Tragically, a disabled constituent of mine died on 2 April, and the Labour council in Warrington sent her son a poll tax bill of 21p. Is that not scandalous?

Sir Geoffrey Howe: As the Prime Minister made clear in answer to a similar question on a similar point some weeks ago, there is no obligation on a local authority to deliver a bill for a sum of that kind. It is a matter about which local authorities have discretion, and one hopes that that discretion will be exercised sensibly.

Several Hon. Members *rose*——

Mr. Speaker: Order. There are six more minutes before we move to the next statement. The length of questions will determine how many hon. Members I can call.

Mr. George Robertson (Hamilton): Surely there is now an overwhelming case for the Secretary of State for Scotland to make an urgent statement. After all, the Leader of the House, as deputy Prime Minister, has this afternoon repudiated what the Secretary of State said in the House yesterday, and said throughout Scotland and to the media last night. In addition, we have the news that this morning Mr. Bernard Ingham said that the Secretary of State for Scotland was on his own on this issue. Is it not sad and humiliating that, whereas last Friday, in Aberdeen, the Prime Minister stood four square beside her Secretary of State for Scotland, on Wednesday of the following week she has allowed him to stand alone and discarded as he is repudiated by the Secretary of State for Trade and Industry, by the British Steel Corporation and now, it would appear, by No. 10 Downing street?

Sir Geoffrey Howe: The hon. Gentleman returns to the same set of fantasies—*[Interruption.]* The Government take a single view on this matter. The Secretary of State for Scotland addressed the House on it yesterday and the House will be looking at it again on Monday.

Mr. D. N. Campbell-Savours (Workington): May we have a debate on the catering arrangements for hon. Members and their families? Is it not deeply shocking

[Mr. D. N. Campbell-Savours]

when a Cabinet Minister cynically force-feeds his own children on television with beefburgers that he cannot even guarantee are contaminant-free?

Sir Geoffrey Howe: The hon. Gentleman has a more grotesque capacity than almost any other hon. Member in the House for following a single track to destruction. I have nothing to add to what I have said on this subject on many previous occasions.

Mr. Peter L. Pike (Burnley): The Leader of the House will be aware that, as the Environmental Protection Bill makes its way through the House, the Nature Conservancy Council part of the measure is proving to be of great concern. Will he cancel the press conference that has been arranged for tomorrow to give the Government's response to the Carver report and instead deal with it in the proper way, and that is by arranging for a statement to be made in the House next week?

Sir Geoffrey Howe: I have no doubt that my right hon. Friend is handling the matter exactly as it should be handled.

Mr. David Winnick (Walsall, North): Is the right hon. and learned Gentleman aware that, since yesterday, the Cabinet has upheld the point of view of the hon. Member for Eastbourne (Mr. Gow) against that of the Secretary of State for Scotland? I draw attention to column 894 of yesterday's *Official Report*. If, as seems clear, the Secretary of State for Scotland in making his statement yesterday was not speaking for the Government—that is precisely what Mr. Ingham has been telling the media—it is necessary for the House of Commons to understand that point officially, since the Secretary of State for Scotland's statement yesterday did not reflect the view of the Cabinet. In those circumstances, we are entitled to know who will speak for the Government on Monday.

Sir Geoffrey Howe: There is a limit to the number of times one can say the same thing. The Secretary of State for Scotland explained the position to the House yesterday. The House will have an opportunity of addressing itself to the matter on Monday.

Dr. Cunningham: On a point of order, Mr. Speaker. It arises directly out of what is happening and what the Leader of the House continues to say. Yesterday the Secretary of State for Scotland said:

"we shall seek to persuade British Steel to reconsider its proposal in the interests both of the company and of its work force".—[*Official Report*, 16 May 1990; Vol. 172, column 887.]

In using the word "we", the Secretary of State was speaking on behalf of the Government—on behalf of the Cabinet as a whole. Now we have the Leader of the House disavowing that statement. We have also had official briefing from No. 10 Downing street, on behalf of the Government, disavowing it, and it has been disavowed by the Secretary of State for Trade and Industry. We are entitled to know just what is the policy of the Government on this important matter concerning Scotland.

Mr. Speaker: That has nothing to do with me; it is wholly a matter for the Government.

Mr. Denis Howell (Birmingham, Small Heath): Will the Leader of the House kindly arrange for the Home Secretary to make an urgent statement on his failure to establish the Football Licensing Authority which, although it is now months after the Bill was passed, has no chairman or chief executive? There is tremendous conflict because Lord Justice Taylor's report must be implemented during the close season, at a cost of many millions of pounds, by football clubs that do not know where they stand because that authority has not yet been established.

Sir Geoffrey Howe: I will bring the point to the attention of my right hon. and learned Friend the Home Secretary.

Mr. Max Madden (Bradford, West): May I use my question to appeal to you, Mr. Speaker, to allow my right hon. Friend and——

Mr. Speaker: Order. That would not be in order. This is business questions to the Leader of the House.

Mr. Madden: May I, therefore, ask the Leader of the House if he will express a willingness to remain in the House to answer the questions that my right hon. and hon. Friends want to ask on a most important issue? Some of us resent strongly the limits that have been put on the opportunities for Back-Bench Members to raise at this time and at other times issues of urgent importance to their constituencies.

The Housing Corporation is in deep financial crisis. Will the right hon. and learned Gentleman arrange for the Secretary of State for the Environment to make a statement next week about what the Government are doing to enable new homes for rent to be built, including in my constituency?

Sir Geoffrey Howe: All that I can and will do is to draw the point to the attention of my right hon. Friend the Secretary of State for the Environment.

Mr. Speaker: I must tell the hon. Member for Bradford, West (Mr. Madden) that I have a long memory. I remember him rising last week and calling me to account for not calling Front-Bench Members while the television cameras were on. He is now saying something rather different.

Mr. Tony Banks (Newham, North-West): On a point of order, Mr. Speaker.

Mr. Jeremy Corbyn (Islington, North): On a point of order, Mr. Speaker.

Mr. Speaker: Order. I shall take points of order in a minute.

Mr. Tony Banks: On a point of order, Mr. Speaker.

Mr. Speaker: Order. I repeat that I will take points of order after the statement.

Northern Ireland (Stevens Report)

4.32 pm

The Secretary of State for Northern Ireland (Mr. Peter Brooke): With permission, I should like to make a statement about the report of an inquiry conducted in Northern Ireland by Mr. John Stevens, deputy chief constable of Cambridgeshire. Mr. Stevens was appointed on 14 September 1989 by the Chief Constable of the Royal Ulster Constabulary to conduct an inquiry into allegations of collusion between members of the security forces in Northern Ireland and loyalist paramilitaries, and to make recommendations. He presented his report to the Chief Constable on 5 April 1990 and, subsequently, he has prepared a summary of his findings and recommendations. That summary, together with a copy of the complete report, was made available to me earlier this week. The Chief Constable made the summary report publicly available earlier today. Copies have been placed in the Library of this House and that of another place.

Mr. Stevens conducted a most thorough and wide-ranging inquiry in which, as he himself stresses, he has at all times received full co-operation at every level from both the RUC and the Army. In connection with his inquiry, 94 persons have been arrested, of whom 59 have either been charged with, or reported for, a variety of criminal offences. The majority of these cases are covered by the sub judice rule and it would be improper for me to comment further about them.

The report from Mr. Stevens was addressed to the Chief Constable. Many of its conclusions and recommendations are primarily for him to consider. Others are for the Army authorities in Northern Ireland or for my right hon. Friend the Secretary of State for Defence.

Mr. Stevens found that the passing of information to paramilitaries did take place, but that it was restricted to a small number of individuals and was neither widespread nor institutionalised. Moreover, he has recognised that steps taken by the police and the Army both before and since September 1989 have already significantly reduced the risk of repetition. No document so far traced to the possession of loyalist paramilitaries bore a recent date. Mr. Stevens recognises that there must be some tension between the need to disseminate information for operational purposes and the need effectively to safeguard that information.

Mr. Stevens finds, nevertheless, that there were deficiencies in procedures for identifying and accounting for documents containing sensitive information. Far too much material was circulating at any one time and the easy availability of photocopiers further extended the risk of unlawful dissemination. Accordingly, the report contains a number of detailed recommendations aimed at further improving the arrangements for the dissemination and control of all sensitive information; already some of these have been and others are being implemented. Mr. Stevens notes that the absence of adequate control procedures at the material time severely hampered the efforts of his inquiry to discover the origins of documents and to trace persons who might have been criminally responsible for passing them on and that, for related reasons, it cannot be assumed that a document with a particular provenance was leaked directly from the organisation that produced it.

As Mr. Stevens's own summary makes clear, any evidence or allegation of criminal conduct was rigorously followed up. No charges have been laid against any member of the RUC. Mr. Stevens concluded that there had been misbehaviour by a few individual members of the Ulster Defence Regiment. That is a matter of great regret to me, as I know that it is to the great majority of those honourable and courageous men and women who are the backbone of a very fine regiment; and I therefore welcome Mr. Stevens's equally firm conclusion that it would be wholly wrong to believe that a significant proportion of members of the UDR were involved wth paramilitaries. The House will know that steps have already been taken to tighten up procedures for screening potential members of the regiment. Mr. Stevens has made recommendations for further improvements in the arrangements in that area.

I see nothing in the findings of the Stevens inquiry to lessen my convictiion that the UDR plays a vital and valued part in the Army's support for the police-led anti-terrorist effort. I am conviced that the regiment is fundamentally sound; I am fully aware of the great efforts that continue to be made by the regiment steadily to improve its effectiveness and professionalism, and I have no doubt that the overwhelming majority of its members impartially serve the whole community in Northern Ireland. I remind the House that, in that service, more than 180 serving and more than 40 former members of the regiment have been killed in Northern Ireland in the past 20 years; only two days ago, 11 members of the UDR were decorated or were mentioned in dispatches.

Mr. Stevens also makes proposals relating to the technical and scientific support services available to the RUC's anti-terrorist work, identifying in particular scene-of-crime examinations, fingerprint analysis and the scientific examination of possible exhibits. The need for improvements in many of those areas had already been recognised by the Chief Constable, and Mr. Stevens's recommendations in those areas will now be for the Chief Constable to take forward. I stand ready to respond as sympathetically as I can to any specific recommendations that the Chief Constable may wish to put to me.

Painful though its findings in some respects may be, the Stevens report is a most valuable document. It has highlighted shortcomings and deficiencies in several important areas. Action by the police and the Army to remedy many of the deficiencies to which Mr. Stevens has drawn attention has already been taken, or is now in hand; and immediate consideration will now be given to his detailed recommendations for further improvements.

I am sure that the whole House shares my gratitude to the Chief Constable of the RUC for initiating this inquiry, and to Mr. Stevens for the exemplary care and vigour with which he has carried it out. It will contribute to increasing the skill and dedication with which the security forces carry out their vital task of combating and defeating terrorism in Northern Ireland, wherever it is to be found. I hope that the whole House will join me in paying tribute to the skilled, courageous and impartial way in which they carry it out.

Mr. Kevin McNamara (Kingston upon Hull, North): I thank the Secretary of State for his statement, and for his courtesy in supplying me with a copy of the summary of the report. On behalf of Her Majesty's Opposition, I should also like to thank Mr. Stevens and his team of officers for their efforts in a long, gruelling and—on occasions—no doubt frustrating series of investigations.

[Mr. Kevin McNamara]

I read Mr. Stevens's report with mixed feelings. It is regrettable that he was forced to admit that, in some cases, although he had found evidence of wrongdoing, it was impossible to trace the culprit. His admission that

"in the present climate, leakages of information from the Security Forces may never be completely eliminated"

will dismay the supporters of the rule of law in Northern Ireland and throughout these islands. It will not enhance the reputation of the security forces; nor will it facilitate co-operation with the Irish security forces.

We should not forget that it is believed that the leakages have a direct connection with the deaths of several individuals. It is important for confidence in the security forces that they should not harbour people whose loyalties may at best be divided. On the other hand, Mr. Stevens has provided a great service in his recommendations for the future. Whatever the deficiencies of the report as a criminal investigation, it is certainly an impressive management consultancy report.

Judging by Mr. Stevens's recommendations, it is obvious that the inquiry team has discoverd appalling laxity in the handling of information by the security forces and in the recruitment procedures of the UDR, which has resulted in some unfortunate publicity attaching to certain members of the regiment.

Can the Secretary of State assure us that he, the Minister of State, the police authority and the Chief Constable will act immediately on Mr. Stevens's recommendations, to ensure that, in Mr. Stevens's words:

"Any future collusion between the security forces and paramilitary terrorist groups will be eradicated"?

In particular, will he assure us that the document production and distribution procedures will now be made traceable? Will he assure us that the present level of computer security, which apparently would be a disgrace in an ordinary commercial organisation, will now be replaced by proper arrangements?

Will the right hon. Gentleman, in conjunction with the Secretary of State for Defence, ensure that proper personnel procedures are put in place so that the difficulties that afflict recruitment to the UDR can be removed once and for all? We welcome the recommendation that the Ministry of Defence should now justify, at senior level, the rejection of RUC advice on recruiting, but it will be regretted that the final decision was not left in the hands of the RUC, because the recommendation that the MOD should have the last say does not follow the logic of Mr. Stevens's report.

The Chief Constable has said in statements today that perhaps not all the published recommendations will be implemented. Will the Secretary of State urge him to say which recommendations will not be implemented and why?

Can the right hon. Gentleman tell the House the range of charges that have been preferred as a result of the inquiry—although I understand the problems associated with the sub judice rule?

I hope that the Secretary of State realises that the concerns expressed by Mr. Stevens are concerns which we all share. We hope that he will treat the matter with the urgency that is deserves. He will have the full support of the Opposition in implementing the thrust of Mr. Stevens's recommendations. In the battle against terrorism—whether loyalist or nationalist—there is no room for complacency.

Mr. Brooke: I am grateful to the hon. Gentleman for his opening remarks about the manner in which the matter was handled and for the congratulations that he offered to Mr. Stevens. I heard his expression of regret that, despite the intense thoroughness of the inquiry, Mr. Stevens was not able to pursue a number of matters fully.

As I hope was evident from the spirit of my statement, we shall be responding as promptly as may be to the recommendations. I temper my words in that way only because there are 33 recommendations, and their implementation will involve different time scales.

We agree with the broad thrust of the recommendatons. Inevitably, some of the recommendations are for the attention of people other than myself, but I shall be collaborating with them in their response. As regards the matters that are for me, I shall respond as sympathetically as I can to any propositions that the Chief Constable puts to me.

The hon. Gentleman referred to the traceability of documents and access to the computer. He will find from the summary that, in the case of the former, improvement has already been effected by all the interested parties, and the Chief Constable responded at the press conference that he gave this morning to the recommendations relating to the computer. The hon. Gentleman will know that a considerable amount has been done in the past six months on the vetting of recruits to the UDR. He expressed his regret that the RUC should not have the last say. I think that this is an instance in which it is simplest for us simply to disagree.

The hon. Gentleman referred to the statement that not all the recommendations will necessarily be followed up. It is probably better to let that matter take its course, given that some of the recommendations are highly detailed. Those of us to whom the recommendations are directly or indirectly made will indicate the nature of our response to them.

The hon. Gentleman also asked about the range of charges. As he said, those matters are sub judice and it would probably be inappropriate for me to comment.

Finally, the hon. Gentleman asked the Government to respond urgently and I can assure him that the need for urgency will be observed.

Mr. James Molyneaux (Lagan Valley): What does Mr. Stevens mean by recommendation 65:

"Introduce interview of applicants' referees"?

Did no one tell him that that procedure was introduced in 1971?

Does the Secretary of State recall my request to him to consider publishing a further paper when the various charges have been processed to give detailed breakdown of the number of people arrested for questioning, the number released after questioning, the number whose cases were put to the Director of Public Prosecutions and the number of cases that were rejected by the DPP?

Does the Secretary of State agree that, although the Stevens summary has enlightened us all greatly on the technicalities of computers and photocopiers, it does nothing whatever to clear the reputation of the 28 Ulster Defence Regiment soldiers who were arrested so dramatically for publicity purposes one Sunday morning, only seven of whom have subsequently been charged, and

convicted of non-terrorist related offences? To put it in plain language, I understand that they were convicted of having a few spare rounds in their possession. What soldier does not commit that offence?

Will an adequate apology by given to those men, considering that many of them had to move house after being treated as if they were terrorists? Will adequate compensation be given to them and will apologies be offered to the regiment to which they belong?

Mr. Brooke: The right hon. Gentleman's first question related to recommendation 65 in Mr. Stevens's summary. No doubt he will forgive me if I say that his question was addressed more to Mr. Stevens than to me, although there will be analysis and a response to that recommendation.

The right hon. Gentleman's second and third questions related primarily to individual members of the UDR who were arrested in the course of the inquiry. I rest on my earlier remarks about the sub judice rule, although I realise that some of the cases have already been handled. The right hon. Gentleman referred to those who have had to move house. There are, of course, full administrative procedures for handling that matter, which is one for my right hon. Friend the Secretary of State for Defence.

Rev. William McCrea (Mid-Ulster): There are those who will be disappointed by the report and see deficiencies in it because it reveals that the political hype directed against the security forces in Northern Ireland was totally unwarranted. Does the Secretary of State agree that any fair-minded person will welcome the fact that Mr. Stevens has reported that

"the passing of information to paramilitaries by Security Force members has been restricted to a small number of individuals. It is neither widespread nor institutionalised"?

Bearing in mind the fact that there are 28,000 members of the security forces and given that the Stevens report states that such activities are restricted to a small number of individuals,, does the Secretary of State agree that it is time for every Member in the House to give his or her wholehearted support to the security forces in their fight against the real enemy of democracy—the terrorist throughout the United Kingdom? This part of the United Kingdom has suffered ghastly incidents in the past few days.

Recommendation 59 suggests:

"Consider location of home address of applicants".

Can the Secretary of State give a clear undertaking that, in judging the calibre of an applicant to the security forces, the guiding principle will be not his address but his person?

Mr. Brooke: I am grateful to the hon. Gentleman for drawing attention to the fact—as I sought to do in my statement—that Mr. Stevens has drawn attention to only a small number of individuals, and that he does not regard any such activity as general or institutionalised. I am sure that the whole House will join the hon. Gentleman in welcoming that.

I am also delighted to sustain the hon. Gentleman in what he says about the whole House giving support to the security forces in the dangerous and highly responsible tasks that they carry out on behalf of the whole community. I know that he would not wish that support to be blind, that he would wish the rule of law to continue to be upheld and that he will recognise that in inviting Mr. Stevens to conduct that inquiry, the Chief Constable has been loyal to that thesis.

Recommendation 59 is a matter of detail which will be looked at. I shall certainly ensure that the attention of those who will be responding to that recommendation will be drawn to the hon. Gentleman's remarks.

Mr. Merlyn Rees (Morley and Leeds, South): In asking a question about the UDR, I agree with the Secretary of State that none of us should forget that 220 members of the UDR are dead as a result of their activities. We on this side of the water quite properly get upset when people on this side are killed. Two hundred and twenty is a large number of people to have been killed, and I take that into account when asking this question.

Is not it the case that over the years the UDR has had a high turnover of people? Given the importance of police primacy and what I detect, on a quick reading of the report, to be a mix-up between the roles of the UDR and the RUC, would not it be better to increase the numbers in the RUC and the RUC Reserve and to keep the UDR as a smaller force, with a lower turnover, to do a limited job—an Army job?

Mr. Brooke: I am most grateful to the right hon. Gentleman for drawing attention to the numbers. Although I fear that that number now exceeds 220, he is right that it is an appalling number.

Although I believe that the turnover is probably lower than the right hon. Gentleman imagines, I acknowledge that some people do not stay all that long with the regiment. However, others have served in the regiment consistently since its formation and I pay tribute to them for their bravery.

The right hon. Gentleman referred to the balance of the security forces. The armed forces have had to be increased during the past five years when, as a result of Libyan armaments, there has been a rise in the level of violence, but it is the number of those serving in the regular Army that has been increased, not the number of those in the UDR. However, there has been a shift in the UDR in that period.

Mr. Ian Gow (Eastbourne): Is it a source of satisfaction to my right hon. Friend that, after the serious allegations that have been made against the Ulster Defence Regiment and his own RUC, the Chief Constable appointed Mr. Stevens to carry out an inquiry; that that inquiry received the utmost co-operation throughout from the Ulster Defence Regiment and the RUC; that that inquiry was one of the most thorough that has ever taken place; and that the report has been published almost in full and has been the subject of a statement in the House?

Is not it a tribute to the way in which we are trying to cleanse the island of Ireland of terrorism that those procedures have taken place? Will my right hon. Friend reaffirm, despite the criticism in the report, his total confidence in both the RUC and the Ulster Defence Regiment?

Mr. Brooke: I am most grateful to my hon. Friend for the tone and terms in which his question was framed. The inquiry that Mr. Stevens carried out was the most intensive and extensive inquiry of its kind ever to be undertaken in the United Kingdom. We should all derive satisfaction not only from its thoroughness, but from its findings. I am delighted, as my hon. Friend has so invited me, to express my total confidence in both the RUC and the UDR.

Mr. Eddie McGrady (South Down): The Secretary of State will be aware that the inquiry has been described in some quarters as "political hype". I remind the right hon. Gentleman and the House that the inquiry began as a direct consequence of the murders of my constituents. In July 1989 Loughlin Maginn was murdered and three men were charged with his murder, two of whom unfortunately —I emphasise the word "unfortunately"—were full-time serving members of the Ulster Defence Regiment——

Mr. Molyneaux: From Great Britain.

Mr. McGrady: Well, they may have been from Great Britain, but that is not what I am talking about.

Immediately after that—five days later—the loyalist paramilitaries gave an exhibition of montages of considerable detail to the press. Some months later, loyalist murder gangs were intercepted by the security forces on entering my constituency of South Down, with the specific purpose of murdering constituents of mine who had been named in those leaked documents.

I do not consider this to be a matter of "political hype" or something to be taken lightly. This issue is fundamental to the recognition of and respect for law and order in Northern Ireland in all its contexts. Caesar's wife must be absolutely pure in all circumstances.

I cannot comment in detail on the report, so I simply shall refer to the Secretary of State's statement. I am concerned that some 60 people have been found guilty or will be charged with colluding in the perpetration of a crime. I remind the House that the crime that we are talking about is murder. We are talking about collusion in the murders of innocent people. That is why this matter is so important and why I hope that the Secretary of State will act with the greatest possible urgency in executing the revisions that have been found necessary and exposed in the report.

This is not the first time that various screens and processes have been reorganised. That has happened at least five or six times in the past 20 years. What is going wrong in allowing those evil people to slip through the net —*[Interruption.]* Another point that I should like the Secretary of State to address—*[Interruption.]*

Mr. Speaker: Order. Will the hon. Gentleman bear in mind that he should address questions to the Secretary of State, not comments?

Mr. McGrady: Why has it taken such a long time for adequate controls to be put in place?

Last but not least, the Secretary of State said that the Stevens inquiry referred to Army investigations and RUC investigations. Did the Stevens inquiry investigate the operation of the secret units within Northern Ireland, which are setting paramilitary against paramilitary, and community against community, and working outside the rule of law or the control of the RUC and the British Army?

Mr. Brooke: I join the hon. Gentleman in his observation that the matters that gave rise to the inquiry were not ones to be taken lightly. The Chief Constable responded to a series of events in Northern Ireland by inviting Mr. Stevens to carry out an inquiry that has lasted for a full eight months. I salute the Chief Constable for his original decision and Mr. Stevens for his conduct of that inquiry.

The hon. Gentleman should allow for the fact that there is clear evidence that the action of the paramilitaries in producing the information that gave rise to the inquiry in the first instance was clearly intended to discredit the security forces, which are the paramilitaries' enemies, in so far as they act on behalf of the whole community.

It would be a mistake for us to discuss the 59 charges in detail across the Floor of the House, not only because of the sub judice issue, but because the hon. Gentleman's question slightly generalised the charges.

I give the hon. Gentleman the same pledge about urgency that I gave the hon. Member for Kingston upon Hull, North (Mr. McNamara), who spoke for the Opposition.

The hon. Member for South Down (Mr. McGrady) also asked me about adequate controls. I should say—some of this is apparent in the summary—that long before the Stevens inquiry was set up, the Army and the RUC were already taking measures in that area. Mr. Stevens also refers to the many members of the RUC who were interviewed about that.

The hon. Gentleman's final question takes us into a level of operational detail, which is more a question for Mr. Stevens than for me.

Mr. James Kilfedder (North Down): At this time I think of my constituents and all the other innocent people throughout the Province who have been slaughtered by the Irish Republican Army. I thank God for the Ulster Defence Regiment and the Royal Ulster Constabulary. In my view, the report, which I have hastily read, confirms that a large and expensive sledgehammer has been used to crack a miserable nut. The Secretary of State was right when he said that what generated the inquiry was the paramilitary Ulster Defence Association sending some photographs to the press.

What was the cost of the inquiry, which seemed to turn into a general inquisition and fishing expedition to satisfy republican demands, as part of a campaign to denigrate and undermine the UDR and RUC? Many people in Northern Ireland would agree that if all the effort and money expended on the report and the inquiry had been directed against the IRA, more terrorists would have been apprehended and more innocent lives saved.

I remind the Secretary of State of the protest that I made in the House in October of last year when a young constituent of mine was pulled out of his bed in the early hours of the morning and dragged off to a police station. He was a serving member of the UDR. Everyone in the neighbourhood was aware of his arrest because of the noise from the police vehicles. A few hours later, after hype and publicity in the press, he was released and allowed to rejoin his young wife and child. He was an innocent man. It was a disgraceful way in which to treat him or any other member of the UDR.

Mr. Brooke: I am sure that the hon. Gentleman would wish to extend his tribute to the UDR to other parts of the security forces.

Mr. Kilfedder *indicated assent.*

Mr. Brooke: He said that we had taken a sledgehammer to crack a nut. I state on behalf of the Government that the rule of law is beyond price and confidence that the rule of law is being maintained is a matter of great importance to everyone in the House. I do not have an absolutely

up-to-date figure for the cost of the inquiry, but I understand that up to a recent date it had cost £500,000. Many hon. Members will agree that such expenditure and thoroughness was justified in view of the objective that we sought. Mr. Stevens himself said:

"Written statements have been taken from over 1,900 witnesses and suspects; 2,000 investigative enquiries undertaken and almost 2,000 man hours expended on interviews with detained persons. Over 2,600 documents of all types, have been recovered"

On the hon. Gentleman's last point, it would not be right for me to comment on an individual case. However, I salute his conscientiousness as a constituency Member of Parliament in bringing it to my attention.

Mr. Alex Carlile (Montgomery): As the Secretary of State made clear in his statement, the implementation of Mr. Stevens's excellent report will require action by more than one Department and co-operation between Departments. How will he ensure that there is an overall strategy to give us confidence that all the recommendations of the Stevens report will be brought into effect? Will he also take steps to ensure a consistency of standards across the Irish border so that the police in the Republic apply similar standards on the issues described by Mr. Stevens?

Does the Secretary of State agree with me that the Stevens inquiry was not assisted by the *Irish News* which made many allegations but refused to back them up by producing evidence?

Mr. Brooke: I give the hon. and learned Gentleman the assurance that he requested about action. As I have already said, I cannot prejudge the response to particular recommendations. They are addressed to several different Departments of State, including the Ministry of Defence. The 83 recommendations have been made as a package and we shall seek to concert our general response on an interdepartmental basis.

The hon. and learned Gentleman asked about cross-border matters. I have a suspicion that the Government of the Republic of Ireland will be interested in discussing the report with me on the next occasion that I meet them. I shall certainly bear in mind what the hon. and learned Gentleman said when I do that. He was right about the conclusions of the Stevens inquiry about the inability of the *Irish News* to sustain the allegations that it initially made.

Mr. Michael Mates (Hampshire, East): Does my right hon. Friend agree that the instances of individual wrongdoing by members of the security forces must be firmly dealt with and that Mr. Stevens is to be congratulated on the way in which he has done it? Is it not astonishing that so few instances have been found, given the strain and stress under which the security forces operate? Does he agree that as long as the security forces have to risk life and limb on the streets of Ulster and in the countryside there, they must have access to photographs of people wanted in connection with offences? Therefore, the simplest way to prevent any further instances will be for the terrorists to lay down their arms, stop killing and maiming innocent men, women and children and seek political solutions to the problems that they seek to solve. Is it not extraordinary that in his criticism of my right hon. Friend's remarks, the Opposition spokesman on Northern Ireland could not bring himself to say one word in praise of our security forces and their sterling work or one word of condemnation of terrorism?

Mr. Brooke: I am particularly grateful to my hon. Friend for the way in which he worded his remarks about the nature of the report and its findings, given his position on the Select Committee for Defence. I have already said that we welcome the fact that only a small number of instances of wrongdoing were highlighted by Mr. Stevens. We are all aware of the stress under which the security forces operate in Northern Ireland. As my hon. Friend rightly says, they are daily at risk of death at the hands of terrorists. The main lesson of the report was that the Chief Constable was determined to make sure that the rule of law is maintained within the Province.

Mr. Ivor Stanbrook (Orpington): In view of the alarmist stories that appeared in the republican press, is not paragraph 41 of the report, which says that the practice was confined to a small number of individuals and was neither widespread nor institutionalised, worthy of the greater possible publicity? Will my right hon. Friend ensure that Mr. Charles Haughey, the Prime Minister of the Irish Republic, receives a copy of the report immediately?

Mr. Brooke: I am grateful to my hon. Friend for drawing attention to paragraph 41, to which other hon. Members also drew attention. I have made it possible to make a copy of the report available to the Government of the Republic of Ireland.

Mr. Cyril D. Townsend (Bexleyheath): Is it not remarkable that so many citizens of Northern Ireland are prepared to serve with the UDR after doing a day's work, bearing in mind the onerous nature of the duties and the high casualty rate? Does my right hon. Friend agree that the key to the matter is improved and thorough vetting of those who join the regiment? Will the Government stick to their guns and make sure that the regiment decides, after taking the best possible advice, who is good enough to serve in it?

Mr. Brooke: I am grateful to my hon. Friend for his tribute to the UDR. It is perhaps worth drawing the attention of the House to the fact that last year 11 million man hours were spent out of bed by members of the regiment in defence of the community in Northern Ireland and that 1,000 vehicle checkpoints are mounted every night, with all the danger that that involves for those who mount them. I acknowledge the importance of vetting. I confirm that the Government will stand by their position on the process of recruitment into the regiment. On top of that, emphasis will be placed on training and further professionalisation, which the regiment has constantly in hand.

Mr. McNamara: Is the Secretary of State aware that it was not a member of the Opposition who made a statement in the House which resulted in an alleged terrorist not being extradited from Ireland because it was felt that he would not have a fair trial? Is he further aware that I have been delighted to accept an invitation to join the UDR on training procedures in the north of England next week?

Mr. Brooke: I am not absolutely certain that I recognise the relevance of the first part of the hon. Gentleman's

[Mr. Brooke]

question to today's statement. I warmly welcome his decision to participate in the training procedures of the UDR. If he could go further and urge more Catholics to join the regiment, he would be doing a considerable service to Northern Ireland.

Whitsun Adjournment Debates

Mr. Speaker: I remind hon. Members that on the motion for the Adjournment of the House on Thursday 24 May up to 10 Members may raise subjects of their choice. Applications should reach my office by 10 pm on Monday next. A ballot will be held on Tuesday morning and the result made known as soon as possible.

Ravenscraig

5.10 pm

Several Hon. Members: On a point of order, Mr. Speaker.

Mr. Speaker: I call Maria Fyfe first.

Mrs. Maria Fyfe (Glasgow, Maryhill): On a point of order, Mr. Speaker. I should be glad of your advice. On Monday the House will debate Ravenscraig. Are we to understand that the Government's policy is as described by the Leader of the House or as described by the Secretary of State for Scotland? How should we expect Tory Members to be whipped and to vote on Monday? Will they tell us that Ravenscraig's future must be determined on commercial criteria or will they be whipped to defend Ravenscraig?

Several Hon. Members: Further to that point of order——

Mr. Speaker: Order. I hope that it will not be further to that point of order, because I could not possibly answer such a question, but I will listen.

Mr. John McAllion (Dundee, East): Further to the point of order, Mr. Speaker. I failed to catch your eye during Prime Minister's Question Time, or to get a clear answer from the Leader of the House during business questions. Scottish Members have no early opportunity to clarify the position of the Secretary of State for Scotland inside the Government. Today in press briefings No. 10 has made it clear that the Secretary of State is isolated from and disowned by the rest of the Cabinet and that he does not speak for Government policy. At this critical juncture in our history Scotland cannot afford to have its representatives in the Cabinet publicly humiliated in this way. Can you advise me how within the rules of the House we can ensure that the Secretary of State for Scotland comes to the Dispatch Box before the weekend to answer Scottish Members' questions?

Several Hon. Members *rose*——

Mr. Speaker: Order. Let me deal with the matter. Yesterday I granted a private notice question and every hon. Member who was present was called. I cannot say whether the Secretary of State will answer the debate on Monday. The Opposition are using their time for a debate and that is the occasion when hon. Members should put their questions.

Several Hon. Members: Further to that point of order, Mr. Speaker.

Mr. Speaker: Order. In that case, they cannot possibly be points of order for me. The opportunity arises on Monday.

Mr. John Maxton (Glasgow, Cathcart): On a different point of order, Mr. Speaker. We have a political crisis in Scotland. The Secretary of State for Scotland, who is the representative of the Government in Scotland, has been repudiated by his Cabinet colleagues. I have the press statement that the Secretary of State issued yesterday and the early-day motion signed by the hon. Member for

Tayside, North (Mr. Walker) and his five Back-Bench colleagues, which demands that British Steel changes its mind and invests in Ravenscraig.

I appreciate, Mr. Speaker, that you may not have the power to demand that the Secretary of State comes to make a statement about his position, but clearly we cannot allow the crisis to run over the weekend without the Secretary of State making his position clear. Even if you do not have the power to demand that, you have the ability and persuasive powers to phone the Secretary of State when you leave the Chair and ask him to come to the House and clarify his position because it has become wholly untenable.

Several Hon. Members *rose*——

Mr. Speaker: I had better take all these points of order together. I call Mrs. Ewing.

Mrs. Margaret Ewing (Moray): On a point of order, Mr. Speaker. In your earlier response to the hon. Member for Dundee, East (Mr. McAllion) you referred to yesterday's private notice question and said that hon. Members who stood were called to speak. None of us will deny that. However, what has happened since is of great significance. The Leader of the House and deputy Prime Minister clearly said that the Government would not seek to influence the decision, which is in complete contrast to what the Secretary of State for Scotland said yesterday. It is absolutely intolerable for Scottish Members to return to their constituencies with two completely different messages from the Government. Surely the Secretary of State must clarify that for us tonight or early tomorrow morning.

Mr. John Home Robertson (East Lothian): On a point of order, Mr. Speaker. You will appreciate that this afternoon's events raise serious questions about the identity of the Secretary of State for Scotland. As he has been wholly repudiated by his right hon. and learned Friend the Leader of the House, he is not just semi-detached, but completely adrift. Have you received any notification that the right hon. and learned Member for Edinburgh, Pentlands (Mr. Rifkind) has been replaced by the hon. Member for Stirling (Mr. Forsyth) as Secretary of State for Scotland?

Mr. Speaker: I cannot answer any of those questions. However, I am pleased to tell Scottish Members that I am looking forward with great pleasure to visiting Scotland this weekend for the general assembly of the Church of Scotland. I hope that I may have the opportunity to discuss these matters informally with the hon. Members concerned.

Mr. Bill Walker (Tayside, North): On a point of order, Mr. Speaker. You will have noticed that charges, real or imaginary, have been levelled against me. May I take this opportunity to make it clear that I have no problem in standing behind the Government's decision. None whatever. I stand by my question yesterday and there is nothing contradictory about it.

I support what the Labour Opposition are attempting to do and I see nothing contradictory about that. My question made it clear where I stand on this issue.

Several Hon. Members *rose*——

Mr. Speaker: Order. We can leave the matter until Monday. It sounds as though we shall have an interesting debate.

SCOTTISH ESTIMATES

Ordered,

That the Estimates set out hereunder be referred to the Scottish Grand Committee:—

Class XV, Vote 1, Agricultural Support, Scotland
Class XV, Vote 2, Agricultural Services and Fisheries, Scotland
Class XV, Vote 3, Regional and General Industrial Support, Scotland
Class XV, Vote 4, Training Programmes, Scotland
Class XV, Vote 5, Regional Assistance, Scotland
Class XV, Vote 6, Roads, Transport and Environmental Services, Scotland
Class XV, Vote 7, Local Transport, Housing, Water, Sewerage and Environmental Services, Scotland
Class XV, Vote 8, Housing, Scotland
Class XV, Vote 9, New Towns and the Urban Programme, Scotland
Class XV, Vote 10, Privatisation of the Electricity Supply Industry, Scotland
Class XV, Vote 11, Administration of Justice, Scotland
Class XV, Vote 12, Police Grant, Legal Aid, Criminal Injuries Compensation and Welfare Food, Scotland
Class XV, Vote 13, Legal Proceedings, Scotland
Class XV, Vote 14, Law, Order and Miscellaneous Health Services, Scotland
Class XV, Vote 15, Education, Arts, Libraries and Social Work, Scotland
Class XV, Vote 16, Student Awards, Scotland
Class XV, Vote 17, Health, Family Practitioner Services (Part), Scotland
Class XV, Vote 21, Scottish Office Administration
Class XV, Vote 26, Privatisation of the Scottish Bus Group
Class XV, Vote 27, Hospitals and Community Health Services, Family Practitioner Services (Part) and Other Health Services, Scotland—*[Mr. Wood.]*

Orders of the Day

Employment Bill

As amended, (in the Standing Committee), considered.

New Clause 10

CALLING OF INDUSTRIAL ACTION WITH SUPPORT OF BALLOT

To move the following Clause:—

'.—(1) In section 11 of the Trade Union Act 1984 (requirements for ballots on industrial action), after subsection (4) insert—

"(4A) The voting paper must specify who, in the event of a vote in favour of industrial action, is authorised for the purposes of section (*Calling of industrial action with support of ballot*) of the Employment Act 1990 to call upon members to take part or continue to take part in the industrial action. The person or description of persons so specified need not be authorised under the rules of the union but must be within section 15(3) of the Employment Act 1982.".

(2) Industrial action shall not be regarded for the purposes of section 10 of the Trade Union Act 1984 or section 1 of the Employment Act 1988 as having the support of a ballot unless it is called by a specified person and the following conditions are satisfied.

(3) The conditions are that—

(a) there must have been no call by the trade union to take part or continue to take part in industrial action to which the ballot relates, or any authorisation or endorsement by the union of any such industrial action, before the date of the ballot;

(b) there must be a call for industrial action by a specified person, and industrial action to which it relates must take place, before the end of the period of four weeks beginning with the date of the ballot.

(4) For the purposes of this section a call shall be taken to have been made by a trade union if it was authorised or endorsed by the union; and the provisions of subsections (3) to (7) of section 15 of the Employment Act 1982 apply for the purpose of determining whether a call, or industrial action, is to be taken to have been so authorised or endorsed.

(5) In this section—

"date of the ballot" has the same meaning as in Part II of the Trade Union Act 1984;

"specified person" means a person specified or of a description specified in the voting paper for the ballot in accordance with section 11(4A) of the Trade Union Act 1984; and

"trade union" has the meaning given by section 28 of the Trade Union and Labour Relations Act 1974.'—*[Mr. Howard.]*

Brought up, and read the First time.

5.16 pm

The Secretary of State for Employment (Mr. Michael Howard): I beg to move, That the clause be read a Second time.

Mr. Speaker: With this it will be convenient to take the following: Amendment (a), subsection (2), leave out from 'person' to the end of subsection (4).

Government amendments Nos. 15 to 17.

Mr. Howard: These amendments relate to the ballots that must take place before industrial action can attract immunity from the normal legal consequences which would follow from such action.

One of the most important reforms of trade union law introduced by this Government has been the requirement for unions to ballot their members and obtain a majority vote for action in a secret ballot if they are to have protection against legal proceedings for organising a strike.

It is thanks to that legislation that we have seen the end of the appalling practice of union leaders calling their members out on strike without giving them any opportunity to express their views, or after sham democratic procedures, such as a show of hands in a car park—with all the intimidation and irregularity which often accompanied such performances.

I must remind the House that every shadow employment spokesman in the past 11 years has led his colleagues through the Lobbies to vote against each and every piece of trade union reform legislation introduced by this Government. Even the right hon. and learned Member for Monklands, East (Mr. Smith), now the personification of Labour's new moderate media image, was no exception. Indeed, the right hon. and learned Gentleman led the bitter opposition of the Labour party to the very legal provisions concerning ballots which the Labour party is now apparently claiming to accept, and which are directly relevant to the provisions before the House.

Our legislation has worked because it contains the necessary elements to make it work. For example, if there is no proper ballot, an affected employer or union member denied the vote can get an effective remedy from the courts. More important, it is clear that the ballot must take place before the union calls for industrial action.

New clause 10 is at the heart of this group of amendments. Therefore, it will be helpful to the House if I describe its provisions in some detail. The amendment adds a new subsection to section 11 of the 1984 Act. Section 11 sets out requirements that must be satisfied if a ballot is to give a union protection against actions in tort by an employer or customer or supplier of an employer who may be damaged by the union's inducement of members to break or interfere with the performance of contracts, or proceedings by a member of the union under section 1 of the 1988 Act.

New subsection (4A) requires the voting paper in a ballot to specify who is authorised to call on members to take part in or continue with the industrial action to which the ballot relates. The person or description of persons need not be authorised under the union's own rules, but must be among those whose act of calling for industrial action would be an act of the union for the purposes of section 15 of the 1982 Act. The amendments also have the effect, by virtue of subsection (2), that industrial action is not taken with

"the support of a ballot"

for the purposes of section 10 of the 1984 Act and section 1 of the 1988 Act unless it is called by a person specified on the voting paper. Further conditions are contained in subsection (3).

In summary, the provisions mean that if a ballot is to give a union protection against legal proceedings for organising industrial action, the voting papers in a proper ballot must specify the person or persons authorised by the union to call the action to which the ballot relates. If there is a call to take action by any official who is not specified on the voting paper, the union will have no protection. In practice this means, for example, that if the union does not repudiate effectively what the unspecified official has done, it will be liable to legal proceedings by employers and-or members.

Mr. Robert Hughes (Aberdeen, North): Is the Secretary of State saying that specified persons must be the president, every member of the executive and every shop steward employed in the company in which there is a ballot? What does he mean by a specified person?

Mr. Howard: It is for the trade union to decide whom it wishes to specify on the ballot paper. We do not intend to limit the power of the trade union to specify an appropriate person. I hope that the hon. Gentleman is satisfied with that answer and that he will congratulate the Government on the openness of this part of the provisions.

Why have we come forward with these provisions? First, we believe that it is right that union members voting in an industrial action ballot should know whom their union intends to have the authority to call for the action to which the ballot relates. Secondly, where a ballot produces a majority in favour of action, union members should know whether an official's call to take that action following the ballot has the backing of their union. Thirdly, it would clearly be contrary to one of the main purposes of the Bill if a union leadership were allowed simply to stand aside if there is a premature call to take action by wholly unauthorised officials following a ballot. The provisions of the amendments mean that if this happens in future—and it happened, for example, only last year when Ford shop stewards did exactly that—the union will have to repudiate the call effectively or accept liability to court action by an employer or member.

In summary, the new clause enhances democratic practice, and is a logical extension of the law in view of the provisions of the Bill which will, very properly, make unions responsible for what their officials, including shop stewards, do.

Mr. Bob Cryer (Bradford, South): The Secretary of State says that it is up to the trade union to specify the appropriate people. Will he ensure that the people who are specified and whose names appear on the ballot paper are given immunity from subsequent victimisation by the employers?

Mr. Howard: I do not see how that matter arises. Those people are likely to be officers of the trade union concerned. If the union thinks it appropriate, they can be shop stewards, but that is a matter entirely for the union, which can nominate whomever it thinks appropriate for these purposes.

Mr. Ron Leighton (Newham, North-East): Perhaps the Minister will recall the family that used to be in a radio programme, one of the parents in which used to say, "Find out what Johnny is doing and stop him." That is basically the way in which the Government operate in these matters. Workers have very few rights, but when industrial action occurs from time to time the Government bring in legislation to stop it. The Minister gave an example of what happened at Ford. Would he like to explain in more detail what happened and what he is trying to stop?

Mr. Howard: I thought that I had explained that. All we are trying to do is to make sure that everybody should know in advance who is entitled to call industrial action after a ballot has taken place. At Ford, the official union leadership did not recommend that action should be taken following the ballot. Shop stewards recommended action and claimed the protection of the ballot, although it was almost certainly within everyone's contemplation that it was the union leadership that had called the ballot and that it should be responsible for calling action pursuant to that ballot. We are not suggesting that in no circumstances should shop stewards be able to call industrial action and claim the protection of the ballot. We suggest that if they are to have that protection they should be specified on the ballot paper so that everyone knows the exact position and there is no doubt or misunderstanding.

Mr. Robert Hughes: Does not the Secretary of State see a possible difficulty? If the union puts on the ballot paper every member of its executive and every shop steward in the company, what happens if there is a division of opinion, as often occurs between the executive and the shop stewards? The shop stewards may take one view and the union may take another. How will that help industrial relations?

Mr. Howard: No doubt the union will wish to reflect on that matter when deciding who to name on the ballot paper. As I have said, that is entirely a matter for the union. If it wishes to confine decisions to its executive it will name on the ballot paper only members of its executive. If it wishes to extend to shop stewards the power to take this decision it will name them on the ballot paper.

We believe that union members should have a vote in a properly conducted secret ballot, and that such a ballot must produce a majority in favour of taking action before their union calls on them to take any industrial action. The amendments will help to ensure that future union ballots about official action give voters the information to which they are entitled and that union leaders will not be able to evade their proper responsibility if industrial action is called by an unauthorised official following such a ballot.

These are sensible measures which will be welcomed by employers, sensible union members, and the public at large. If some union leaders and the Opposition resist them, as apparently they intend to do, that can only be interpreted as further opposition to the very idea that there should be proper democratic practices in union affairs, and that unions should be properly responsible for what their officials do. I commend the amendments to the House.

Mr. Tony Blair (Sedgefield): The new clause is totally unnecessary. It will land trade unions in interminable legal wrangling, and it is a recipe for chaos. It has been introduced without any consultation or discussion, it has not been the subject of any Green Paper or White Paper and it was never mentioned in Committee. It is a piece of political meddling and that is the only reason for its introduction. In its brief the British Institute of Management says:

> "We remain unconvinced of the beneficial effect of the proposal that Unions become liable for unofficial action undertaken by Union officials . . . Placing excessive further legislation in the area of industrial relations immediately introduces an element of confrontation between employer and union, de-stabilising the relationship by providing one side with a weapon."

Questions have been asked about the names on the ballot paper and whether a person might be liable to victimisation. Clause 6 contains detailed provisions about union endorsement of action and repudiation, and they are far tougher than the normal rules and regulations of companies. Surely, once the ballot is held, it should be up to the union to decide who it wants to call the action.

[Mr. Tony Blair]

Let us suppose that the union wishes to change a person on the ballot paper. Does that invalidate the entire exercise? I suppose that it does under the new clause.

5.30 pm

Secondly, I wish to put a point to the right hon. and learned Gentleman which, if he were serious and responsible, he would wish to reflect upon. Let us suppose that a ballot is held and that there is then an unofficial strike call. Currently, because the strike is not called by the union, it is unofficial. Under the proposed new clause, an unofficial strike called by someone not specified on the ballot paper would be unlawful industrial action for which the union would be liable—except in the one set of circumstances mentioned in the Secretary of State's press release of 9 May, which is if the union repudiates the action. Let us suppose that the ballot had a majority in favour of industrial action and shop stewards who were not specified on the ballot paper called out their members, and the union then decided that it agreed with that action. Does that mean that unless the union repudiates the action it is unlawful? If the union wants to endorse the action and make it official, does it have to re-ballot? We need answers to those practical questions.

I am astonished that nothing was mentioned in Committee about the new clause. The only example that the right hon. and learned Gentleman gave was of an industrial dispute last year, not one during or subsequent to the Committee proceedings. The only reason for the new clause is to place a further disproportionate and unfair burden on trade unions. The right hon. and learned Gentleman already has adequate provisions in the Bill and he should not put on unions further burdens that could land them in legal action for no good reason.

Mr. James Wallace (Orkney and Shetland): The new clause is trivial and can lead only to further confusion. It is objectionable. It might, perhaps, add some knowledge to mankind if those who can call industrial action are specified on the ballot paper. However, that can lead only to further opportunities for lawyers to have some fun. The courts have already said that they find this area of industrial relations law complicated enough, without the Secretary of State making it even more complicated.

The right hon. and learned Gentleman did not answer the legitimate question asked by the hon. Member for Aberdeen, North (Mr. Hughes). The new clause provides for the specifying of not only a single person, but several persons. The hon. Member for Aberdeen, North said that a number of people might be specified, but that after the ballot had been held and there was a majority in favour of industrial action—the very circumstances to which the new clause is directed—there might be a split among those specified persons. After all, it is not at that stage that a union decides whom to specify—they have already been specified. How does that improve the present practice? As the hon. Member for Sedgefield (Mr. Blair) said, nothing has happened since the end of the Committee stage to prompt the new clause. It indulges in a degree of detail that can only benefit lawyers and does little to enhance industrial relations.

Our amendment (a) seeks to tackle the conditions set out in subsections (3)(a) and (4). When read in conjuction with clause 6, it appears that if an official, whether or not specified by the union, called action on a particular issue, and if the union failed to repudiate that action, there could never be a valid strike ballot on that issue. That could lead to the anomaly of union members declaring in favour of action, but, under the new clause, the will of that majority being defeated and a valid strike ballot not taking place. I am sure that that is not what is intended—or perhaps it is. That is why we tabled our amendment.

If the Government are trying to achieve the aims set out by the Secretary of State, that can be done by subsections (1) and (2), and further conditions are not necessary. The new clause is trivial. On a day when unemployment seems to be rising again, the Secretary of State surely has better matters on which to concentrate his mind.

Mr. Howard: I am astonished by the reaction to these modest provisions which, far from complicating matters, clarify them. They enable trade unions to make it clear, with considerable precision—as much as they think appropriate, having regard to the conditions—who should be allowed to call industrial action. It is a simple clarifying measure and the Opposition's reaction astonishes me.

Mr. Dennis Skinner (Bolsover): Something has just crossed my mind. What would happen if the person nominated on the ballot form passed away? Would there need to be a fresh ballot?

Mr. Howard: Not at all—the other people specified can call the industrial action——

Mr. Skinner: What if only one person is specified?

Mr. Howard: That might be a good reason for a trade union not doing anything so foolish as to name only one person. It is entirely a matter for the union. If it were foolish enough to specify only one person who then, unfortunately, suffered the fate predicated by the hon. Member for Bolsover (Mr. Skinner), it would have to hold another ballot. That is why it would be so silly for a trade union to specify only one person.

I wish to answer the questions posed by the hon. Member for Sedgefield (Mr. Blair). These provisions follow so directly and consistently the general structure of the remainder of the Bill that there is hardly any need to consult on them. Anyone with strong views has had the opportunity to express them. They fit within the framework and the structure of the Bill.

If I understood the hon. Gentleman correctly, he requested that a union should be allowed to choose those authorised to take action. It is. That is the purpose of the provisions. As I said, the union would make that decision.

Mr. Blair: Will the right hon. and learned Gentleman deal with the point that concerns us most? If a shop steward who is not specified on the ballot paper decides to call out his members—let us suppose that he calls them out at 2.45 pm—and the union is also minded to call out the members—let us say that it intends to do so at 3pm—do the provisions of the new clause mean that the union could not endorse the action of the shop steward at 2.45 pm and that a fresh ballot would have to be held?

Mr. Howard: If those who are specified on the ballot wish to exercise their right to call for industrial action, they can do so. Their right to do so is not affected by the fact that someone who was not authorised to do so had already done so.

Mr. Blair: Let us get this point perfectly clear. Is the right hon. and learned Gentleman saying that if there is an official strike call, the union can repudiate that but then endorse it?

Mr. Howard: The hon. Gentleman is predicating a sequence of actions on the part of a trade union which is difficult to follow. A few moments ago, he described a situation in which, within minutes of someone who was not on the ballot paper calling industrial action, the union and those who were authorised to take industrial action by being named on the ballot paper chose so to do. Their ability so to do would in no way be affected by the fact that someone else who was not authorised had done so. Therefore, that cannot conceivably be a serious problem.

Mr. Leighton: Some of us are a bit perplexed about why the Minister has introduced the new clause at this late stage and why he is getting involved in such pernickety detail. Who has asked for this? Was it the trade unions or employers? Did he consult anybody? There was nothing in his Green Paper about it. Has any reputable body asked for this? Why has he become involved in this a year after the event, when it was not considered in Committee?

Mr. Howard: The hon. Gentleman will not be entirely astonished to hear that we can look at such matters, decide whether there is a mischief which needs to be remedied and take the appropriate action if we think that it is necessary. It is not necessary in every case to wait for someone to suggest that action should be taken. In the light of the circumstances which arose in the Ford dispute last year, it seemed sensible to clarify the matter, to remove the confusion and to make it entirely clear that a trade union should be in a position to specify in advance just who should be authorised to take the appropriate action following a ballot.

Amendment (a) would remove certain requirements which are part of the present law on balloting for industrial action. Perhaps the hon. Member for Orkney and Shetland (Mr. Wallace) will tell us whether that is his intention. For example, the amendment appears designed to allow trade unions to call for industrial action before holding a proper secret ballot if the official who calls the action is specified on the voting paper.

Mr. Wallace: I said that the mischief that the amendment was designed to tackle was that subsection (3)(a), read with subsection (4) and clause 6(3), could mean that, if any union official not mentioned on the ballot paper, whether employed by the union or not, called on the members to strike on a particular issue, there could be no subsequent strike ballot on that issue. That may be a wrong interpretation, but that was the mischief which we were trying to attack. Is the Secretary of State satisfied that such a situation could not arise? If so, there would be no need for the amendment. But if it could arise, is that something which he would countenance? If not, can he suggest a form of words which would tackle that without giving rise to the consequential effects of my amendment which he has described?

Mr. Howard: In answer to my challenge, the hon. Gentleman has raised an entirely different point which I have already answered because it was put to me by the hon. Member for Sedgefield. The fact remains that amendment (a) would allow trade unions to call for industrial action before holding a proper secret ballot. The question I posed, which the hon. Member for Orkney and Shetland has conspicuously failed to answer, is whether that was his intention.

Mr. Wallace: That was not my intention. The Minister knows my intention and he is being oleaginous in the extreme in not answering directly.

Mr. Howard: I am delighted to hear that that is not the hon. Gentleman's intention. Perhaps in those circumstances he will accept that his amendment is misconceived.

The amendment would also remove the requirement that the call for action by a person specified on the ballot voting paper should be within four weeks of the ballot —another provision of the existing law which is an entirely necessary and reasonable requirement, which the hon. Gentleman appears to acknowledge.

The hon. Gentleman's amendment would also strike out provisions that are necessary to determine what is to be taken for relevant purposes as a call by a trade union. If those provisions were deleted in accordance with the amendment, that would simply produce confusion and doubt. In addition, as if that were not enough, it would leave it unclear whether a union could ever escape liability for a premature call by an unauthorised official, which the present provisions allow through the process of effective repudiation.

The fears, such as they are, that have been expressed by Opposition Members are entirely misplaced. This is a sensible and modest provision which introduces clarity and greater certainty into the law, and I commend it to the House.

Question put, That the clause be read a Second time:—

The House divided: Ayes 201, Noes 149.

Division No. 213] **[5.45 pm**

AYES

Adley, Robert	Clark, Hon Alan *(Plym'th S'n)*
Aitken, Jonathan	Clark, Dr Michael *(Rochford)*
Alexander, Richard	Clark, Sir W. *(Croydon S)*
Alison, Rt Hon Michael	Conway, Derek
Amess, David	Coombs, Anthony *(Wyre F'rest)*
Amos, Alan	Curry, David
Arbuthnot, James	Davies, Q. *(Stamf'd & Spald'g)*
Arnold, Jacques *(Gravesham)*	Davis, David *(Boothferry)*
Atkins, Robert	Day, Stephen
Atkinson, David	Dickens, Geoffrey
Bennett, Nicholas *(Pembroke)*	Douglas-Hamilton, Lord James
Benyon, W.	Dover, Den
Bevan, David Gilroy	Dunn, Bob
Blaker, Rt Hon Sir Peter	Durant, Tony
Body, Sir Richard	Dykes, Hugh
Bonsor, Sir Nicholas	Eggar, Tim
Boscawen, Hon Robert	Evennett, David
Boswell, Tim	Fallon, Michael
Bowden, Gerald *(Dulwich)*	Farr, Sir John
Bowis, John	Favell, Tony
Boyson, Rt Hon Dr Sir Rhodes	Field, Barry *(Isle of Wight)*
Braine, Rt Hon Sir Bernard	Fishburn, John Dudley
Brandon-Bravo, Martin	Forman, Nigel
Bright, Graham	Fox, Sir Marcus
Brown, Michael *(Brigg & Cl't's)*	Franks, Cecil
Bruce, Ian *(Dorset South)*	Freeman, Roger
Buck, Sir Antony	Gardiner, George
Budgen, Nicholas	Garel-Jones, Tristan
Burns, Simon	Glyn, Dr Sir Alan
Butcher, John	Goodhart, Sir Philip
Butler, Chris	Goodlad, Alastair
Carlisle, John, *(Luton N)*	Goodson-Wickes, Dr Charles
Carlisle, Kenneth *(Lincoln)*	Gorman, Mrs Teresa
Carrington, Matthew	Gorst, John
Chapman, Sydney	Gow, Ian
Chope, Christopher	Grant, Sir Anthony *(CambsSW)*

Greenway, Harry *(Ealing N)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Hicks, Robert *(Cornwall SE)*
Hill, James
Hogg, Hon Douglas *(Gr'th'm)*
Howard, Rt Hon Michael
Howarth, G. *(Cannock & B'wd)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Robert B *(Herts W)*
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Lang, Ian
Latham, Michael
Lennox-Boyd, Hon Mark
Lightbown, David
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
McCrindle, Robert
Macfarlane, Sir Neil
Maclean, David
Madel, David
Malins, Humfrey
Mans, Keith
Maples, John
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Maude, Hon Francis
Mawhinney, Dr Brian
Mayhew, Rt Hon Sir Patrick
Mellor, David
Moyle, Sir Anthony
Miller, Sir Hal
Mills, Iain
Mitchell, Andrew *(Gedling)*
Moate, Roger
Monro, Sir Hector
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Moss, Malcolm
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Patnick, Irvine
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Raffan, Keith
Raison, Rt Hon Timothy
Renton, Rt Hon Tim
Rhodes James, Robert
Riddick, Graham
Ridsdale, Sir Julian
Rost, Peter
Rowe, Andrew
Ryder, Richard
Sackville, Hon Tom
Sainsbury, Hon Tim
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Richard *(Aldridge)*
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speed, Keith
Spicer, Sir Jim *(Dorset W)*
Stanbrook, Ivor
Steen, Anthony
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stokes, Sir John
Sumberg, David
Taylor, John M *(Solihull)*
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Walker, Bill *(T'side North)*
Wardle, Charles *(Bexhill)*
Watts, John
Widdecombe, Ann
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. Timothy Wood and
Mr. Nicholas Baker

NOES

Abbott, Ms Diane
Allen, Graham
Alton, David
Anderson, Donald
Archer, Rt Hon Peter
Armstrong, Hilary
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Battle, John
Beckett, Margaret
Beith, A. J.
Benn, Rt Hon Tony
Bermingham, Gerald
Bidwell, Sydney
Blair, Tony
Boateng, Paul
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Bruce, Malcolm *(Gordon)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Carlile, Alex *(Mont'g)*
Cartwright, John
Clarke, Tom *(Monklands W)*
Clay, Bob
Cohen, Harry
Coleman, Donald
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Davies, Rt Hon Denzil *(Llanelli)*
Dixon, Don
Doran, Frank
Dunnachie, Jimmy
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Ewing, Mrs Margaret *(Moray)*
Field, Frank *(Birkenhead)*
Flannery, Martin
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galloway, George
Garrett, John *(Norwich South)*
Garrett, Ted *(Wallsend)*
Gould, Bryan
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Haynes, Frank
Henderson, Doug
Hoey, Ms Kate *(Vauxhall)*
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howells, Geraint
Howells, Dr. Kim (Pontypridd)
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Simon *(Southwark)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Jones, Ieuan *(Ynys Môn)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Leadbitter, Ted
Leighton, Ron
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCrea, Rev William
McKelvey, William
McLeish, Henry
Maclennan, Robert
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meale, Alan
Michie, Bill *(Sheffield Heeley)*
Molyneaux, Rt Hon James
Moonie, Dr Lewis
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Redmond, Martin
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Robertson, George
Robinson, Geoffrey
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, J. P. *(Vale of Glam)*
Snape, Peter
Soley, Clive
Taylor, Matthew *(Truro)*
Turner, Dennis
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Watson, Mike *(Glasgow, C)*
Welsh, Andrew *(Angus E)*
Wigley, Dafydd
Williams, Alan W. *(Carm'then)*
Winnick, David
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Frank Cook and
Mrs. Llin Golding.

Question accordingly agreed to.

Clause read a Second time, and added to the Bill.

New Clause 1

EMPLOYER'S BREACH OF STATUTORY DUTY

'An industrial tribunal shall have jurisdiction to entertain a claim for unfair dismissal by an employee dismissed for taking part in unofficial industrial action where it finds that the reason for the action was a genuine and reasonable belief by the employee that the employer was acting in breach of

statutory duty whether in respect of health and safety matters or other matters connected with the terms and conditions of the employees of the employer.'.—*[Mr. Tony Lloyd.]*

Brought up, and read the First time.

Mr. Tony Lloyd (Stretford): I beg to move, That the clause be read a Second time.

Madam Deputy Speaker (Miss Betty Boothroyd): With this, it will be convenient to take the following: amendment (a) to the new clause, at end insert

'or because the employee or employees were genuinely unaware of action being taken by their union to try and resolve the dispute.'.

New clause 4—*Health and Safety*—

'An employer has no right to dismiss selectively any employee who refuses to work on any site, location, or job which the said employee considers to be dangerous to his health, or involves contact with any substance he has grounds to believe is hazardous to health.'.

Amendment (a) to new clause 4, after 'right' insert

'without seeking the advice of the Health and Safety Executive'.

New clause 7—*Involvement of Health and Safety Inspectorate*

'In circumstances where an employee refuses to work on any site or job in which he believes there is a danger to his health, a Health and Safety Inspector must be called under such circumstances to inspect the site or job, from whom a formal safety declaration will be required before any work resumes.'.

New clause 8—*Safety Committees*—

'(1) Every employer shall be required to establish a safety committee at his place of work to which his employees shall elect representatives.

(2) The safety committee, which shall comprise equal numbers of employer and employee representatives, shall, by majority vote, have the authority to suspend work where it believes there is a risk of harm or serious injury to employees or to ancillary workers.

(3) The suspension of work shall remain in force until the alleged hazard has been inspected by a Health and Safety Inspector and a formal declaration by the Health and Safety Inspector that the hazard has been removed.'.

Amendment No. 19, in clause 7, page 7, line 26, after '(1)', insert

'save where matters of health and safety are concerned.'.

Amendment No. 24, in page 7, line 37, at end add—

'(c)) The action is being taken by employees who genuinely believe that their employer is in breach of statutory duty in respect of health and safety matters.'.

Mr. Lloyd: As the Minister of State knows, because the pattern is familiar to us—and I believe it would be fair to say that he has no reputation to lose—the clauses in the Bill to which we took the strongest exception are those dealing with unofficial action. We particularly object to the concept of selective dismissal for the crime, in the Government's eyes, of taking unofficial industrial action. The Government also seek to take away any protection whatsoever from a person sacked for that reason in respect of recourse to an industrial tribunal. That represents a further significant move away from any semblance of fairness.

We have raised that issue on a number of occasions but received no satisfactory answer. Employees who felt compelled, in order to maintain a health and safety regime at their place of work, to take a form of industrial action might find themselves threatened with the loss of their jobs, and would have no protection under present law.

We have already established in general terms that the very interests that the Government prayed in aid as in need of protection against such action have said that they do not want it. I refer in particular to the reaction of London Regional Transport. The strikes on the underground were one motive for the Government's rush into this legislation. LRT made it clear that it felt that this part of the Employment Bill was useless and would be counter-productive to good industrial relations.

6 pm

On numerous occasions we told the Government that people had been forced to take industrial action in defence of health and safety. One illustration that I gave to the Minister was the strike on the Isle of Grain site in the Thames estuary, when people producing concrete linings for the channel tunnel project took industrial action because the company refused the request for a permanent staff nurse on site. Although there was industrial action, there was no interruption of the contract of employment by management and nothing that the Minister could use in his defence to say that management were outside the scope of the legislation. The workers who took strike action in February 1989 would have been liable to selective dismissal had the rules in the Bill been in force. The Bill would have allowed management to pick off the ring leaders of the strike.

In Committee, the Minister's defence was that people wishing to take unofficial industrial action already had legal rights if management operated an unsafe health and safety regime, as it had therefore abrogated its contract of employment with the work force; therefore, the clauses Nos. 1 and 4 would not have any impact.

The Opposition has taken a considerable amount of advice on the issue, and the Minister has already seen some of it. He knows that there is no reputable legal argument to sustain the view put forward by the Government in Committee. The Minister may want to pray in aid other sources of information, but I think that legal opinion is unanimous in the view that the law is clear about what constitutes unofficial industrial action.

In Committee, the case of Power Casemakers Limited *v.* Faust established that when judging unofficial industrial action as defined in the two new clauses, the employers' or employees' motivation does not need to be taken into consideration. What is relevant is whether the employer was in breach of his contract with his employees when unofficial action was taken. The Minister looks puzzled, but we have pointed this out on a number of occasions, and I am surprised that the arguments still puzzle him. This issue is central to the Minister's case and it is central to our case, because he is wrong, and that exposes people in their workplace to injury and to losing their jobs if they seek recourse to industrial action to protect themselves.

At the moment, much attention is focused on the channel tunnel. It is a pity that the Secretary of State has chosen to absent himself from the debate. I was pleased to see him driven from his inertia on health and safety last week. He did something positive about the disgraceful accident rate in the tunnel. If Conservative Members feel that that is not the case, perhaps they would like to say what the Minister has done in the past when people have been dying. I do not think that Conservative Members are in any position to argue that case, because the Minister did nothing until he was driven to it by the considerable criticism of the tunnel company in the press.

I have been asking about this issue for some time. I wish to draw the House's attention to a log book for locomotive drivers working in the tunnel. One driver's comment was:

"The warning beacon obstructs the view to the rear. If somebody is killed as a result of poor visibility to the rear it will be blamed on the driver. These beacons are put in a ludicrous position right in the driver's field of vision . . . Move them before somebody is hurt or killed".

The same point is made time and again in the log books. They are available to the company; they are the company's log books. However, nothing is done.

Ironically, one of the locomotive drivers was sacked yesterday by Transmanche Link. He drove one of the vehicles which are considered to be unsafe. The company claims that he had refused to take instructions about where he was to work and it suspended him. He went through a four-stage disciplinary hearing, which found him guilty of indiscipline. That may be the case, but he claims that he was dismissed because he was a safety representative and because he had refused to work in conditions which he thought to be unsafe.

The point at issue is that, as the law stands, that man has the opportunity to claim that he was unfairly dismissed, but once the Bill comes into force, if the company can argue that he was taking industrial action or refusing to work, because it would be classed as unofficial action, he could be dismissed without recourse to a tribunal. There would have been no examination of the rights or wrongs of the case.

We know that work in the channel tunnel is unsafe. Even the Secretary of State is concerned about that now. One reason is there is considerable pressure on workers to put progress before safety, with the result that there has been a high accident and death rate.

If we take away workers' rights to defend themselves by having recourse to some form of industrial action, the Minister will once again put lives at risk in the tunnel. I insist that the Minister deals with that issue when he responds to the debate.

Legal opinion is firmly on our side in this matter. In Committee and on Second Reading the Minister said that it was not his intention to make life more difficult for people in the workplace as regards health and safe working conditions. If that is the case, the modest amendments that we have tabled would not undermine the two clauses dealing with unofficial industrial action but would give recourse to an industrial tribunal—in new clause 1—so that it could decide whether health and safety issues had been a factor in dismissals. We are not asking the Minister to rip up the Bill or that part of it which deals with unofficial action. We are building into the Bill a simple defence so that workers will not feel that the only way that they can protect themselves is by using industrial action to guarantee that they and their workmates are not put at unnecessary risk.

It would be simple for the Minister to accept the new clauses as a minimum form of safety standard. If he does that he will have the support of the whole House, but if he does not, he must examine the consequences for people at work. He will be jeopardising their position and putting them at risk of injury or ultimately, as we have seen in the channel tunnel, of death.

Mr. John P. Smith (Vale of Glamorgan): I agree implicitly with my hon. Friend's argument about people at work. This issue could also affect the public in some circumstances. Earlier he referred to London Regional Transport and British Rail. The increase in the number of near misses and cases of overshooting red lights reported by British Rail is worrying. Train drivers involved could take action to improve the situation. I am not saying that they will have to do that, but I can see that sometimes there is a need for them to do so, and that would benefit the public. By introducing a restriction on such workers, we put the public at risk.

Mr. Lloyd: My hon. Friend makes a fair point. It is not only workers who can be involved in accidents. Last weekend, two young children in my constituency got on to British Rail property and were electrocuted by touching the overhead line. The question now is whether British Rail was negligent, but that has to be established. However, my hon. Friend is right: had an employee taken action to protect those young children, he would have acted in a socially responsible way but, without the addition of the new clauses, it would have put him outside the provisions of the Bill.

Amendment (a), tabled by the hon. Member for Bedfordshire, South-West (Mr. Madel), to new clause 1 seeks to extend the scope of the new clause. It provides for recourse to an industrial tribunal if

"the employee or employees were genuinely unaware of action being taken by their trade union to try and resolve the dispute."

There is merit in the amendment. It is a reasonable defence. If the Minister were to say that he is prepared to accept the new clause but not the amendment, we should have to reconsider our position. However, I hope that the Minister will recognise the logic of accepting both new clause 1 and amendment (a).

The Minister of State, Department of Employment (Mr. Tim Eggar): On Second Reading and in Committee we made it clear that we accept some of the concerns that have led to the tabling of the new clauses and their related amendments, since they are inspired by a genuine desire to ensure that health and safety standards at workplaces are maintained or improved. The Government fully share that aim. We would not propose legislation that we believed would in any way undermine those standards. We are totally committed to the health and safety arrangements that have been established by law. It is a non-partisan matter. We agree entirely that nothing should put those arrangements at risk.

A degree of common ground should exist and, I believe, does exist over health and safety matters. The Health and Safety at Work etc. Act 1974, governing health and safety matters, was drawn up by a former Conservative Government and enacted by a subsequent Labour Government. The Act placed the prime responsibility for health and safety fairly and squarely on the shoulders of employers, with the co-operation of their employees. That legislation was rightly recognised to be a milestone in helping to secure and improve health and safety standards in this country, and it is generally well regarded internationally.

The Act is kept under review by the tripartite Health and Safety Commission, which can propose improvements if it decides that they are needed. It is, and will continue to be, unlawful to work or to be asked to work in unsafe conditions. No employee, by definition, can be required by his employer to do something unlawful. The Bill does absolutely nothing to change that. At times in Committee, and during the hon. Gentleman's speech, it was implied

that the effect and purpose of the Bill was to undermine the high standards for health and safety standards at work. That is not the case.

Mr. John Evans (St. Helens, North): The Minister has uttered fine words about the 1974 Act. He says that he appreciates the concern expressed by the Opposition, particularly in Committee. Will he accept the intention behind one of the amendments and incorporate it in clause 7? If he does not accept the intention which underlines one of the amendments—the Minister can choose which one to accept—his fine words will be meaningless, and events in the next two years, as cases come to light, will show that his words were meaningless.

6.15 pm

Mr. Eggar: I hope that the hon. Gentleman will bear with me as I hope to deal with the effect of the new clauses. These are serious and difficult matters. I hope that, by the time I sit down, I shall have explained to the hon. Gentleman why the Government have difficulty with the proposals.

The issue debated in Committee was technical—whether simple refusal to do unsafe work could be regarded as taking industrial action. We have considered that question carefully, and our conclusion is clear and unequivocal. The Government are absolutely confident that no court or tribunal has found, or would find, that simple refusal to do unsafe work amounts to taking industrial action. It follows that, if an employee simply refuses to do work that he believes to be unsafe and is dismissed, an industrial tribunal has, and will continue to have, jurisdiction to determine whether that dismissal was fair or unfair.

The legislation on unfair dismissal was enacted by the last Labour Government. That legislation, which made the dismissal of strikers fair in certain circumstances, made no special provision for refusal to work on grounds of health and safety. If there was no need for such a provision then, there is no need now.

Mr. Dave Nellist (Coventry, South-East): Leaving aside the last Employment Bill, now an Act, that made provision for deposits to get into the industrial tribunal system, industrial tribunals cannot order a company to take a worker back into employment. If a worker knows that, although he can find his way through the maze of industrial tribunal legislation he will not get his job back, he will still knuckle under, believing that he must do as he is told if he is to keep his job. That is happening now on the Channel tunnel project.

Mr. Eggar: The hon. Gentleman is not dealing with the point at issue, which has been discussed at some length —whether simple refusal to do work in unsafe conditions amounts to industrial action. That is a critical question. If it is held to be industrial action, the Bill will affect the right of referral to industrial tribunals. If—as is our position —a simple refusal to do work is not industrial action, the position will be as it has always been and it will be totally unaffected by the Bill.

Mr. Tony Lloyd: The Minister has chosen his words carefully. He says that he is sure that a simple refusal to do work would not constitute industrial action. That, as he knows, is a contentious statement. There are those who disagree with his view. As there is doubt, it is incumbent on the Minister to ensure that the law says precisely what he claims that it says. He ought not to allow the matter ultimately to be tested in the courts.

The Minister must also define what he means by simple refusal. For example, would an overtime ban in support of a health and safety measure constitute simple refusal to do work, or would it constitute industrial action? The overwhelming legal opinion is that it would constitute industrial action. If the Minister is saying that in those circumstances he believes that people should lose their jobs, he should make it clear at the Dispatch Box.

Mr. Eggar: The case that the hon. Gentleman has postulated would have to be decided on the facts. He quoted the Faust case, but the Faust judgment made it clear that people would know industrial action when they saw it—in other words, it would have to be decided on the facts.

Mr. Wallace: My point follows the question raised by the hon. Member for Stretford (Mr. Lloyd). Is not the effect of not accepting the amendments and not clarifying the position to put another barrier in the way of an employee who is dismissed and who then has to take the case to a tribunal to determine, first, whether the tribunal has jurisdiction before it can decide the fairness or unfairness of the dismissal? The fact that the law as it stands gives the tribunal no automatic jurisdiction must be a disincentive to test the system. I know that the Minister's concern about health and safety at work is genuine, but the Government would lose nothing by accepting the new clause, at least in principle, and getting rid of the doubt.

Mr. Eggar: I hope that the House will forgive me if I do not give way again. That is not meant in any way as a discourtesy, but I am aware of the time. I hope that the hon. Member for Orkney and Shetland (Mr. Wallace) will bear with me as I develop the argument.

In practice, the difficulty revolves around the problem of how one defines industrial action. It has been the view of successive Governments—the last Labour Government and the present Government—that it is extremely difficult to define industrial action and that the best solution is to leave it to industrial tribunals, and if necessary the Court of Appeal, to decide in the light of the facts of any particular case. I understand the appeal of seeking to define industrial action and we have considered the matter in considerable detail, but we do not believe that it is necessarily the right course.

Mr. Blair: Will the Minister give way?

Mr. Eggar: I hope that the hon. Gentleman will forgive me, but I said that I would not give way again. I hope that he will have a chance to make his point, and I shall be happy to answer it.

It is far from obvious that simply stopping work is always the right course for an employee who genuinely believes that working conditions are unsafe. Except in a minority of cases in which there is or is believed to be some real, immediate and serious risk of personal injury, there are other options—for example, employees can take matters up with their local health and safety inspector.

The hon. Member for Stretford (Mr. Lloyd) referred to a conflict of legal views. Earlier this afternoon, the hon. Member for Sedgefield (Mr. Blair) was kind enough to let me have a legal opinion. I do not consider that that strengthens his case. If he looks at the questions that were

[Mr. Eggar]

asked of learned counsel in that opinion, he will realise that he asked the wrong questions. Question 3 relates to industrial action, but the issue is whether a simple refusal to carry out unsafe work constitutes industrial action. I can only recommend that Opposition Members read the first page of that opinion and the third question that was asked. They will find that they asked the wrong question. It is not surprising that, the wrong question having been asked, the answer does not address the issue before the House—that is, whether a simple refusal to work on health and safety grounds constitutes industrial action. Our view is that it does not.

Mr. Blair: We have to clarify that. After all, most hon. Members consider that if there is a serious difference, the sensible course would be to remove any area of doubt instead of leaving it to someone to go to a tribunal some time later. Our adviser was asked whether a stoppage of work for health and safety reasons would constitute unofficial industrial action, and the answer was that it would be unofficial industrial action irrespective of the reasons or motivation behind the stoppage.

Mr. Eggar: That exactly proves my point. That is not the question at issue between us. I am perplexed that the hon. Gentleman has not yet focused on whether a simple refusal to carry out unsafe work would be industrial action. Our view—it was clearly and explicitly stated in Committee and I have explained the matter to the hon. Gentleman in person—is that a simple refusal to do unsafe work would not be industrial action. That is the issue that we have been debating.

Mr. John Evans: Will the Minister give way on that point?

Mr. Eggar: No. I must address the new clauses and amendments proposed by the Opposition.

The new clauses and amendments go well beyond the essentially technical issues discussed in Committee. As I have already said, a simple refusal to work in unsafe conditions will not make employees liable to selective dismissal without the right to have a tribunal determine the unfairness of any such dismissal, but new clause 1 and amendments Nos. 19 and 24 seek to go very much further. In a nutshell, those Opposition amendments and new clauses seek to carve out some special protection for unofficial strikers, and the net result would be a charter for unofficial action.

New clause 1 gives the game away by stating that industrial tribunal jurisdiction to determine the fairness of dismissal is to remain even if unofficial strikers are selectively dismissed for taking action about other matters.

Clearly, that goes well beyond health and safety concerns, and the hon. Gentleman recognises that.

Amendments Nos. 19 and 24 would undermine the intended effect of clause 7, as they would allow any unofficial striker who was selectively dismissed to get round the law simply by claiming that he had some health and safety concern. New clause 4 would mean that any employee who refused to work and subsequently claimed that he considered his work to be unsafe would have a right not to be selectively dismissed. That would apply even if it were patently obvious that the employee was taking industrial action, even if it was unofficial action, at the time of his dismissal. In other words, the amendments —individually or collectively—would drive a coach and horses through the present law on dismissal, let alone the new law on unofficial action in clause 7.

Similarly, new clauses 7 and 8 seek to upset the well established and effective balance of responsibility set out in the Health and Safety At Work, etc. Act 1974. Those new clauses would unduly direct responsibility away from employers and employees and on to inspectors, which would seriously damage the effectiveness of inspectors in ensuring compliance with health and safety law.

We believe that health and safety problems should be resolved by employers, who have the primary legal responsibility in co-operation with the employees who may be affected. Leaving everything to be decided by the inspectors, as is proposed, would remove the employers' incentive to assess and deal with workplace risks. If employers do not deal satisfactorily with health and safety problems, employees are and will remain free to contact their local health and safety inspector—in confidence, if they feel that that is appropriate. I need not remind the House that inspectors can visit without warning and can order work to be stopped if there is a risk of serious injury.

A proliferation of committees, as proposed by new clause 8, would not work in this role, and such committees would inevitably conflict with the joint committees, statutory and voluntary, which already exist to monitor health and safety measures in individual workplaces.

The key points of our concern about the new clauses and amendment No. 19 are that it is, and will continue to be, unlawful to work or to be asked to work in unsafe conditions, and no employee can be required by his employer to do something unlawful. If an employee simply refused to do work that he believed to be unsafe, he would not be taking industrial action. Thus, an industrial tribunal would have jurisdiction to determine whether dismissal was fair or unfair.

No court and no tribunal has ever found that simple refusal to do unsafe work amounts to industrial action. Legislation on unfair dismissal enacted by the last Labour Government which made dismissal of strikers fair made no special provision for refusal to work on grounds of health and safety.

This has been a useful exchange on a complicated and technical matter. I remain convinced that there is nothing incompatible between our commitment to maintaining high health and safety standards and the measures in the Bill to provide effective remedies and to deter unofficial industrial action.

6.30 pm

Mr. John Evans: The Opposition amendments seek only to ameliorate the impact of clause 7. Like my hon. Friends, I regard the amendments in the name of the hon. Member for Bedfordshire, South-West (Mr. Madel) as helpful and I support them.

This is an obnoxious Bill, and clause 7 is the offensive part of it. Indeed, the measures that the Government are introducing are the type of trade union legislation that is being swept away by eastern European countries as they find their freedom. The Minister knows as well as I do that legislation of this type was inflicted on the workers by dictator Ceausescu of Romania and is being cast aside as the Romanian people attain freedom.

Clause 7 would remove the right of workers participating in any unofficial action to appeal to a tribunal on the ground of unfair dismissal. It would also remove their statutory rights to, for example, redundancy payments and pregnancy leave. The Government have become muddled. They continually confuse unofficial strikes with unofficial action. The Green Paper entitled "Unofficial Action and The Law" referred in paragraphs 1.2, 1.3, 1.5 and 1.14 to unofficial strikes and unofficial action in almost the same breath.

Hon. Members, particularly on the Opposition Benches, with experience of industrial affairs will be aware that unofficial strikes are generally spontaneous acts, such as walking off the job, whereas unofficial action can take a variety of forms, including a sit-down strike, a ban on overtime, a work to rule or a refusal to work in dangerous or unsafe places, with unsafe tools and equipment or with unsafe or dangerous materials and substances.

I am particularly worried to note that a senior Minister believes that no worker in Britain is ever asked to work in unsafe conditions or with unsafe tools or materials and that no arguments ever occur over such matters. I assure him, having spent my working life in shipyards and ship repair yards—the Minister seems to be indicating dissent; he has never worked in such places—that people do work in conditions that are highly dangerous and often unsafe.

The weakness in the Minister's argument lies in the question of who is to decide when there is a dispute between the work force and the employer over whether a practice, tool or substance is safe or dangerous. Frequently in those circumstances the argument is resolved by the workers simply walking away from the material or job.

I am particularly worried about a situation that occurs frequently. When asbestos is found in a place of work where, for example, maintenance work is being undertaken, any worker would immediately walk off that job. Irrespective of the assurances given by the Minister, a worker taking such a step would immediately be at risk of losing his job because of the way in which clause 7 is drafted.

That clause enables the employer to choose who to dismiss, and, once dismissed under the terms of clause 7, the employee would have no right to go to a tribunal. A tribunal would not have jurisdiction in such a case. The worker would have been dismissed because he participated in industrial action, and the clause makes it clear that a tribunal would have no jurisdiction in that case. As I said in an intervention, the Minister could remove all our fears by including a provision, similar to that which we recommend in our amendments, relating to health and safety.

We appreciate that the best employers would never find themselves in such a situation, but there are rogue employers who might push workers in certain directions and who in some circumstances would be prepared to do so provocatively, seeking to create a confrontation. That would give an employer the opportunity to sack, for example, shop stewards or people with long service and considerable redundancy rights. An employer would have the right to get rid of pregnant women, who would then lose any rights that had accrued to them. One can envisage circumstances in which companies in financial difficulty would take action to reduce their compensation liabilities.

Is it fair or just that workers should be put at risk in such circumstances? Opposition Members have done their best to concentrate their remarks on health and safety issues, although many other subjects could be discussed as we debate clause 7.

The Minister repeated what the Under-Secretary of State said in Committee:

"To reassure Opposition Members, I have tried to find out whether, since the unfair dismissal legislation was first introduced in 1971, there have been any recorded cases of industrial action being taken solely on the grounds of health and safety that have led to people being dismissed. Inevitably, it is rather hard to prove a negative, but I have found no instance of it".—[*Official Report, Standing Committee D*, 15 March 1990; c. 353.]

That is hardly surprising because until now, the individuals concerned would have had the right to appeal to a tribunal on the ground of unfair dismissal. Any employer, even a rogue employer, would have known that he would be derided and laughed out of court the moment it was recognised that health and safety was the issue.

Unless the Minister amends the legislation, either here or in another place, to protect workers by statute in health and safety cases, clause 7 will cause the Government considerable problems. The clause is specific. Any individual taking part in unofficial industrial action immediately exposes himself to selective dismissal. That will happen, as the Minister knows. I only hope that in the Lobbies tonight, Tory Members know what they are voting for.

Mr. David Madel (Bedfordshire, South-West): I wish to address my remarks to amendment (a) to new clause 1 and amendment (a) to new clause 4. I assume that my hon. Friend the Minister will have a few words to say about them. He said that there had been an interesting exchange: Front-Bench Members may have had an interesting exchange, but we are only now getting going on the group of amendments. I shall not take up too much time, as I am conscious that other hon. Members wish to speak.

New clause 1 states:

"An industrial tribunal shall have jurisdiction to entertain a claim for unfair dismissal".

That does not necessarily mean that such a claim would be successful. If new clause 1 is passed with amendment (a) tacked on to it, industrial tribunals will take on a somewhat new role with a pre-hearing capacity. However, there is nothing strange or unusual about changing the nature and function of industrial tribunals.

Industrial tribunals have been with us since 1964. There was a major change in 1971 and there may be major changes in the future. The first advantage of accepting amendment (a) would be that there would be encouragement for trade unions to get closer to their members if unofficial strike action was taken. Amendment (a) is designed to try to stop unofficial action getting out of control and to reduce to the bare minimum the danger of misunderstandings between trade unions and their members. It is also designed to encourage trade unions to intervene quickly and to let their members know that they are so intervening if unofficial action takes place or if it appears to members of the trade union that a grievance has not been dealt with quickly. It is also designed to try to put a brake on rash and hasty decisions by management which could occur if the Bill is passed unamended.

I do not wish to rehearse all the arguments that I made in Committee. I have already drawn attention to the wording that must be used in the letter from a trade union

[Mr. David Madel]

to its members. I remain opposed to the way in which the words are written down, and to their tone and content. The letter must say:

"Your union has repudiated any call for industrial action . . . If you are dismissed . . . you will have no right to complain of unfair dismissal."

That is not the language of industrial relations in the 1990s. It is too far removed from reality and too much like first world war generals barking orders to those on the ground. It would have been perfectly possible to change those words and still put the onus on the trade unions to intervene quickly to settle the grievance and on those taking unofficial action to cease taking it while the trade union tried to sort out the problem.

The most serious problem about new clause 1 is that it would take away the right of an individual to go to an industrial tribunal and for his case at least to be heard. In the often confused situation of an unofficial strike, there may be sudden dismissal of one or two people. To take away the right for a case to be looked at is neither reasonable nor correct. The Government have lost a sense of balance on the matter. I urge them to accept amendment (a) or to draft a provision similar to it in the other place.

6.45 pm

New clause 4, as at present drafted, could lead to misunderstandings, and it gives a great deal of freedom to the individual employee. It uses the words:

"which the said employee considers to be dangerous to his health".

It is common sense that we should put on some brake before people walk off the job because they consider the conditions to be unsafe.

The channel tunnel and the accidents there have already been mentioned and the Opposition have already said that they propose to raise the matter further. Amendment (a) would lead to an avoidance of unnecessary confrontations between management and unions on the most important aspect of work—health and safety conditions. Under new clause 4, unofficial action would still be possible. The new clause could refer not only to one, but to two or three people whose selective dismissal could lead to widespread unofficial industrial action, and matters could soon become out of control.

Amendment (a) is designed to achieve three objectives. First, it is designed to ensure that when there is an argument between employers and employees about safety at work, the advice of the Health and Safety Executive must be sought at once. That does not mean that the employer necessarily has to accept its advice, although it is hard to imagine that, if there was clear advice that the conditions were unsafe, an employer would be likely to brush aside the advice of the Health and Safety Executive. For that reason, it would be up to the employer to say to the employee, "You are dissatisfied and you consider that the working conditions are dangerous—I am seeking the advice of the Health and Safety Executive now and I expect that there will then be tripartite discussions between the Health and Safety Executive, the employer and the employee."

Secondly, amendment (a) would give greater reassurance to employees who feel that they may be working in dangerous conditions that their anxieties would be dealt with quickly. Again, that would calm down industrial relations and give individual employees a greater sense of security in their work. Thirdly, amendment (a) is relevant to young people in their first job. Such people are reluctant to start an argument with an employer about whether conditions are safe or not.

Amendment (a) would give greater protection to young employees. It would also give greater protection to female employees who might be equally unwilling and afraid to start an argument with an employer about safety conditions at work. More and more employers are seeking more and more women employees today. With the change to separate taxation, more women will seek employment. That puts an extra responsibility on Parliament to ensure that the Health and Safety at Work, etc. Act 1974 is carried out properly and that there is no deterrent for women employees if they are concerned about conditions at work.

Science and technology change all the time. New substances constantly appear and there is a whole mass of information on new substances at work. Again, that could lead to somebody saying, "I am sorry, I am not satisfied with the handling of this substance—I must ask that the Health and Safety Executive look at it before I go on with my work." Amendment (a) to new clause 4 would strengthen the Health and Safety Executive and health and safety committees. It would make employers go into more detail in their annual reports about what they had done about health and safety conditions, which would be all to the good. It would also improve contact between management and employees about a vitally important part of industrial relations.

I have tried to turn a stumbling block into a stepping stone towards better industrial relations. I hope that Ministers will accept the amendments, but if they do not, it will be one of those days on which I must disagree with the Front Bench. The Conservative party is a centre-right coalition—a broad Church—and if there are disagreements between Conservative Members, that is par for the course and something which sometimes happens in Parliament.

My amendments seek to clarify the position for individual employees. We should reduce the danger of misunderstandings at work to a minimum, as they can lead to unofficial industrial action, and once that starts it is difficult to control.

Mr. Leighton: It is a great pleasure to follow such a thoughtful speech as that of the hon. Member for Bedfordshire, South-West (Mr. Madel). I thought that my hon. Friend the Member for Stretford (Mr. Lloyd) made a persuasive case for the new clause. I also congratulate my hon. Friends on the first-class job that they did in Committee.

If employees find that they are in danger and take certain actions, are they protected? I have heard what the Minister has said, and the different legal opinions. At best, this is a grey area: the reasons why employees had taken certain actions could be disputed. For example, an employer could say that they had acted for one reason, while they could say that they had acted for health and safety reasons. Who is to decide?

The new clause says that an industrial tribunal should have jurisdiction to decide whether those employees had a genuine and reasonable belief. Surely that could be accepted by the House for the avoidance of doubt, for it would make matters clear to everyone. If the Minister accepts that people in such circumstances should have the right to a defence, why does he oppose the new clause?

My hon. Friend the Member for St. Helens, North (Mr. Evans) has said that, in his experience, disputes often blow up unexpectedly. I could cite an example from my own experience. In a previous incarnation, I was a health and safety representative on a national newspaper. I was a member of the mechanical committee, on which there were trade union and management representatives. It did not deal with pay or conditions; it dealt with the state of the machinery, and with such things as the ventilation system.

On one occasion, we had a problem with the plates on a machine. Hon. Members will be familiar with the term "hot metal"; in those days there were hot metal plates on rotary presses, made of lead and other metals. The problem occurred when the plates started to break up on the print run. That was dangerous, as the plates were clamped on to the cylinders of high-speed rotary machines. If the plates broke, the centrifugal force sent the pieces of metal flying like shrapnel. As hon. Members can imagine, it was extremely dangerous.

The technical director did not know why the plates were breaking up. Tests were made, and he genuinely tried to find out the answer. We worked at night; he worked during the day, and at night was lucky enough to be in bed. He said that if the problem recurred we should shut down the unit on the press and not touch it until he returned in the morning, so that he could investigate what had happened.

There were many units on the press, including spare units. One night, as I was sitting in my office, I had a message that a plate had broken up again. I went to the machine room and told the machine operators that they were not to touch the unit, but to leave it until the technical director returned in the morning to examine it. However, a new junior member of the management came on to the scene and told the men to strip the unit, to put another load of plates on to the same unit and to continue with the job. I told him to hang on: we were following the technical director's instructions and leaving the unit as it was. He then got stroppy, and told us to get the unit stripped and to put new plates on.

Obviously we were in something of a dilemma, but the machine operators did as I had suggested. The junior manager took umbrage, saying that we were to finish for the night and that there would be no paper. He then stormed off. I chatted with the men and we decided that his reaction had been over the top and silly, and we produced the paper that night without any management. We got on better than usual, as there was no harassment from management—we had discovered that they were not really necessary. We even produced the paper for a second night. *The Daily Telegraph* published an article about the dispute, but it could not understand that we were taking what was considered to be industrial action—although we were continuing to work—for reasons of health and safety rather than money.

I have no doubt that there are many incidents such as the one I have referred to. I shall not mention the channel tunnel—although others may—as the Select Committee will take evidence on the matter. Such circumstances could arise at any time, and the workers should have the appropriate security and protection. The Minister agrees with that in principle, but the position is indeterminate. New clause 1 would provide the clarity that we need. People who decline to work in dangerous conditions should be protected. The Government should accept the new clause, or explain why not.

Mr. Wallace: My speech follows the remarks of the hon. Member for Newham, North-East (Mr. Leighton) —the distinguished Chairman of the Select Committee on Employment—who expressed misgivings about clause 7. The speeches of the hon. Members for Bedfordshire, South-West (Mr. Madel) and for St. Helens, North (Mr. Evans) showed that hon. Members on both sides of the House feel that clause 7—the effects of which the new clause tries to mitigate—is serious, as it goes to the heart of individual rights. When I examined the Bill before it went into Committee, my initial reaction was that it was not worth trying to amend it, as that would give it some respectability. I considered it fundamentally unjust and unfair. However, some effort must be made to mitigate its effect.

Questions of health and safety dominated our Committee debates, and I believe that new clauses 1 and 4 and the amendments of the hon. Member for St. Helens, North have tried to address the matter. Without some mitigation, we have what is tantamount to a victimisers' charter. The hon. Member for Bedfordshire, South-West drew some parallels with first world war generals in the way that clause 7 is drafted.

The scenes that I fear are more reminiscent of the second world war. One can imagine an unscrupulous employer faced with unofficial action saying, "I shall select five workers at random each week and dismiss them unless you go back to work." The Bill opens up such opportunities to unscrupulous employers.

7 pm

The Minister has been generous in giving way, but he has not shown that he has grasped our argument. I believe that he genuinely wants improvements to be made in health and safety, but he did not say anything to suggest that he would take action to give substance to that desire. He seemed also to think that we were talking about defining what is and what is not an industrial dispute. If that were so, one could imagine a tribunal having to decide whether an industrial dispute was taking place on matters quite unrelated to health and safety. That may well happen, but we are talking about cases in which it is beyond doubt that an industrial dispute has been occasioned by the fact that employees are no longer prepared to stand for circumstances that they believe put their health and safety at risk.

We are not talking about one individual who—to use the Minister's words—simply refuses to do something because a health and safety issue has arisen; we are talking about circumstances in which a group of employees in a workplace have been becoming more and more frustrated over a period of weeks, or perhaps months, with what they regard as their employer's failure to observe health and safety regulations. One incident may spark off that collective action. That is the sort of action that Opposition Members and, I think, the hon. Member for Bedfordshire, South-West (Mr. Madel), are trying to address. We are talking about employees using collective action to pressurise their employer to come up to scratch and provide decent safe conditions in the workplace.

The Minister argued that the provision might open up a can of worms—a large loophole. With respect, he does not seem to have considered in detail the terms of new clause 1, which demands that the employee has

"a genuine and reasonable belief"

that the employer was acting in breach of his statutory duty. Clearly, if a spurious belief were used to try to justify unofficial action, that would not be covered by the new clause, as the test that it involves is a demanding one.

The Minister also said that the new clause had a sting in its tale because the words

"other matters connected with the terms and conditions of the employees of the employer"

could refer to so many other matters. But that phrase does not stand on its own. The new clause refers to a breach or perceived breach of statutory duty with regard to terms and conditions of employment. We are not, therefore, talking about any other matter. The definition is a narrow one. If the Minister wishes to give substance to his oft-repeated claim to be genuinely interested in health and safety, he should accept that this is one very narrow area and that those who participate in unofficial industrial action from the best motives connected with their own health and safety should not be subjected to possible victimisation by an unscrupulous employer.

Mr. Cryer: I shall be brief, because I know that we have a number of other subjects to cover.

New clause 1 has extremely modest aims and ambitions and any reasonable Government would accept it, but I shall speak principally in support of new clauses 7 and 8, which concern the right of workers to call in a health and safety inspector if they believe that safety standards are being jeopardised and to obtain that inspector's approval of the safety standards of the operation before the work recommences. That is an eminently reasonable request, as any serious and objective study would recognise.

If I said that 413 people had been killed in nine years as a result of terrorist outrages, the House would be crowded, there would be expressions of horror and the Government would be agreeing to introduce legislation to prevent a recurrence. But 413 people in the mines and quarries industry died between 1979 and 1988. Each year, accidents take their toll of life and limb, and several thousand people are seriously injured. If workers had the right to question safety standards and to take action if they thought that those standards were being prejudiced, many of those fatalities would have been avoided.

Let me give an example. Scotch derrick cranes have been used extensively in quarries. They have fixed jibs. The Health and Safety Executive sent round a note saying that, if the pull holding the drum was made of cast iron, it should be replaced by a steel pull, because cast iron breaks. At Hungergantick quarry, the pulls were not replaced as had been recommended. The inspector from an insurance company could not tell the difference between steel and cast iron. One fateful morning, two workers got into the bucket and were lowered halfway down a quarry face. The pull broke, they plunged to the bottom and both were killed. Perhaps the workers would not have known about the difference between steel and cast iron, but they probably would.

The crane was not well maintained. In works operations, people are always pressing maintenance men to do odd jobs and get things working. If the workers had had the right outlined in the new clauses, it is likely that that Scotch derrick crane would have been properly maintained, according to the requirement that the HSE had circulated to employers. Accidents of that sort could be avoided. We should realise that people who operate cranes or other dangerous machinery and who are lowered halfway down a quarry face or into the bowels of a mine in the course of their duties will have safety at the forefront of their minds, because they are the people who will be imperilled most if there are hazards at work.

The Government are obsessed with trade unions, and the Bill contains many provisions dealing with balloting. But every year, bar exceptional years, we lose more working days as a result of industrial injury than from strike action. That being so, why do not the Government do something about the daily toll taken on life and limb and reduce the number of days lost through industrial injury?

I should like to draw the House's attention to some peculiarities and to emphasise the fact that new clauses 7 and 8 might do something to hurry up the production of clearer standards. For many years, there have been discrepancies between the lifting of heavy weights regulations in the wool textile industry and in agriculture. For agricultural workers, the limit is 175 lb but for textile workers it is only 120 lb. That is absurd. Agricultural workers cannot necessarily lift heavier weights than textile workers, but that is the implication that the regulations carry. Other workers have to lift more reasonable weights.

In 1976, the then chairman of the Health and Safety Commission assured me that the commission would be producing guidance on manual handling. That guidance is still awaited. If workers who daily have to lift heavy castings off a production line had the power to question safety standards and seek the assistance of health and safety inspectors, we might get some sense out of the arrangements and improve the regulations—and there are not many—that have been crying out for reform for many years.

I should like to give the Minister some figures. In the nine months commencing 1 April in the year 1986-87, almost 30,000 people were off work for three or more days because of back injuries. For the same period in 1987-88, the figure was 30,002 and in 1988-89 it was 29,783. If we take an average full year, the figure for 1979 was 44,000; for 1980 it was 37,000; for 1981 it was 74,000; and for 1982 it was 66,000. I stress that I am talking about thousands of people being affected by serious injury.

If we are serious about health and safety at work, we should give people the right to plead in an industrial tribunal that the reason for their course of action was the lack of decent health and safety standards. However, I would go further than that. I would give people the right to say, "We believe that these health and safety standards are not safe and we should like to call in a health and safety inspector to ascertain whether or not they are safe." Most decent employers would endorse that because most decent employers want proper standards of health and safety at work because they know that poor standards lead to all sorts of problems such as bad industrial relations and insurance companies wanting information when claims are made. It is a nightmare when serious industrial injuries occur.

Therefore, I urge the Minister seriously to consider the new clauses and, even if he cannot accept them now, to have a word with his colleagues to ensure that amendments to their effect are tabled in another place.

Mr. Nellist: Unusual though this may seem, I fully agree with the opening remarks of my hon. Friend the Member for St. Helens, North (Mr. Evans), not only that this is an odious Bill, but that clause 7, which the

Opposition amendments and new clauses seek to amend, is probably the worst aspect. That is why, during this Report stage, I am restricting my comments to this matter although I am no stranger to the Committee stages of the Employment Acts that the House has considered in past years.

The Bill is anti-working-class and anti-trade-union. It is designed to restrict the ability of trade unions to do the job that they were set up to do, which is to defend the rights and working conditions of their members and, through them, of their members' families.

I agree with my hon. Friend the Member for Bradford, South (Mr. Cryer) that the new clauses represent the minimum. It was wrong of the Minister to try to dismiss them as unworthy of consideration. I repeat that they represent the minimum that the House should accept on this matter.

I should have preferred the House to debate stronger moves tonight. My hon. Friend the Member for Bradford, South seemed about to suggest that workers should have a legal right to stop unsafe jobs without having to worry about whether they were taking unofficial or official action and about whether they could or could not use an industrial tribunal. I believe that the legal right to stop an unsafe or dangerous job should be enshrined in our legislation but, unfortunately, that is not the road down which we are travelling.

I also wish that we were talking about the mandatory use of prison sentences for employers or directors who are found to have been grossly negligent after a death or serious injury has occurred. I raised those points with the Prime Minister last Thursday but characteristically, she ignored them. As a result, 40 of my hon. Friends and I have tabled our points in early-day motion 969.

I rise to speak on this group of amendments and new clauses especially because of the renewed interest in health and safety in recent days following the tragic death 10 days ago of Billy Cartman at the channel tunnel site. That death and that site encapsulate much of what is wrong with this country's health and safety legislation, especially in relation to construction sites. It is not only I who think that—the Health and Safety Executive has estimated that working on the channel tunnel is three times more dangerous even than working on a building site, and building sites are bad enough.

The House and working people outside the House rightly get angry when a Piper Alpha, a Zeebrugge or a King's Cross occurs. We rightly feel anger about the tragic and useless waste of life in those major incidents and accidents. Yet the same number of people—about 160—are killed every year in the construction industry, but because the loss of life is diffuse, spread over the year and not concentrated in one incident, if does not attract the same attention.

Therefore, I make no apology for speaking in these terms. It is not as though I have previously been accused of shroud-waving in the House. That is why I say that perhaps the only good that can come from useless and tragic accidents, such as the recent accident at the channel tunnel site, is that the minds of the people who should be in a position to do something about that—the legislators in this place—are concentrated wonderfully, albeit briefly.

7.15 pm

There have already been six deaths on our side of the channel tunnel and three on the other side. As I said last Thursday, that is almost a man per mile. Like others outside the House, especially those who have to work on the channel tunnel, I believe that the workers there are being asked to work far too fast and far too hard because of the escalating cost of the project. The contractors have received warnings in the past, but it took that sixth death before the Secretary of State for Employment called in the senior management of Transmanche Link.

I tabled a written question a few days ago about the outcome of that meeting with Jack Lemley, the chief executive of TML. The Minister on the Treasury Bench now, the hon. Member for Teignbridge (Mr. Nicholls), answered on behalf of the Secretary of State that Jack Lemley had assured the Secretary of State

"that the highest priority would be given to ensuring the health and safety of workers employed on the construction of the channel tunnel".

That answer does not sit easy with other reports. I could quote interviews reported in *Militant* with channel tunnel workers who do not wish to be named, but instead I will quote from a newspaper which is such that, I hope, even Conservative Members will not accuse me of choosing partial sources of information. I refer to *The Independent* of Wednesday 9 May. The workers interviewed by that newspaper refused to give their names precisely because of the clauses that we are debating and the fear that they might be dismissed for raising such points. *The Independent* reported workers as saying:

"'It's push, push, push all the time.'

Staff allege that: locomotives used in construction were regularly derailed; fires underground often went unreported; visibility in many areas was dangerously low; carbon dioxide fumes often rose above safe levels; injured men, including workers with broken legs, were left untreated at the tunnel face until the shift ended and workers who complained about lack of safety were threatened with disciplinary action or demoted to lower-paid work.

One locomotive driver who refused to drive over a section of track which he felt would derail his train was sent out of the marine tunnel south and restricted to working in the service tunnel. 'You're not allowed to complain. If you complain, you're out. It's like being in a military camp, you do what you're told,' he said."

That is the sort of atmosphere that has been engendered in some construction projects, especially in the south-east where, because of the pressure of escalating costs and profit margins being ever tighter, the work is push, push, push. That is the atmosphere that the new clauses seek to address. They seek to give workers a safety net so that they can escape the sword of Damocles hanging about them and the fear that they can be dismissed for having taken what can be described as "unofficial action" if they complain about health and safety matters.

Notwithstanding what the Minister has said, I have spoken to people who have campaigned both at the channel tunnel and elsewhere, such as in my own region of the midlands, and know workers who are afraid to put their heads above the parapet. One reason is that there are people and firms in the construction industry who are heavily involved in and are financing bodies such as the Economic League, which keep lists of workers who complain. Then, when they are dismissed—usually on the pretext of being late for work or for some other reason unconnected with health and safety matters—they are unable to get another job.

I shall limit my remarks because other hon. Members wish to speak and other issues need to be raised before we complete our consideration of the Bill today. It is no good the Minister saying that there are mechanisms such as fines to deal with breaches of health and safety rules. The five TML companies have been fined a maximum of £10,000 each for one death which occurred last February and were previously each fined £1,700. That does not concentrate the minds of directors of companies which are making millions of pounds of profit, but a prison sentence of between six and 24 months, if not longer, would certainly do so. The prospect of a prison sentence at the end of their tunnel if gross negligence was proved might lead directors to take their jobs more seriously and concentrate their minds on health and safety matters.

The Minister and other Conservative Members have said that the aim of their provisions is to limit unofficial action. I warn the Minister that such is the mood among many construction and other workers in dangerous jobs that I can foresee a time—it may well be this year—when there will be a one-day strike about health and safety issues on projects such as the channel tunnel. It may well be an unofficial strike—I do not think that workers will worry about that if so many of them take part, and they will certainly have the widespread support of other workers in other trade unions around the country.

The Minister has the chance today to prevent such things from happening. He should accept the minimal demands of my hon. Friends and our new clauses. If he does not, that will be on his conscience. He will know that he could have done something today to prevent the loss of life and limb and to avert the need for action, official or unofficial, in protest at the carnage occurring in industry today.

Dr. Kim Howells (Pontypridd): I wished to make many points in the debate tonight, but I shall not make them all because there are restrictions on time, which I understand.

I wish to take up the Minister on what I consider to be some bland statements that he made about the way in which industrial law as it stands will enable people to take cases to industrial tribunals. Like many people—on both sides of the House, I am sure—I come from industry. I know that the nuances, subtleties and interpretations of which he spoke earlier are so much hogwash. The day-to-day basis of most people's experience in industry is different. In my experience, when people try to defend themselves before industrial tribunals, the charge on which they have been dismssed from work is never a refusal to do a job because it is dangerous. The major charge is always different. The full force of the empoloyers' argument is always spent on undermining the employee's case that he or she did not wish to go into a dangerous place.

Health and safety has dogged industrial relations ever since industrial relations began. In industry we are often working on the frontiers of technology. Changes may occur which simply cannot be legislated for in a general way as the Bill attempts to do. I remember when roof bolting was introduced into pits. Men would say, "Those roof bolts are not safe." The employer believed that they were safe and time and again they would argue that experience in America showed that roof bolting was perfectly safe. I have no doubt that in many geological circumstances that is true. But to men venturing into dangerous areas of mines who were used to working under steel arches the sight of a coal face or area of a mine supported only by roof bolting militated against everything that they understood about mining safety.

When men refused to go into such areas, they were threatened with dismissal. That happened on many occasions. I know for a fact that that was used after the miners' strike as a means of getting rid of undesirable teams, as they were considered by management, in an era of industrial relations when fear stalked many pits and there was no sense of self-confidence about industrial relations.

The other extreme is areas where the dangers do not seem great, such as a large office where there may be people using computer visual display units. We are only now beginning to understand the effect on health and safety of working on VDUs. If people walk out of an office saying that they do not believe that their work is safe in the long term, who is to rule in favour of one party or another? Under the Bill it would constitute an unofficial action, a walk out, rag out, call it what one will.

Who is to say to workers in the nuclear industry, after the findings of the Gardiner report are published, that they must go into an area about which they harbour great fears even though they worked there previously? At the innovative edge of technology there will be many problems that the Bill does not address. There is no room for ambiguity or vague promises of interpretation or subtleties. Health and safety provision must be included in a way that people can understand. It must be simple enough for both employers and employees to understand. Employees must have confidence in the legislation. If not, the trade unions will lose another function—the policing of their own work forces. There will be a degree of anarchy in industry which neither employers nor trade unions want. I fear that the Government do not understand that point. We shall end up with worse industrial relations and health and safety than we have now.

Mr. Eggar: We have had a useful debate and I shall try to respond briefly to as many as possible of the points that have been raised.

I fully understand the anxieties of my hon. Friend the Member for Bedfordshire, South-West (Mr. Madel). We cannot take employees' health and safety seriously enough. As I said in my opening remarks, that is common ground on both sides of the House. I certainly share my hon. Friend's wish that trade unions should do all that they can to resolve industrial disputes and get their members back to work. Trade unions should always have that objective in mind.

I entirely agree with my hon. Friend that employers should seek advice from the Health and Safety Executive whenever it may be helpful. In our view, his amendments would not achieve those common objectives, but we are prepared to consider whether the proposed words for the union's repudiation statement are the best and most apt in all circumstances. I know that that has been a matter of concern to him both on Second Reading and in Committee, and I assure him that we shall not close our minds on that issue.

The hon. Member for Orkney and Shetland (Mr. Wallace) postulated an example of an industrial dispute. I am somewhat wary of following up such examples, because each case must be decided by an industrial tribunal. He postulated an example of a long-term health and safety worry, as did the hon. Member for Pontypridd

(Dr. Howells). If employees are worried about either imminent or long-term health and safety issues, they are always free to call in an inspector. As I said earlier, that can be done on a confidential basis if that is appropriate.

The hon. Member for Bradford, South (Mr. Cryer) has had a long-running interest in health and safety regulations with regard to manual handling. We hope that all European Community member states will shortly agree unanimously a directive on manual handling. He will be interested to know that much of that directive is based on a consultative document issued by the Health and Safety Commission.

The hon. Members for St. Helens, North (Mr. Evans) and for Stretford (Mr. Lloyd) slightly misconstrued what we have said. We have never said that employees who take unofficial industrial action are protected against selective dismissal. The issue is whether there is any industrial action at all. If not—and we say that there is no industrial action where employees stop work because of fears for their safety—those dismissed have the right to complain of unfair dismissal. Their position will be the same as before the Bill.

In response to the hon. Member for Coventry, South-East (Mr. Nellist), let me say that section 36 of the Health and Safety at Work, etc. Act 1974 provides for industrial managers and directors to be prosecuted for breaches of health and safety. Indeed, in certain circumstances, that Act allows for imprisonment. It is not correct to say that that section has never been applied. A company director was successfully prosecuted for manslaughter following the death of an employee in May 1988. He received a suspended prison term of two years.

The hon. Member for Newham, North-East (Mr. Leighton), the Chairman of the Select Committee on Employment, suggested that it might be appropriate to explore the root of an avoidance of doubt provision. We considered that in some detail, but we came to the conclusion that the present position was preferable. It is not something that we have simply overlooked. We have explored that possibility.

The hon. Members for Stretford and for Coventry, South-East asked about the situation on the channel tunnel. We are unaware of any industrial action about health and safety issues on the channel tunnel site. Although there is widespread anxiety about health and safety on the channel tunnel site, the precise area covered by the Bill has not arisen in that context. Rather than choosing his newspaper, *Militant*, the hon. Member for Coventry, South-East quoted from *The Independent*. I shall quote from *The Independent on Sunday* of 13 May, which quoted a senior TGWU shop steward as saying:

"The Channel tunnel site is well disciplined with an excellent industrial relations team and there is no evidence of production being put before safety."

Mr. Nellist: Will the Minister give way?

7.30 pm

Mr. Eggar: I will not give way. I gave way earlier to the hon. Gentleman.

We have had a useful debate on what is essentially a technical matter. The Government are every bit as committed to maintaining and improving health and safety at work as the Opposition. We are convinced that clause 7 does nothing to undermine the excellent health and safety record that the country has achieved as a result of the bipartisan policy following the Health and Safety at Work, etc. Act 1974.

Mr. Tony Lloyd: Although this may be a technical issue for the Government, it is a matter of life and death for the people whom my hon. Friends and I and, indeed, Tory Members represent.

Whereas the Minister uses legalistic sophistry to argue whether action is industrial action, we are anxious that people should have a legitimate opportunity to withdraw their labour and protest in that form if their lives are threatened, for example, on the channel tunnel site. If the Minister accepts that they will be prevented from doing so by the provisions of the Bill, he fails to understand how dangerous working conditions are in the tunnel.

The Minister believes that there is something to be undermined in our wonderful health and safety structures. I remind him that his Government are underfunding the Health and Safety Executive to the extent that it is having to make cuts. They have consistently run down the executive so that it is unable to do the job that Parliament asks of it.

Mr. Eggar: That is a disgraceful comment.

Mr. Lloyd: I invite the Minister to have a debate on health and safety at any time in the House. We shall be delighted to put the Government on the spot.

Mr. Eggar *rose*——

Mr. Lloyd: The Minister will understand why I do not give way. He has had his say.

My hon. Friend the Member for Coventry, South-East (Mr. Nellist) was right in his comment about the construction industry. It has a terrible record. If the Minister believes that the position is satisfactory, and if his only defence is that one employer was given a suspended prison sentence, putting that forward as evidence that the law is applied, he does not understand that people are being seriously injured and killed at work. We will do everything that we can to prevent that.

As my hon. Friends have pointed out, we have tabled minimal new clauses and amendments to give the narrowest of protections to people at work. The fact that the Government are not prepared to accept even those minimal demands shows that they do not care about health and safety. For that reason, we shall vote for the new clause.

Question put, That the clause be read a Second time.

The House divided: Ayes 139, Noes 176.

Division No. 214] **[7.33 pm**

AYES

Abbott, Ms Diane	Bruce, Malcolm *(Gordon)*
Allen, Graham	Buchan, Norman
Anderson, Donald	Buckley, George J.
Armstrong, Hilary	Caborn, Richard
Ashdown, Rt Hon Paddy	Callaghan, Jim
Banks, Tony *(Newham NW)*	Campbell, Ron *(Blyth Valley)*
Barnes, Harry *(Derbyshire NE)*	Campbell-Savours, D. N.
Battle, John	Carlile, Alex *(Mont'g)*
Beckett, Margaret	Clarke, Tom *(Monklands W)*
Benn, Rt Hon Tony	Clay, Bob
Bermingham, Gerald	Cohen, Harry
Bidwell, Sydney	Cook, Robin *(Livingston)*
Blair, Tony	Corbett, Robin
Boateng, Paul	Corbyn, Jeremy
Brown, Gordon *(D'mline E)*	Cryer, Bob
Brown, Nicholas *(Newcastle E)*	Cummings, John

Cunliffe, Lawrence
Davies, Rt Hon Denzil *(Llanelli)*
Dixon, Don
Doran, Frank
Dunnachie, Jimmy
Eadie, Alexander
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Ewing, Mrs Margaret *(Moray)*
Field, Frank *(Birkenhead)*
Fisher, Mark
Flannery, Martin
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fyfe, Maria
Galloway, George
Garrett, John *(Norwich South)*
Garrett, Ted *(Wallsend)*
Golding, Mrs Llin
Gould, Bryan
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Haynes, Frank
Henderson, Doug
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Howells, Geraint
Howells, Dr. Kim (Pontypridd)
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Jones, Ieuan *(Ynys Môn)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Leighton, Ron
Lewis, Terry
Litherland, Robert
Lloyd, Tony *(Stretford)*
McAllion, John
McAvoy, Thomas
McFall, John
McKelvey, William
McLeish, Henry
McWilliam, John
Madden, Max
Madel, David
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meale, Alan
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(G't Grimsby)*
Moonie, Dr Lewis
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Primarolo, Dawn
Quin, Ms Joyce
Redmond, Martin
Richardson, Jo
Robertson, George
Robinson, Geoffrey
Rogers, Allan
Ruddock, Joan
Salmond, Alex
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, J. P. *(Vale of Glam)*
Snape, Peter
Soley, Clive
Taylor, Matthew *(Truro)*
Turner, Dennis
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Watson, Mike *(Glasgow, C)*
Welsh, Andrew *(Angus E)*
Williams, Alan W. *(Carm'then)*
Winnick, David
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Allan McKay and
Mr. Frank Haynes.

NOES

Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Atkins, Robert
Atkinson, David
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Boscawen, Hon Robert
Boswell, Tim
Bowden, Gerald *(Dulwich)*
Bowis, John
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brown, Michael *(Brigg & Cl'ts)*
Budgen, Nicholas
Burns, Simon
Butler, Chris
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Dickens, Geoffrey
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Eggar, Tim
Evennett, David
Fallon, Michael
Farr, Sir John
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Forman, Nigel
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Sir Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hawkins, Christopher
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Hogg, Hon Douglas *(Gr'th'm)*
Howard, Rt Hon Michael
Howarth, G. *(Cannock & B'wd)*
Hughes, Robert G. *(Harrow W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Jones, Robert B *(Herts W)*
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knowles, Michael
Knox, David
Latham, Michael
Lennox-Boyd, Hon Mark
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
McCrindle, Robert
Maclean, David
Malins, Humfrey
Mans, Keith
Marshall, David *(Shettleston)*
Maude, Hon Francis
Mawhinney, Dr Brian
Mayhew, Rt Hon Sir Patrick
Mellor, David
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Moss, Malcolm
Moynihan, Hon Colin
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Parkinson, Rt Hon Cecil
Patnick, Irvine
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Raffan, Keith
Raison, Rt Hon Timothy
Redwood, John
Renton, Rt Hon Tim
Rhodes James, Robert
Riddick, Graham
Ridsdale, Sir Julian
Rost, Peter
Rowe, Andrew
Ryder, Richard
Sackville, Hon Tom
Sainsbury, Hon Tim
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Richard *(Aldridge)*
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speed, Keith
Stanbrook, Ivor
Steen, Anthony
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Sumberg, David
Taylor, John M *(Solihull)*
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Tracey, Richard
Walker, Bill *(T'side North)*
Watts, John
Widdecombe, Ann
Young, Sir George *(Acton)*

Tellers for the Noes
Mr. David Lightbown and
Mr. Timothy Wood.

Question accordingly negatived.

New Clause 2

REFUSAL OF EMPLOYMENT ON GROUNDS RELATED TO PREVIOUS TRADE UNION ACTIVITIES

'It shall be unlawful to refuse a person employment because of his trade union activities in any previous employment.'.—*[Mr. Tony Lloyd.]*

Brought up, and read the First time.

Motion made, and Question proposed, That the clause be read a Second Time.—*[Mr. Tony Lloyd.]*

Mr. Deputy Speaker (Mr. Harold Walker): With this it will be convenient to consider the following: new clause 3 —*Refusal of employment to person on register kept by organisation compiling information about suitability of individuals for employment—*

'Where there is an arrangement or practice under which an employer will not offer employment to a person whose name is on a register kept by an organisation which compiles information about people in connection with their suitability for employment and that information includes information about a person's trade union activity, then a person who is refused employment in pursuance of that arrangement or practice, shall be held to have been refused employment by reason of his trade union activities.'.

Amendment No. 20, in clause 1, page 1, line 12 at end add—

'(c) because without his knowledge his name has been supplied to his prospective employer by a third party from an unpublished or secret register'.

Amendment No. 21, in page 2, line 23, at end add—

'(e) offers, and then subsequently withdraws the offer of employment without giving a satisfactory explanation for the withdrawal of the offer of employment.'.

Amendment No. 22, in clause 2, page 2, line 40 at end add—

'(c) because without his knowledge his name has been supplied to the agency by a third party from an unpublished or secret register.'.

Mr. John P. Smith: It gives me great pleasure to speak to the new clauses and amendments, not least because they are good additions to what is not a constructive or good Bill for the current needs of our industrial relations. In the main, the new clauses are designed to outlaw the unacceptable practice adopted by British employers of blacklisting genuine and ordinary trade unionists. They are also a good test of the Government's sincerity when they claim equity and balance. Earlier in the debate a Conservative Member spoke about the need for a sense of balance.

Clauses 1 and 2 of the Bill seek to make it unlawful to discriminate against a potential employee whether or not he is a member of a trade union. Clause 2 states that, if an employment agency puts out an advertisement for a worker which says that the person appointed should be a member of a trade union, and if that person is subsequently refused employment, it can be deemed that he was refused employment because he refused to join or was not a member of a trade union.

In Committee, we argued that a distinction should be made between trade union membership and trade union activity. The Government repeatedly said that there was no need to do that because the two things were one and the same. We are again asking the Government to make that distinction and to ensure that quite sinister organisations, especially the Economic League, will not be at liberty to provide information about potential employees. Such information invariably includes details of trade union activity.

The Government see nothing wrong or contradictory in allowing the secret practices of that secret organisation to continue. In Committee we witnessed for the first time Ministers forcefully defending that organisation and its activities. I am sure that many of my colleagues will agree that that is disgraceful, because anybody who is aware of what that organisation does could not possibly support it in an open society.

Mr. D. N. Campbell-Savours (Workington): On a number of occasions over recent years, people from west Cumberland have come to my surgery and my home to complain that they have been blacklisted by local employers and contracting organisations—not only in west Cumberland, but on the Sellafield site. It is a disturbing development. Ministers must not look lightly on these serious matters. We need legislative reform because they are an invasion of our constituents' civil liberties. Ministers must not casually brush it aside.

Mr. Smith: I intend to refer to some of the practices of the Economic League that have resulted not only in people being blacklisted and therefore unable to obtain work, but in innocent people being blacklisted. Wrong information has been passed on about people and, consequently, they have been refused employment. We might never know the numbers involved, because the information is secret, but they could run into thousands or even tens of thousands. Ordinary working people and ordinary, respectable trade unionists involved in legitimate trade union activities, have had their lives ruined because the practices of the Economic League have prevented them from obtaining gainful employment.

Hon. Members may not be familiar with the practices of the Economic League. After all, for almost 60 years its work was conducted in secret. The league contacted members of the Committee and set out, in part, what it considers to be its role in the recruitment of employees. It said:

"The existence of revolutionary organisations whose aim is to damage companies by fermenting unrest is well proven. Revolutionary organisations conceal their identity behind fronts and they use every artifice and method to achieve their aims. Therefore employers have a right, even a duty, to protect the interests of their companies, shareholders and employees alike. They need access to an information service that can help them to identify people who, by their membership or support of revolutionary bodies, can be expected to pose a threat to good relations in the company. The League supplies this information."

There is one problem with that. The information that the league provides—or at least, its interpretation of it —is quite different from reality. Fortunately, some investigative journalism—in particular, the Granada "World in Action" programme—has exposed the sinister activities of the league, as have books such as the "The Economic League—The Silent McCarthyism" by Mark Hollingsworth and Charles Tremayne. They have exposed what the league is up to.

The league includes in its list of revolutionary organisations Christian Aid, Oxfam, War on Want, Greenpeace, the Anti-Apartheid Movement, trade unions and one of the most popular political parties, the Labour party. Those activities, in which ordinary people engage, are revealed to employers to use as an excuse for refusing gainful employment. The paranoia revealed by such an organisation is a threat to open industrial relations, and the Government should support the new clause.

Mr. Graham Riddick (Colne Valley): What evidence is in the book to suggest that employers have refused jobs to people who are members or supporters of the organisations that the hon. Gentleman has mentioned?

Mr. Smith: I do not have time to go through all the examples set out in the book. I shall simply choose a page at random and cite two examples. The first was exposed by "World in Action". Mr. Roy Turnbull, a labourer from

[Mr. Smith]

Newcastle upon Tyne, was for some considerable time refused employment because of his political activities. In fact, Mr. Turnbull belonged to no political party and he said in his testimony that he had never even bothered to vote.

Similarly, Mr. Ken Martin—another labourer from Newcastle upon Tyne—was blacklisted because of information about his political activities that was passed on by the Economic League. That information was false. It accused Mr. Martin of being a long-standing member of the Communist party. As a result, for some considerable time he could not obtain gainful employment. The information was not true because Mr. Martin was not, and never has been, a member of the Communist party. I could cite more examples, but I suggest that the hon. Gentleman reads the book or looks at the "World in Action" video.

The nature of the Economic League is revealed in the way that it gathers its information. It is known to use spies, private detectives, election nomination forms and press cuttings. That is unreliable, clandestine and sinister. The organisation is secretive and sinister in four ways. First, its existence remained a secret for many, many years. Indeed, its existence was denied only recently. Secondly, the organisations and companies affiliated to the Economic League were also secret until recent exposures. I am glad to say that many reputable companies which were previously affiliated have now broken their association because they have recognised the mood of the people of the country—something which the Government, if they do not support the new clause, will fail to do.

Thirdly, the organisation is secret and it keeps its information secret. Indeed, it refuses to put its information on computer but instead keeps manual records that do not come under the Data Protection Act. That is worrying in this day and age and it is another sign of the secret activity of that organisation. Finally, the organisation is secret because the information that it passes to employers about potential employees is secret. In particular, those potential employees do not have access to that information. They do not know what has been said about them. Like the two people whom I cited earlier, they do not have an opportunity to defend themselves. That is disgraceful.

The Government have an opportunity tonight to accept the new clause and the other amendments that we are discussing that relate specifically to trade union activity. Indeed, they have a clear choice—a closed society with closed industrial relations where secretive and sinister organisations can interfere with the smooth running of the labour market in general and recruitment of suitable labour in particular; or an open society where people, especially trade unionists, know exactly what is being said about them behind closed doors. They can then engage in the legitimate trade union activity that we have experienced in Wales.

It was interesting to note that in the rising unemployment figures released today, Wales did not suffer as badly as other regions. We have had some success in inward investment because we have the highest density trade union membership in the country. Those ordinary trade unionists make a major contribution to the economic well-being of the country.

8 pm

Mr. David Winnick (Walsall, North): I fully support the new clause. It is unacceptable that those actively involved in trade unions should be discriminated against when it comes to applying for employment. It is even more unacceptable that there should be an organisation such as the Economic League, the main function of which—the reason why it came into existence at the end of the first world war—it to draw up a list of those who, in the view of those who run the organisation, should not be taken on by companies.

The Ecomomic League is funded by a number of large companies. I am pleased to note that more recently, perhaps in the past two or three years and certainly since the television programme, the Economic League has not received the same amount of funding as previously. Nevertheless, it continues to receive quite a large chunk of money.

British United Industrialists, an organisation responsible for receiving funds from companies and passing them on to the Tory party, also acts as a paymaster for the Economic League. It may be of some interest that some 57 companies which subscribe financially to the Tory party also subscribe to the Economic League, so the link is clear.

Mr. Campbell-Savours: Did my hon. Friend see the Government Whip laughing then?

Mr. Winnick: Yes. I am not surprised.

The Economic League engages in a number of undeniable habits which should be deplored. For example, officials infiltrate private, political and trade union meetings. They like to get their hands on the attendance lists and use them for their own purposes. My hon. Friend the Member for Vale of Glamorgan (Mr. Smith) made the point that they also indulge in making a note of those who nominate candidates for local and national elections. All that is for one purpose—to draw up the dossier and to use it for the purposes of discrimination when it comes to employment.

The hon. Member for Colne Valley (Mr. Riddick) asked where is the evidence of such discrimination. In the book already referred to, "The Economic League—The Silent McCarthyism", reference is made to Malvyn Barton, a loyal member of his local Conservative club for nearly 10 years. He was a rather reluctant member of a trade union, but for some reason he was branded a militant. His name appeared on the Economic League's list and, as a result, he has been penalised. He has been unemployed for the past six years and is a bitter man. He said:

> "I've always got impeccable references that could get me a job but being on a blacklist is like banging your head against a brick wall. My reputation is now in rags."

The Economic League has not refuted that there is such a dossier on that person.

Derek Ogg is an Edinburgh solicitor whose case should interest Conservative Members. He was chairman of his local Young Conservatives and stood as a Conservative party candidate in the regional and district council elections, but he was listed by the Economic League as an anarchist. The explanation was that he was associated with a magazine which had been on sale in a radical bookshop.

I do not deny that many—perhaps a large majority—or those on the list are active trade unionists and proud to be so—they are not like the two cases to which I have just

referred—but in a democratic society, is it wrong for an active trade unionist who takes pride in his trade union membership to want to recruit those who are not in a trade union? Of all the functions of a democratic society—all the things which are not allowed in a dictatorship, fascist or communist—why should that one be the subject of a list kept by a central organisation funded by companies so that the people listed can be penalised, often for years on end?

I wish to refer to two cases nearer home. My right hon. Friend the Member for Stoke-on-Trent, South (Mr. Ashley) is not necessarily considered the most revolutionary member of the Opposition. In the early 1940s, before he went to Ruskin college, my right hon. Friend was a worker and a shop steward in a factory. He was put on the list for no other reason than that he was an active trade unionist and proud of it.

Perhaps even nearer home is my own case. When I finished my Army national service, I went to work in a clerical capacity in engineering. I was an active trade unionist and regularly attended trade union meetings and the annual conference of my union. Two years ago, my union, honoured me with its highest award—it may not seem much to Conservative Members because there is no commercial involvement, but I am proud to be the holder of a gold medal from my union. As an active lay member of my union, I sought then to ensure that, wherever I worked, I would try to recruit non-unionists in engineering establishments into my union, and I make no apology for that. I was put on the London Engineering Employers Federation blacklist for no other reason than my trade union activities.

That was in the mid-1950s, but fortunately in the area where I was living at the time there was no unemployment problem. I could not get work in federated firms, so I went to non-federated firms and had no difficulty in getting employment there. Employers would probably have considered me a conscientious worker. Yet I could not work in any federated firms because I was on the blacklist, merely because I was an active trade unionist. That is a deplorable state of affairs, not because of my experience as such but because of all the other people who are subject to such action.

There seem to be links between the Economic League and the police and special branch. A former official of the Economic League, Richard Brett, who was featured on the television programme as having worked for the Economic League, became somewhat disillusioned. He said that, during his days as an official of the Economic League, he regularly gave talks to the local police on industrial subversion. There is an allegation—the Minister will not be able to respond to this, because it is more a matter for the Home Office—that the Economic League continues to receive information from the police as well as passing information to them. If that is true, it is a further reason why we should deplore the activities of that organisation. I hope that the Home Secretary will look into those allegations and, if they are true, ensure that such actions do not continue.

Fortunately, we live in a political democracy, in a free society, and the freedoms that we have built up are precious, certainly to Opposition Members. Those freedoms, those civil liberties, are seriously eroded when people are penalised simply because of their trade union work, and that is completely unacceptable.

If new clause 2 is not acceptable to the Government —I do not think that it will be—I only hope that, after the next general election, the Labour Government will look at all those aspects and take measures to make such discrimation unlawful. We should have done that before, but I hope that we shall do it next time. If the law is so changed, it will further help to strengthen the freedoms that we already have in Britain. New clause 2 should be enthusiastically supported.

Mr. Riddick: Many hysterical comments have been made, without evidence to back them up. We heard many accusations on Second Reading and I understand that there were one or two lively debates on the subject in Committee.

I have taken the trouble to talk to the Economic League and it has written to me, and I want to inject a touch of realism and accuracy into the debate. I begin by quoting the league's objectives:

"The Economic League collects and analyses extremist papers, magazines, reports and leaflets of left and right alike. Where industries or companies are mentioned by name, we let them know. Where the threat is more general we bring it to wider public attention.

This is just one of the ways in which the League is supporting freedom, free enterprise and democracy against those who are working to destroy it.

We provide an industrial relations advisory service to industry and commerce, particularly aimed at countering politically motivated industrial unrest and the creation of more positive attitudes."

Its aims are clear.

Mr. Campbell-Savours: The hon. Gentleman seeks to defend the league's activities. Does he believe that the information that the league retains on its files should be publicly available, so that people who suspect that information held on them is inaccurate may have the right to appeal?

Mr. Riddick: Yes, people who are the subject of information held by the Economic League should have the right to see it. The Economic League says that people have that very right. Anyone who believes that they appear on an Economic League blacklist can write in, and the league will reply, confirming whether or not it holds any information on them. That is what the Economic League claims. The hon. Member for Walsall, North (Mr. Winnick) claims that he is on an Economic League list, but has he ever written to the organisation to ascertain whether that is the case?

Mr. Winnick: The hon. Gentleman cannot be serious when he makes that suggestion. He must think that people are very naive. I did not suggest that I am on an Economic League list—I may be, or I may not. I explained rather that I had been on a blacklist kept by an employers' organisation.

Mr. Riddick: The hon. Gentleman gave the impression that he is on an Economic League blacklist. I have to say that he was being a little misleading, but I accept now that he was not attempting to suggest that he was on a list kept by the Economic League. The fact remains that one of the league's raisons d'être is to identify industrial saboteurs and make information relating to them available to the companies that subscribe to its services. What is wrong with that?

Mr. Wallace: Last year, the newspaper *Scotland on Sunday* reported that the league was setting up a list on environmentalists. Do they come within the hon. Gentleman's definition of industrial saboteurs?

Mr. Riddick: It does not sound to me as though environmentalists should be included in that category, but I cannot be sure that there is any truth in the report to which the hon. Gentleman referred. Does he know whether there is any substance to that allegation?

A number of unsubstantiated claims about the league's activities have been made, and I shall refer to them later. Clearly, the Labour party wants to put the Economic League out of business, but the only people to benefit would be left-wing extremists who want to wreak industrial havoc in this country. Perhaps that is what Opposition Members want. If so, their amendments amount to a wreckers' charter.

Several Opposition Members suggested that the league is anti-union and discriminates against trade union members. The league vehemently denies that accusation. I quote from the brochures that the league sends to prospective clients—companies that have expressed an interest in the services that if offers:

"The League is in favour of employees voluntarily joining a trade union, having it represent them and negotiate on their behalf. If the union and the company fail to agree, the League recognises the right of the union to call on its members to take industrial action, provided that they are properly consulted."

8.15 pm

Individuals named in various "World in Action" programmes claimed that they were listed by the Economic League because of their trade union activities, and were as a result refused jobs. I asked the league whether there was any truth in those accusations. Mr. Hardy, the director-general of the league, wrote to me on 9 May:

"The League has no record on the individuals named in the programmes. Furthermore, none of the individuals named has ever either written to us to complain or commenced legal action against us. None of them has ever communicated with us about our alleged blacklisting of them."

I suggest that Opposition Members ask the people named in the "World in Action" reports to contact the Economic League, to establish whether that is true. If those individuals have not done so, or fail to do so, they can hardly go round making wild allegations about being on an Economic League blacklist. The House may be interested to know that the Broadcasting Complaints Commission found that Granada TV's "World in Action" programme

"constituted unjust and unfair treatment of the League."

Do Opposition Members think it would be sensible for a company that employs, for example, a high percentage of Asian workers to employ also an individual having links with the National Front? Of course not. That is the kind of information that the league can provide.

Mr. Winnick: But it does not.

Mr. Riddick: What evidence does the hon. Gentleman have to support that accusation? He has none. He simply makes another wild allegation.

Mr. John P. Smith: Does the hon. Gentleman accept that there is no way of knowing for certain whether the league holds information on a particular individual—because what it does, it does in secret?

Mr. Riddick: I repeat that anyone who believes that they are listed by the league should contact the organisation—*[Laughter.]* Opposition Members may laugh, but the league has made it clear that it is willing to allow Members of Parliament to visit its offices and inspect its files.

Mrs. Maria Fyfe (Glasgow, Maryhill): I can show the hon. Gentleman correspondence that I have received, as someone involved in the Anti-Blacklisting Campaign, from a gentleman who suspected that he was listed by the Economic League. I saw the league's reply, on its letterhead, and it requested him to give a great deal of information about himself—including his name, present addresses, past address, trade union membership, political activities, and so on—and to submit it together with a small fee. In other words, " Please blacklist yourself."

Mr. Riddick: Surely the hon. Lady would want the Economic League to make absolutely certain that the person requesting such information is really the same person appearing in its files—which clearly is of great importance.

Opposition Members claim that the league is trying to avoid the provisions of the Data Protection Act 1984, yet the league itself says that it would have no difficulty in conforming to an extension of that Act to cover manual records. It claims that it would welcome such an extension. I quote again from the letter that I received from the league's director-general:

"Our archives are open for inspection at any time by the Data Protection Registrar and our systems were fully inspected during 1989. The Data Protection Registrar gave us a clean bill of health."

That inspection related to information held on computer. However, the league has made it clear to me that it would be happy for the provisions of the Act to be extended to manual records. Its director-general adds:

"In addition we would be happy to host an all-party deputation of Members of Parliament at our Archive Centre. They will then be able to see the system at work for themselves."

I suggest that Opposition Members take up that offer.

Mr. Campbell-Savours: I shall be happy to do so. The league has only to write to me.

Mr. Riddick: Good. I am glad to hear that from the hon. Member for Workington (Mr. Campbell-Savours).

The actions of the Government will probably diminish the role and the importance of the Economic League because only when the industrial situation is ripe for saboteurs are the services of such organisations necessary. The Government's trade union legislation has made it more difficult for people to subvert trade unions and industries, and I welcome that. It means that the work of the league is less in demand now than it was.

Mr. Campbell-Savours: The hon. Gentleman has made an offer and I and my hon. Friend the Member for Glasgow, Maryhill (Mrs. Fyfe) will take him up on it and visit the league. He also mentioned what information it would make available to us. I think that he mentioned that we would be able to see the records, how information is recorded, what is recorded and how manual and computerised record systems work. Judging by what he has been told, can he say that all that will be made available to us as Members of Parliament?

Mr. Riddick: I cannot speak on behalf of the Economic League. I can only quote what is contained in this letter to me. It will be printed in *Hansard* tomorrow.

The hostility of many Labour Members of Parliament to the organisation, without any proof of wrongdoing, is a poor reflection on them because the league's purpose is to contribute towards upholding industrial peace. I suggest that the Labour party should subscribe to the league—rather than knocking it—and find out about the militants and the people who disrupt its ranks in such places as Liverpool, London and Birkenhead—of course we know the hon. Member for Birkenhead (Mr. Field) has been deselected.

I shall happily vote against the amendments tabled by the Opposition.

Mrs. Fyfese: I am glad to have the opportunity to speak because, some time ago, an anti-blacklisting campaign was formed in the House and it now has a large number of members, including more than 70 Members of Parliament. It is pleasing to note that, in the recent past, the Opposition attacked blacklisting during debates on previous employment legislation and attempted to get the law changed, but they were opposed by the Government. I introduced an anti-blacklisting Bill, which was opposed by the Government. Here we are again tonight, with yet another Employment Bill, taking the opportunity to raise the issue once again and to try to further the democratic standards that we wish to preserve in this country. I am delighted to know that the Labour party has undertaken, in its policy review, to clear up the matter once and for all when Labour forms the next Government.

I am particularly pleased that the Select Committee on Employment will be investigating blacklisting in the near future.

The hon. Member for Colne Valley (Mr. Riddick) questioned whether there was any evidence that blacklisting took place. A member of my union, the Transport and General Workers, and an employee of Ford was blacklisted last year. Ford openly admitted—it has been in all the newspapers—that it subscribes to the Economic League and that it practises blacklisting. That admission comes from a major car manufacturing company.

The building workers' union, the Union of Construction, Allied Trades and Technicians, is holding its annual conference soon; because it is so aware of the problems of its members in the construction industry, this will be a major topic for debate. According to the hon. Member for Colne Valley, everyone seems to be letting his imagination run riot.

Mr. Riddick *rose*——

Mrs. Fyfe: Before I give way, I wish to cite the example of another building firm. Some of its papers came into my hands recently, and the show that the company blacklisted people who had never worked for it, and it did not do so on grounds of incompetence. I shall present that evidence to the Select Committee.

Mr. Riddick: The hon. Lady mentioned Ford. Is it not true that the motor car industry in this country has been blighted during the past few decades by industrial disruption? It has had a history of individuals actively disrupting it—for example, Red Robbo and the mole at Cowley. Such individuals have enormous power. In the past they created tremendous problems for companies, and those problems spilled over to other employees. Surely Ford has a responsibility to its shareholders and its employees to ensure that industrial saboteurs are not employed.

Mrs. Fyfe: I shall come to the general principles of the issue in a moment, but one of the people the hon. Member for Colne Valley named—the so-called Red Robbo——

Mr. Riddick: Answer.

Mrs. Fyfe: I am answering right now, if the hon. Gentleman wants to listen to me. Red Robbo was sacked for no better reason than that he offered an alternative to the plan offered by the management at the time of a dispute several years ago. Notice how far back the hon. Member has to go to find something that he can begin to describe as subversive activity—which it certainly was not.

Thousands of people are on the Economic League's blacklist. The league organises in various parts of the country and has local lists. Presumably it has a nationwide list on its computer. No doubt my hon. Friend and I will ask about that when we visit them.

Do Conservative Members seriously believe that those people are all subversives and revolutionaries? If so, I do not know why the revolution has not already broken out, given the activities of the Government during the past 10 years. Tory Members are talking nonsense. We have been given the evidence of Mr. Richard Brett, who used to be a regional director of the Economic League, and who came to a meeting in the House of Commons organised by the anti-blacklisting campaign. He had fallen out with the league and was prepared to give evidence which will be presented to the Select Committee in due course. He said that, for the vast majority of the huge number of names in the records, the information recorded was inaccurate.

People are listed, they are prevented from getting jobs, but the information on them is not correct. How does that come about? It is due to the league's methods of blacklisting people. It picks up names and addresses from a wide range of left-wing and ultra left-wing newspapers, and other such sources, noting the names of people who are nominated for posts. However, if a senior official of that organisation is prepared to admit publicly that the records are inaccurate, the public have reason to worry.

Sometimes the league has got it right, and has listed someone accurately, but the information is irrelevant. For example, one of my constituents was on the "World in Action" list for no better reason than that she was an organiser for the anti-apartheid campaign. Most people would think that if she put that on a job application an employer might think that it was to her credit—I certainly would. I cannot imagine what employer could object, except perhaps the South African embassy or companies such as Outspan. It is not of interest to industry in general. Those are reasons for putting people on the blacklist.

Even if someone considers himself or herself a revolutionary and a danger to capitalism, Opposition Members realise—although Conservative Members do not—that many such people take themselves more seriously than their activities justify. We have a police force, special branch, MI5 and MI6 and if people are attempting to subvert the interests of the country it is their job to attend to such matters—*[Interruption.]* As my hon. Friend the Member for Walsall, North (Mr. Winnick) points out, we know that some secret services have taken a strange view

[Mrs. Fyfe]

of what is and what is not a subversive activity. A former leader of the Conservative party referred to the fact that some of MI6's activities were very strange and that it had odd notions of what constituted subversive activities.

The forces of the state are there to look after the interests of the state. When it comes to employers looking after their own interests, do not Conservative Members of Parliament realise that ordinary, hard-working, decent trade unionists do not want their job prospects to be wrecked and industry to be ruined by people who fancy themselves as some kind of latter-day Lenin? Trade unionists can tackle attempts to make something out of nothing. Ordinary trade unionists are the ones who have suffered the most from such activities. A shop steward who is trying to do a decent job for his members can come to the attention of an organisation such as the Economic League and be blacklisted as a revolutionary or a subversive.

8.30 pm

I have already referred to the fact that people can be invited to blacklist themselves. We have heard that the Economic League is prepared to allow us to examine its records. It believes that it would be a good idea if the law required both computer records and general records to come under the Data Protection Act 1984. Why, therefore, do the Government resist our arguments? I called precisely for such a measure two years ago when I introduced my Bill—that all the records of blacklisting agencies should be open to inspection and that people who had applied for a job and had been checked by a would-be employer should be able to find out what information was held on them. At long last we hear that the Government are prepared to allow that. I can only imagine that it is because they have come under pressure as a result of investigative journalism.

Apart from the Economic League, other organisations have blacklists. They prevent people from gaining employment for reasons wholly unconnected with their ability to do the job. They can be blacklisted for their beliefs, or for their suspected beliefs, or even because of the beliefs of their relatives or friends. They can be blacklisted on the basis of false information. People are tried secretly by unknown individuals who act as prosecutor, judge and jury. They have no opportunity to challenge and correct the false information, unless they choose to write and virtually blacklist themselves. If they had not come to the attention of a blacklisting agency before, they would certainly do so then.

It has been called McCarthyism. I have seen a letter from a man who says that it is worse than McCarthyism, for at least McCarthy was prepared to stand up in front of Congress and the Senate and justify his actions. These people are not prepared to justify their actions. All they do is to talk nonsense about secret revolutions breaking out everywhere in Britain. I hope that the House will throw out this nonsense.

Mr. Leighton: The Bill claims to give people the right to belong to a trade union. It did so belatedly. We heard a great deal about the right not to belong to a trade union. It was only towards the end of the gestation period that we heard anything about the right to belong to a trade union. It is a new right. Under our law, there has never been the right to belong to a trade union.

Since 1926, a printing firm, D. C. Thomson in Dundee, has operated the policy that anybody who wants to be employed by that firm must sign what is called "the document", stating that they are not a member of a trade union. If the right to belong to a trade union is to mean something, we have to ask how that right is to be enforced. If there is no mechanism to enforce the right to belong to a trade union, it will be a completely meaningless sham.

We have heard a great deal about the pre-entry closed shop and how dreadful it is. I do not intend to say a great deal about the Economic League. The Select Committee on Employment has launched an inquiry into recruitment practices. The Economic League is to give evidence to the Committee and I do not wish to prejudge what it will say. A number of other organisations are described as blacklisting organisations. They are engaged in pre-entry discrimination. Discrimination takes place before someone gets a job. It is not a question of an employee not being allowed to join a union; the discrimination takes place before a person even gets the job.

Blacklisting organisations provide the so-called information in secrecy and furtively to firms that then illegally—or what will be illegally—refuse employment. The purpose of a blacklisting organisation is to supply information secretly; then the firm will do something that will be illegal—it will refuse employment and break the law.

What does the Minister intend to do about it? If the Bill gives the right to employees to belong to a trade union but there is pre-entry discrimination, what will the Minister do if firms break the law? That would be wrong, repugnant, mischievous and evil. It must be combated, if we are serious about giving people the right to belong to a trade union.

We must be even-handed. The right to belong to a trade union has to be protected. People must also be given the right to be active in trade unions. It is all very well to give people the right to belong to trade unions, but what happens if they are active trade union members? An active trade union member may find that he is on a blacklist and that therefore he cannot find employment, so it does not seem to me that the right to belong to a trade union has any real meaning. I understand that in Committee my hon. Friends tabled an amendment that would have covered that possibility, but it was rejected by the Government. An explanation is needed.

We know, from all sorts of evidence, that some of these blacklisting organisations are shady and incompetent. We also know that many firms use them. The organisations are secret and furtive, and operate on the fringes of the law. We listened to the apologist or spokesperson for one of these organisations, the hon. Member for Colne Valley (Mr. Riddick). Perhaps he will take back the message that, if such organisations were more open, there would not be so much objection to them.

Parliament has considered the matter before. In our modern society, a vast amount of information is available on all of us. According to the Data Protection Act, Parliament has said that we should be able to check what is on the record, but some organisations manage to find furtive ways to circumvent the law. They say that they have manual files. If they were more open about their activities, there might not be the same objection to them. I hope that the Minister will tell us what he thinks about that.

If blacklists deny employment, the so-called right to belong to a union is a sham. In a free society it cannot be right for people to be shut out of employment by the use of secret information. We criticise the secret police and the Securitate in eastern Europe because they kept blacklists and files on people and used informants. I have heard that some of the blacklisting organisations here infiltrate agents into anti-apartheid organisations and trade unions and compile information, rather like the Ceausescu secret police. If those organisations can deny people employment, that must be wrong, and if people being denied a livelihood cannot challenge that secret information, that must be a denial of natural justice.

I want to know what the Government intend to do about it. If they claim that they will give the right to belong to a trade union, perhaps we shall hear that in future it will be unlawful to keep and supply secret, inaccurate and incompetent information to firms which will then operate pre-entry discrimination. Perhaps the Minister will promise to ensure that they are brought under the Data Protection Act and that everything they do will have to be out in the open and that their lists will be published so that not only the employer but the individual—the Conservative party has often said that it has the interest of the individual at heart, and what could be more important to the individual than the denial of his livelihood?—will have access to it. Unless that is done, the so-called right to belong will be a sham. That is the litmus test of whether the Government will be even-handed and give the right to belong as well as the right not to belong. Unless something is done about it, that right will be an empty sham.

Mr. Campbell-Savours: I hope that the hon. Member for Colne Valley (Mr. Riddick) will reflect on his speech. If he looks back through history he will find that one of the great parliamentarians from his constituency was a man called Victor Grayson who is well remembered throughout the valley that the hon. Gentleman now represents in the House of Commons.

Victor Grayson was destroyed by the blacklist. That is how the British establishment dealt with that gentleman all those years ago. If the hon. Gentleman wants to know more about Victor Grayson, he need do no more than read the book about him written by my hon. Friend the Member for South Shields (Dr. Clark). He will learn much about the operation of those organisations that he has sought to defend in the Chamber tonight.

I shall certainly take up the offer that the hon. Gentleman made and go to meet those people, but I say to them in advance that we shall want many questions answered. We will want to know all kinds of information about their organisation which hitherto they have been totally unwilling to provide to journalists that have made contact with them. We shall want them to justify why they question people who apply for information about themselves, and why people are charged the princely sum of £10 to secure access to the personal information kept about them.

We shall also want to know how they can morally justify the compiling of information such as one would expect to find only in parts of eastern Europe and in the Soviet Union. In those countries and in other parts of the world the systems are being dismantled, and it is incongruous that we should allow such operations here in the United Kingdom.

Mr. Riddick: The hon. Member for Workington (Mr. Campbell-Savours) has something of a reputation for instigating bogus smears on hon. Members. I recall the way in which he tried to smear my hon. Friends the Members for Stirling (Mr. Forsyth) and for Hampshire, East (Mr. Mates). I should point out that the portion of the letter that I read out specifically said that the Economic League would be happy for an all-party delegation to visit its premises. That was a sensible caveat to ensure that hon. Members such as the hon. Gentleman do not go on their own and abuse the hospitality of the Economic League. The most effective body of people to carry out such an investigation would be the Select Committee on Employment.

8.45 pm

Mr. Campbell-Savours: I am perfectly prepared to accept the caveat that the hon. Gentleman introduced. If I and my hon. Friends have any difficulty in gaining access, I am sure that the hon. Gentleman will be willing to accompany us to ensure that the delegation has an all-party complexion.

I should like to pay tribute to my hon. Friend the Member for Glasgow, Maryhill (Mrs. Fyfe) who, since her election to the House, has done so much in these matters. Her name stands out on the Labour Whip each week, drawing attention to meetings that she is convening. I know that she has played a prominent and important part in uncovering the activities of that organisation and drawing them to the attention of hon. Members and people throughout the country. I should also like to pay tribute to my hon. Friend the Member for Vale of Glamorgan (Mr. Smith), who made his maiden spech from the Dispatch Box this evening.

Finally, I turn to a particular issue—who should be blacklisted, if anyone? I want to draw attention to an incident at the Devonshire dockyard in Barrow in Furness in Cumbria. I was approached by a person within the county of Cumbria who drew my attention to the security arrangements in that dock. I should point out that the Devonshire dock is where they are to build the Trident submarine, one of Britain's most secure projects in terms of defence contracts. It demands the highest level of security. It is so secure and officially secret that Parliament cannot be officially informed even of the date of commissioning of the first Trident boat, so we are dealing with a highly sensitive subject.

When I asked the Secretary of State whether the Trident project was being carried out at the Devonshire dock in Barrow I received the reply: "Yes." Then I asked about security. The Minister replied:

> "Security at the Devonshire dock is the responsibility of Vickers Shipbuilding and Engineering Limited and is being maintained at a level appropriate to the nature of the work undertaken and the perceived threat."

I asked about the screening arrangements for people working in the dock and the security clearance for those already working there and received the reply:

> "It is not the policy of this or previous Administrations to release information on security clearance procedures."—[*Official Report*, 14 May 1990; Vol. 172, c. *826*.]

Clearly they are extremely sensitive matters. One assumes that the level of security at the dock is extremely high.

One of the main contractors in the dock just happens to be a subscriber to the Economic League, a firm called McAlpine, one of Britain's premier construction companies. The firm was recently carrying out work not in the

[Mr. Campbell-Savours]

main construction hall but within the dock area in the immediate vicinity of the main construction hall. When McAlpine is short of labour, and needs a specialist skill for a few days, it uses a local labour contractor to employ persons who have to have security clearance to come to the dock and do the work. I understand that on a number of occasions McAlpine has used a firm called Nicholas Labour Hire Ltd. of Preston. The potential employees on the books of that company need security clearance.

I have with me a form which shows that Nicholas Labour Hire Ltd. of Winckley square, Preston, told a person who was to work in the dock area—this relates to a particular occasion but I understand that it has happened on a number of occasions—and who had to clear security, that because of delays with security clearance, he should impersonate an employee of Nicholas Labour Hire Limited, a Mr. Mike Power. Mr. Power is the office manager of Nicholas Labour Hire Limited and I understand that he has security clearance for the dockyard.

Obviously, the contractor, McAlpine, will want to deny knowledge of these matters, as no doubt will Vickers shipyard security officials; they will say that they know nothing about these matters. Nicholas Labour Hire will probably want to blame everyone else, although it is party to this impersonation and deception which is breaching security in a dockyard in the United Kingdom in which the highest level of security manufacturing activity is taking place, aside perhaps from Sellafield and the Aldermaston complex in the south of England.

I want an inquiry to be conducted into this case. How is it that such large companies, one of which at least we know subscribes to the Economic League, can be party to a system by which people are required to impersonate others and breach security to gain access to their place of employment?

I want to know why firms such as McAlpine are willing to subscribe to organisations such as the Economic League as part of the exercise of blacklisting individuals who seek employment, while they themselves are engaged indirectly in breaching security by, if not condoning them certainly not finding out about and preventing, abuses of security on the scale that I have divulged to the House tonight.

I understand that in the dockyard in Barrow there is an inner security area. It was put to me that it would be impossible for people to breach that area, even though they might gain access, by way of security passes, to the main dock area. But I am told by other people in the dock that it possible to move from one security area even into the tighter security area.

Mr. Riddick: This is all irrelevant.

Mr. Campbell-Savours: The hon. Gentleman may say that it is irrelevant. I believe that people in the construction industry—be they McAlpine, Nicholas Labour Hire Ltd. of Preston or Vickers of Barrow—who condone this sort of activity present a far greater threat to national security than ever some trade unionist did who perhaps happened to say the wrong word at the wrong place at a certain time, thereby doing irreparable damage to himself and his prospects of employment for the rest of his life, or perhaps someone who belonged to CND, who attended a rally and whose presence was picked up on a video camera by some crummy official in some organisation that believes it has a right to monitor the activities of people.

We have our priorities wrong. I hope that when the inquiry that I have requested takes place—as it inevitably must take place, since a breach of security has occurred; I have the documentary evidence with me, for I hold in my hand the form that was requested and was filled in requiring a man to impersonate another man—it will prove who really threatens security in this country. I hope that it will address the real issues that confront us.

The Parliamentary Under-Secretary of State for Employment (Mr. Patrick Nicholls): Despite some of the remarks that have been made, this is one of those debates in which there is probably more agreement than might at first seem to be the case. At the outset, from the Government Bench, I welcome the hon. Member for the Vale of Glamorgan (Mr. Smith) to the Opposition Front Bench. He will have found that a great benefit of speaking from that position is that at long last one has something on which to rest one's notes. Speaking for myself, one hardship of being a Back Bencher, having left the court room, is having to leave one's lectern behind. The hon. Gentleman will agree that it is nice to have a lectern again.

The hon. Gentleman came to the heart of the matter —his concern about the Economic League—but the clause and the amendments to it deal with a fundamental point in the Bill, and one which attracts acceptance from hon. Members in all parts of the House. I refer to the proposition that, when it comes to recruitment, the fact of trade union membership should be irrelevant. It must be said that that is not the position under the law as it stands, and that a change is to take place in that respect.

The hon. Member for Newham, North-East (Mr. Leighton) was concerned that our conversion to the even-handed approach, if I may so put it, came somewhat late in the day, but that is not so. The Green Paper dealt specifically with the pre-entry closed shop, but once the proposals in the Green Paper were being taken forward and worked into a Bill, one saw all the implications and became aware of how to put the policy into practice. The hon. Gentleman will see that an even-handed approach has been adopted on the face of the Bill, as it should be.

Mr. Leighton: I am interested in the pre-entry aspect. If the Minister wishes to be even-handed, does he agree about the other side of the coin? There is pre-entry discrimination by blacklisting organisations if secret, furtive information is given by them to firms which, after the Bill becomes law, illegally discriminate against people who have previously been active in trade unions, and the individual cannot challenge the information. Does the Minister agree that that would be a breach of natural justice? That is pre-entry discrimination for being a trade union member. Does the Minister accept that?

Mr. Nicholls: I will come to that issue in more detail later in my remarks. I accept that we are here in the business of introducing a new criterion that employers will not be entitled to take into account when deciding whether or not to employ somebody. I refer to the fact of trade union membership. Be it the presence or absence of such membership, employers will not be entitled to take that into account. Whatever else we may disagree on, that is accepted by Members on both sides.

The hon. Member for the Vale of Glamorgan said that in Committee we had presented the case on the basis that activities and membership were one and the same thing, but I would not put that construction on it. We made the point that we were dealing essentially with the status of a person, be he a member of a trade union or not, rather than with his activities.

It is equally clear that the mere fact of membership carries with it certain incidental activities which are implicit. That matter was decided by the court as recently as this year, in Discount Tobacco and Confectionery Limited *v.* Armitage. If one reads that case in conjunction with the older case of Drew *v.* St. Edmondsbury borough council, it is clear that, although there may be the normal incidence of trade union activity, the organisation of industrial action would not form part of it. I appreciate that the hon. Gentleman was fair in keeping his remarks about that as short as he could, but he perhaps condensed matters rather more than I would have done.

The hon. Member for Vale of Glamorgan also felt that the Economic League had been defended by Ministers. Let me make it clear that, speaking for myself and for my right hon. and hon. Friends, we never come to the Front Bench to defend the Economic League. It is for the Economic League to defend itself. If it is indulging in any illegal activity, that should be drawn to the attention of the relevant authorities. To say that I or my right hon. or hon. Friends would defend the work of the Economic League would be preposterous. The matter rests on particular knowledge. If any hon. Member has knowledge that the Economic League has acted illegally, that should be drawn to the attention of the police.

Mrs. Fyfe: Our point, which does not seem to be getting through, is that this secret McCarthyism should be made illegal.

9 pm

Mr. Nicholls: I understand the hon. Lady's objections and I promise that I will come to them.

The hon. Member for Vale of Glamorgan was fair in the way that he opened up his case. He felt that we were defending the Economic League per se, but we are not. However, I come now to the first point of difference between myself and the Opposition. It is a fair construction to say that they feel that it is undesirable and unfair, and should be made illegal, if an employer decides to use sources of information or tries to find out whether a potential employee has a history of industrial disruption. An employer may want to know whether that person is a well-known subversive.

I assure the hon. Member for Glasgow, Maryhill (Mrs. Fyfe) that I shall come to the point about accuracy of information in a moment. She herself hinted that certain people are on the extreme of right and left—a view which is common ground between us. An employer's wanting to know merely whether a person was involved in industrial disruption should not be made illegal, but——

Mr. Leighton: Will the Minister give way?

Mr. Nicholls: The hon. Member for Vale of Glamorgan might have liked to hear my "but", but I will give way to the hon. Gentleman.

Mr. Leighton: If an employer knew that someone was going to be disruptive and destructive, he could dismiss him. That employee would then go to an industrial tribunal and might prove his case. However, to have secret information to say that somebody was X, Y or Z when he was not and for that person to be unable to challenge that false information is a different matter.

Mr. Nicholls: This will be common ground between us. Yes, if the employer took somebody on and then found one week, two weeks or two years later that the person had a track record for industrial disruption, he could dismiss him. If the person had been employed for the qualifying period, the industrial tribunal could deal with the matter. However, it makes sense from an employer's point of view not to have to dismiss someone in those circumstances. It might make more sense to find out whether the person has a history of industrial disruption—before taking him on.

Mr. Winnick: Does the Minister accept that, for many employers, what he has just described would apply to a person who wanted to be employed by a firm and who was an active trade unionist who wished to recruit others who might not be in a union? In the eyes of many employers, that is a form of industrial subversion. Yet I believe that the practices in which I engaged were perfectly legitimate and right in a democratic society. If people did not want to be persuaded by me to join a trade union, so be it, but why should I or anyone else be prevented from joining a firm because I am an active trade unionist?

Mr. Nicholls: The hon. Gentleman amplifies the point that he made earlier. It may assist the House if I come to that point in due course.

I was making the point that trying to find out not whether someone had been engaged in trade union activities or was a member of a trade union, but whether he had been indulging in something a great deal worse, is obviously a matter in which an employer might take a legitimate interest.

From what I have read in the newspapers about the Economic League, it is clear that some organisations which employ trade unionists have used that organisation. The mere fact that an employer goes to an organisation to find out whether someone has been guilty of industrial disruption should not automatically be made illegal.

The hon. Member for Walsall, North (Mr. Winnick) made several allegations of malpractices about which he knew. I hope that he will accept that those allegations are more the province of the Home Office than of the Department of Employment. He came to the crucial point when he said that, under the next Labour Government, he would seek certain changes in the law. I can give the hon. Gentleman some comfort now rather than leaving him to wait until his extreme old age. That change in the law is very much enshrined in clause 1.

Today, if an employer approached the Economic League or any other organisation and found that a person was indulging in trade union activities which were incidental to membership, he would be entitled to take that into account. After enactment of the Bill, however, that will no longer be the case—employers will no longer be able to obtain such information. I do not know whether that assurance is sufficient to make the hon. Gentleman cross the Floor, or vote Conservative, or both, but the change in the law that he expected to come in the days of his grey-haired old age is already being made.

My hon. Friend the Member for Colne Valley (Mr. Riddick) also mentioned the Economic League, of which

[Mr. Nicholls]

he clearly has some knowledge. He has corresponded with its members, given the House information, and made a certain offer. Again, I do not think that it is for me to pass comment, except to say—this leads me to the main point made by the hon. Member for Maryhill—that any information supplied by such organisations should obviously be accurate. I say that for a number of reasons, one of which may not appeal particularly to Opposition Members. If the organisation providing the information identifies the wrong John Smith, to pick a name at random, thus blackguarding the right John Smith, that will not do the organisation itself any good.

My hon. Friend suggested that people could write asking whether they were on the Economic League's list. If they were sufficiently left or right-wing, they might add, "PS—If not, why not?" The hon. Member for Maryhill and several of her hon. Friends asked, "What about the Data Protection Act?" Although I am sure that the remarks of my hon. Friend the Member for Colne Valley were as accurate as he could make them, I could not say whether the Economic League favours an extension of the Act to cover manually held records. All that I can tell the hon. Lady is that whether the Act should be extended is a question for the Home Office rather than for my right hon. and learned Friend the Secretary of State for Employment, although I appreciate that the hon. Lady and her hon. Friends welcomed the opportunity to return to the subject, which arose in Committee as well.

Mr. Leighton: The Minister is on to a good point. He will also appreciate the importance of information acquired for recruitment purposes. Does he agree that such information should be covered by the Data Protection Act, and will he take steps to ensure that it is? That might deal with the anxiety felt by hon. Members on both sides of the House.

Mr. Nicholls: I cannot take a view on legislation that has not been introduced by a Department which, were it to do so, would in any case not be the Department in which I serve. The data protection issue is plainly dear to the hearts of Opposition Members, and they will doubtless wish to pursue it, but they cannot pursue it with the Department of Employment.

Mr. Campbell-Savours: What is the Minister offering the House? How does he intend to ensure that only accurate information is kept, without requiring the aggrieved individual to pay £10?

Mr. Nicholls: I am responding to the amendments that have been tabled to the clause.

Mr. Campbell-Savours: I have asked a simple question.

Mr. Nicholls: And I will give the hon. Gentleman a simple answer, although he may not find it satisfactory. It is not the business of the clause, or of the Bill, to devise a structure to ensure that the information given out by organisations is accurate. What the clause does—this should be said again, as it represents common ground—is ensure that it will no longer be regarded as legal for a potential employer to refuse a person employment on the ground of trade union membership.

Mr. Campbell-Savours: How will he do that?

Mr. Nicholls: I have given the hon. Gentleman my answer to his question. I warned him that he might not find it satisfactory.

The hon. Member for Newham, North-East asked about the sanctions. The details are set out in schedule 1. The tribunal can make an order, or a declaration, about the steps that should be taken to remedy the problem, and compensation can then be awarded.

The hon. Gentleman also said that he wanted the information to be made public. That takes us back to the point about accuracy. I am not sure how far the hon. Gentleman would want to take the matter—he might not wish all the information to be made public on each and every occasion—but I accept the arguments about the accuracy of the information.

Before I outline the concession that I intend to offer, I will deal with the point made by the hon. Member for Workington (Mr. Campbell-Savours), who asked whether anyone should ever be blacklisted. That is an interesting question, but it seems to me that there is some agreement among hon. Members on both sides that there are some things that employers ought to be able to take into account, and the intention to cause deliberate industrial disruption might be one of them. The Bill deals with trade union membership, which employers will no longer be able to take into account.

Grouped with new clause 2 is amendment No. 21, which would add to a list of criteria set out in the Bill for deciding what would amount to a refusal of employment. It is clearly right that we should be clear about what constitutes refusal of employment. The list is set out in clause 1(5), and the amendment proposes that an extra ground should be offered. The amendment refers to an employer who

"offers, and then subsequently withdraws, the offer of employment without giving a satisfactory explanation for the withdrawal of the offer of employment."

The second part of that proposal would not assist Opposition Members in achieving their aim, because the subsection is intended to help us to determine whether there has been a refusal of employment. That matter should not be prejudged—it should be left to a tribunal. I cannot say whether the exact words in the amendment are satisfactory, as I have not yet had time to seek the view of parliamentary counsel, but the Government accept the principle behind it and we are prepared to bring forward a proposal to reflect that in the other place.

Mr. Campbell-Savours: Will there be an inquiry into what I have alleged today?

Mr. Nicholls: I was about to come to the points that the hon. Gentleman made. The hon. Gentleman made a number of allegations about firms—McAlpine, Nicholas Labour Hire, Vickers, and others. He made the allegations in his own inimitable way. It is not for me to pass judgment on whether those allegations are right, and the hon. Gentleman needs no lectures from me about how to bring such matters to the attention of the relevant authorities. Clearly, he feels that he has started that process today.

Mr. John Evans: I am grateful to the Minister for accepting the principle of amendment No. 21, which stands in my name. I should explain that I did not participate in the debate merely because of pressure of time and because other hon. Members wished to speak.

Mr. Nicholls: On that thoroughly uncontentious note, I conclude my remarks by congratulating the hon. Gentleman on his perspicacity in realising that an extra paragraph should have been included.

Mr. Tony Lloyd: We look with considerable interest to see what the Government propose by way of a concession to my hon. Friend the Member for St. Helens, North (Mr. Evans), and we welcome the fact that they are prepared to make such a concession.

It is disingenuous of the Government to argue that they are doing members of trade unions an amazing favour by making it unlawful to refuse to employ someone because he is a trade union member. The Government do not accept the logic of the case by offering equivalent protection to someone who is active in his or her trade union. It is ludicrous to afford protection to those who are members but not to someone who has taken an active part in his or her union even at a very low level. It will be ridiculous if employers are allowed to use that loophole and continue to refuse to employ on that basis. I must make our strong objections clear. The Government seem to be trying to have it both ways.

I strongly disagree with the hon. Member for Colne Valley (Mr. Riddick), and he would not expect me to say otherwise. My hon. Friends have made good speeches explaining our reasons for that.

It is not good enough for the Minister to tell us piously that he thinks that it is important that such secret organisations provide accurate information. Of course, if they provide information, that information should be accurate, but in reality it is not. It is neither accurate nor acceptable. The very fact that it is gathered in such a covert sinister way means that nobody—neither employer nor employee—should have any confidence in the activities of such listing organisations. They have no place in British industry.

The Government should accept our fairly minimal view of how blacklists should operate in our society. I must make it clear that, in the event of the Government not accepting our proposals, a Labour Government will bring in legislation to that effect. We are committed to that. It is a great shame that the Government do not recognise that they have the same kind of moral obligation if they really have the interests of both sides of industry at heart.

For those reasons, we shall seek to divide the House on new clause 2.

Question put, That the clause be read a Second time:—

The House divided: Ayes 126, Noes 178.

Division No. 215] **[9.15 pm**

AYES

Abbott, Ms Diane
Allen, Graham
Anderson, Donald
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Battle, John
Beckett, Margaret
Benn, Rt Hon Tony
Bermingham, Gerald
Bidwell, Sydney
Blair, Tony
Boateng, Paul
Brown, Gordon *(D'mline E)*
Brown, Ron *(Edinburgh Leith)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Carlile, Alex *(Mont'g)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Cohen, Harry
Cook, Robin *(Livingston)*
Corbett, Robin
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Davies, Rt Hon Denzil *(Llanelli)*
Dixon, Don
Eadie, Alexander
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Field, Frank *(Birkenhead)*
Fisher, Mark
Flannery, Martin
Foster, Derek
Foulkes, George
Fyfe, Maria
Galloway, George
Garrett, John *(Norwich South)*
Garrett, Ted *(Wallsend)*
Golding, Mrs Llin
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Harman, Ms Harriet
Haynes, Frank
Henderson, Doug
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Howells, Geraint
Howells, Dr. Kim (Pontypridd)
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Jones, Ieuan *(Ynys Môn)*
Kaufman, Rt Hon Gerald
Leighton, Ron
Lewis, Terry
Lloyd, Tony *(Stretford)*
McAllion, John
McAvoy, Thomas
McCrea, Rev William
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meale, Alan
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(G't Grimsby)*
Moonie, Dr Lewis
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Pike, Peter L.
Powell, Ray *(Ogmore)*
Primarolo, Dawn
Quin, Ms Joyce
Redmond, Martin
Reid, Dr John
Richardson, Jo
Robertson, George
Robinson, Geoffrey
Rogers, Allan
Ruddock, Joan
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, J. P. *(Vale of Glam)*
Snape, Peter
Soley, Clive
Taylor, Matthew *(Truro)*
Turner, Dennis
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Watson, Mike *(Glasgow, C)*
Williams, Alan W. *(Carm'then)*
Winnick, David
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Jimmy Dunnachie and
Mr. Frank Cook.

NOES

Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Atkins, Robert
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Bellingham, Henry
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boswell, Tim
Bowden, Gerald *(Dulwich)*
Bowis, John
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Budgen, Nicholas
Burns, Simon
Butler, Chris
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Clark, Sir W. *(Croydon S)*
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Dickens, Geoffrey
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Eggar, Tim
Evennett, David
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Forman, Nigel
Franks, Cecil
Freeman, Roger
Gardiner, George
Garel-Jones, Tristan
Glyn, Dr Sir Alan
Goodhart, Sir Philip

Goodlad, Alastair
Goodson-Wickes, Dr Charles
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hawkins, Christopher
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heseltine, Rt Hon Michael
Howard, Rt Hon Michael
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Jones, Robert B *(Herts W)*
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knowles, Michael
Knox, David
Lennox-Boyd, Hon Mark
Lightbown, David
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Macfarlane, Sir Neil
Maclean, David
Madel, David
Malins, Humfrey
Mans, Keith
Marshall, Michael *(Arundel)*
Maude, Hon Francis
Mawhinney, Dr Brian
Mayhew, Rt Hon Sir Patrick
Mellor, David
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Moss, Malcolm
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Patnick, Irvine
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Raffan, Keith
Raison, Rt Hon Timothy
Redwood, John
Renton, Rt Hon Tim
Rhodes James, Robert
Riddick, Graham
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Rost, Peter
Rowe, Andrew
Ryder, Richard
Sackville, Hon Tom
Sainsbury, Hon Tim
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Richard *(Aldridge)*
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speed, Keith
Stanbrook, Ivor
Steen, Anthony
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stokes, Sir John
Stradling Thomas, Sir John
Sumberg, David
Taylor, John M *(Solihull)*
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Tracey, Richard
Walker, Bill *(T'side North)*
Watts, John
Widdecombe, Ann
Wiggin, Jerry
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Greg Knight and
Mr Michael Fallon.

Question accordingly negatived.

New clause 5

CHANGE IN TERMS AND CONDITIONS OF EMPLOYMENT

'Every trade union shall be given sufficient time to ballot its members on whether or not they wish to take industrial action if their employer seeks to change any of the terms and conditions of his employees' contract of employment.'.—*[Mr. John Evans.]*

Brought up, and read the First time.

Mr. John Evans: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Paul Dean): With this it will be convenient to take new clause 9—

NOTICE OF CHANGE IN TERMS AND CONDITIONS OF EMPLOYMENT

"Section 15 of the Employment Act 1982 (liability of trade unions in certain actions in tort) will remain in force if an employer changes or attempts to change, without giving at least 14 days notice to the trade union concerned, any of the terms and conditions of his empoloyees' contract of employment.'.

Mr. Evans: Time is pressing, and I shall be brief.

The purpose of the new clauses is to attempt to retain the status quo in what are frequently difficult industrial situations where the work force is at loggerheads with the employer. The specific purpose is to seek to prevent a vicious employer from using clause 6 of the Bill for whatever nefarious ends he may have. Clause 6 would outlaw all unofficial action, not just strikes. If workers take unofficial action—frequently it is taken because an employer procrastinates on some particular problem—their union must "without delay" repudiate the action of its members using the following abrupt and callous words:

"Your union has repudiated any call for industrial action to which this notice relates and will give no support to such action. If you are dismissed while taking unofficial industrial action, you will have no right to complain of unfair dismissal."

If the Government insist on going ahead with this monstrous legislation, they must find a better form of words than that.

The point at issue is that, if the union does not repudiate the action of its members, and if any union official, paid or unpaid, down to the lowliest shop steward, has been in any way involved in the industrial action, the union's funds are placed in jeopardy because the employer or customer of the employer is able to sue the trade union. I will not repeat the instances that I gave in Committee, but the vast majority of actions occur when an employer upsets the status quo.

New clause 5 would give trade unions time to ballot their members when such situations arise. New clause 9 would allow the status quo to remain in place for 14 days. In other words, it would allow the union to go into the place where the dispute was taking place and seek to resolve it without bringing in the whole panoply of the law.

There is any amount of evidence that the overwhelming majority of unofficial actions in Great Britain have been brought about by employers unilaterally altering the status quo at the place of work. The Minister has already accepted the spirit of one of my amendments. I hope that, in the same spirit, he will accept the two new clauses and recognise that they will assist in difficult industrial situations.

9.30 pm

Mr. Nicholls: I can certainly understand why the hon. Gentleman is concerned, but I cannot go as far as accepting the spirit of the amendments. It is clear that the hon. Gentleman does not like the Bill at all. He does not like repudiation structures and looks at a case where he imagines unofficial action breaking out—where an employer unilaterally alters the terms of contract. The hon. Gentleman will know that there are remedies in the civil courts for employers who try to behave in that way. Is there something so special about that type of employer abuse that the repudiation structures in the Bill should be set to one side? I do not see it that way. No extra time needs to be given, because the matter is not time-limited.

As the hon. Gentleman says, the repudiation has to be carried out without delay and even then the union has only to do its best. I understand the hon. Gentleman's motives. He is returning to a matter which he feels strongly about, but I do not agree with him.

Mr. John Evans: The Minister is a lawyer and to say that there is a civil remedy in such cases demonstrates that he does not live in the world of ordinary working people. It is monstrous to make such a suggestion. I hope that my noble Friends in another place will have more time to deal with this matter than I have. I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 6

Collective Bargaining Rights

"It is unlawful for any employer to refuse to grant collective bargaining rights to his employees provided that a majority of the employees have, in a secret ballot, voted in favour of collective bargaining rights exercised through the trade union of their choice.".—*[Mr John Evans.]*

Brought up, and read the First time.

Mr. John Evans: I beg to move, That the clause be read a Second time.

The clause seeks to establish bargaining rights for employees when a secret ballot has been carried out and it has been demonstrated that the employees wish to be represented for collective bargaining purposes by the union of their choice.

Clause 1 of the Bill makes it unlawful to refuse employment to a person because he is or is not a member of a trade union. The Secretary of State claims that he has demonstrated his even-handedness. The Bill is not even-handed; I should be amazed if it were. It is difficult to imagine any situation in which an employer would refuse to employ someone and tell him to his face that he refused to do so because he was a member of a trade union. The chances are that the employer would think up a thousand excuses before he got round to that one.

There is another side to the matter that I should like to draw to the attention of the House. While it would be illegal for an employer to refuse employment on the ground that the person was a member of a trade union, it would not be illegal to refuse employment on the ground of previous industrial activity. The employer would be perfectly free to tell somone to his face that he would not employ him because of the trade union activity in which he had indulged in the past. That needs to be stressed, because perhaps the Secretary of State has overlooked it.

There is another important issue. If the Secretary of State is giving the right to belong to a trade union, surely another right should go with that—the right to representation. The fact that a person is allowed to be a member of a trade union but is then denied the right to have that trade union represent him, which applies in many cases, means that the worker has gained precisely nothing.

An increasing number of companies are unilaterally withdrawing union recognition from their employees. I recently received a letter from SOGAT and the National Union of Journalists protesting about Associated Newspapers withdrawing trade union rights from the members of those two unions and imposing individual contracts on union members. The union makes the point that no other country in the EEC imposes such a policy. It is asking for the right to be recognised.

I hope that the Minister will recognise the strength of what I am saying. Although I do not expect him to accept my new clause, as a member of the Labour party who has always taken a great interest in trade union affairs, I assure him that, now that the Tory party has given the right to individuals to belong to a trade union, the next Labour Government will give the recognition rights that must go with that.

Mr. Nicholls: If a Labour Government, some time in the future, were to do that, they would be turning back the clock a very long way. The hon. Gentleman is aware that one of the first legislative steps that the Government took in industrial relations was to repeal sections 11 to 16 of the 1975 Act, which provided for what one might call compulsory recognition procedures. It is one of those issues on which one must decide where one stands. The Government do not doubt that it is for the employer to decide whether to recognise a trade union for a particular purpose. It would not be a progressive step to turn back the clock.

The hon. Gentleman should cast back his mind to the unique position of the 1970s, when ACAS told the Government that the recognition procedures were not constructive. To return to the atmosphere of the 1970s, with all the recognition disputes of that time, would be wrong. It was not appropriate for the 1970s, it was not appropriate for the 1980s and it certainly is not right for the 1990s.

Mr. John Evans: The Minister has missed my point. I referred to a majority of employees holding a secret ballot and voting for collective bargaining rights. It is clear that the Government's thoughts lie entirely with the employers. The Opposition believe that collective bargaining is a joint exercise between employers and trade unions. We shall seek to redress the balance that has been heavily tilted in favour of employers and against employees. I shall be seeking a more equitable state of affairs—in about, I suggest, 18 months.

Again, I have not had the opportunity to develop my argument because of the pressure of time. I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 13

Limited Extension of Legal Aid to Industrial Tribunal Proceedings

'In schedule 2, Part I to the Legal Aid Act 1988, after paragraph 3 there shall be inserted:

"3A. Proceedings in industrial tribunals relating to the question of whether or not the tribunals jurisdiction is excluded by section 62 or 62A of the Employment Protection (Consolidation) Act 1978, or which are proceedings under schedule 1 of the Employment Act 1990."'.—*[Mr. Wallace.]*

Brought up, and read the First time.

Mr. Wallace: I beg to move, That the clause be read a Second time.

The principle of the new clause is to extend legal aid to industrial tribunal proceedings as specified in the new clause. We believe that legal aid could be more generally applied to proceedings before industrial tribunals. After

[Mr. Wallace]

all, the issues raised are often fundamental to an individual's rights, and not least his employment. Important issues can arise and, as in the civil courts, individuals should have the right to legal aid if they meet the financial criteria. Employment rights should be of equal importance.

To get the new clause within the scope of the long title, we have had to restrict it to two particular matters. They are relevant matters in respect of which we believe that individuals should rightly receive legal aid assistance to enable them to pursue their cases. The first relates to circumstances where, under clause 7, an employee would lose the right to go to an industrial tribunal if he was dismissed while engaged in an unofficial industrial action.

During earlier debates there was considerable discussion about the circumstances in which action might or might not be considered to be industrial action. The Minister agreed that that was a matter which the industrial tribunal could determine. Having a mind as to what would come up later, I noted that he said that such matters could be complicated and technical. The fact that they might be so complicated and technical means that the individual who wishes to take such a matter to an industrial tribunal should have recourse to legal aid so that he is properly represented before the tribunal.

The new clause also applies to tribunal hearings under such schedule, which relates to the protection given to individuals—their right to belong or not to belong to a trade union. Hon. Members have asked whether that includes trade union activities. That may give rise to important litigation and the new clause would bolster up the right, which I welcome, to belong or not to belong to a trade union.

Starred new clause 14 would make the same provisions for Scotland and if, in his wisdom, the Minister is prepared to allow my new clause, he will ensure that in another place equivalent Scottish provisions will also be legislated.

Mr. Nicholls: The new clause caused me something of a dilemma because I could not decide whether to take the statesmanlike approach, realise that the hon. Member for Orkney and Shetland (Mr. Wallace) had to frame it in the way that he had and deal with what he would have liked it to deal with, or to take my usual approach and castigate him for deficiencies in the drafting. I decided to be magnanimous. I understand that the only way in which the hon. Gentleman could bring the new clause within the scope of the Bill was to tie it to the jurisdictional points.

It might be possible, even if ingenuity was not necessary, to consider the jurisdictional points as crucial to whether a person could get himself before a tribunal, but at the end of the day it would produce some curious anomalies. For example, if in the middle of a hearing a jurisdictional point was satisfied, the person would find that he did not have legal aid. This is all about, in intent if not in form, whether legal aid would be available for industrial tribunal hearings.

The hon. Gentleman and I share a common guilt in that we are both lawyers and that may frame our attitudes in a particular way. But putting aside the commercial possibilities, industrial tribunals are supposed to be a relatively informal mechanism, and the provision of legal aid will only encourage their formalism by bringing people like us into them more readily. Therefore, I cannot accept the spirit or the form of the new clause, but I compliment the hon. Gentleman on his ingenuity.

Mr. Wallace: The Minister's response comes as no surprise, and I thank him for his compliment. When the important issue of employment arises, it would not be unreasonable to have legal representation. I understand that moves are afoot to bring litigation on contracts of employment into the scope of industrial tribunals which at present qualify for legal aid in the civil courts. If that change comes about, we shall have to look afresh at having legal aid for tribunals. However, clearly, I shall not make much progress on the words on the amendment paper. Therefore, I beg to ask leave to withdraw the new clause.

Motion and clause, by leave, withdrawn.

Clause 3

INTERPRETATION AND OTHER SUPPLEMENTARY PROVISIONS

Amendment made: No. 1, in page 3, line 36, at end insert—

'(1A) Where a person may not be considered for appointment or election to an office in a trade union unless he is a member of the union, or of a particular branch or section of the union or of one of a number of particular branches or sections of the union, nothing in section 1 applies to anything done for the purpose of securing compliance with that condition although as holder of the office he would be employed by the union.

For this purpose an "office" means any position—

(a) by virtue of which the holder is an "official" within the meaning of section 30(1) of the Trade Union and Labour Relations Act 1974, or

(b) in relation to which the duty in section 1 of the Trade Union Act 1984 (duty to hold elections) applies.'.—*[Mr. Eggar.]*

Clause 5

MINOR AMENDMENTS RELATING TO BALLOTS

Amendments made: No. 3, in page 5, line 10, leave out 'section 10' and insert 'Part II'.

No. 4, in page 5, line 13, at end insert

'; and related expressions shall be construed accordingly.'.

No. 5, in page 5, line 25, leave out

'137 of the Employment Protection (Consolidation) Act 1978' and insert

'127 of the Employment Protection Act 1975'.—*[Mr. Nicholls.]*

Mr. Howard: I beg to move amendment No. 6, in page 5, line 30, at end insert—

'(4) In section 4(1B) of the Trade Union Act 1913 and section 2(5) of the Trade Union Act 1984 (requirements with respect to voting papers in political fund ballot or ballot for union office), in paragraph (a) after "must", insert "state the name of the independent scrutineer and".

(5) In section 15(2) of the Employment Act 1988 (duties of trade union with respect to independent scrutineer in case of political fund ballot or ballot for union office), after paragraph (b) insert—

"(bb) must, before the scrutineer begins to carry out his functions, either—

(i) send a notice stating the name of the scrutineer to every member of the union to whom it is reasonably practicable to send such a notice, or

(ii) take all such other steps for notifying members of the name of the scrutineer as it is

the practice of the union to take when matters of general interest to all its members need to be brought to their attention;".'.

Mr. Speaker: With this, it will be convenient to take amendment (a), leave out lines paragraph (bb) and insert—

'(bb) must supply any member of the union, upon demand, with the name of the scrutineer and the address at which he may be contacted.'.

Mr. Howard: Amendment No. 6 springs directly from the recent ballot rigging in the election for the executive of the Transport and General Workers Union.

The House will recall that, on 9 February this year, the general secretary of the Transport and General Workers Union announced that, because of irregularities in the voting for the executive, he had suspended the ballot and was ordering the election to be held all over again. It subsequently emerged that up to 10,000 voting forms had been forged, affecting the elections for 11 of the 39 seats on the union's executive.

The law requires that an independent scrutineer be appointed to oversee union executive elections, but the ballot rigging was apparently discovered by the Electoral Reform Society, which had been engaged to count the votes and not to act as independent scrutineer for the ballot. The scrutineer appointed by the union was someone entirely different.

9.45 pm

No doubt Mr. Todd, the union's general secretary, had reasons for this arrangement. It was, of course, entirely proper for him to appoint one organisation to count the votes and someone else to act as scrutineer. What was curious and, for reasons I will explain, disturbing was that very few people appeared to know about that arrangement. According to newspaper reports, not even the candidates in the election knew the scrutineer's identity.

There was a natural assumption that the Electoral Reform Society was acting as scrutineer. The society is, after all, one of only three organisations specified by name in a statutory instrument as eligible to undertake independent scrutiny of such ballots. The society has a long and honourable record and has been used in that way by a number of other trade unions.

Furthermore, I understand that the members of the union were asked to return their completed voting forms to

"The Scrutineer, c/o the Electoral Reform Society".

In all the circumstances, therefore, it was natural for members of the union to assume that the society was indeed the appointed scrutineer for the election.

Clearly, that was a profoundly unsatisfactory situation. Parliament has laid down that unions must appoint independent scrutineers to oversee union elections. The Employment Act 1988 makes it clear that an independent scrutineer must be someone whom the union has no reason to believe will carry out his functions incompetently, or who could reasonably have his independence in relation to the union or the election called into question. In addition, the qualifications that must be satisfied to be eligible as an independent scrutineer of trade union elections are set out in some detail in an order made by my predecessor.

If the scrutineer appointed by a trade union does not meet those qualifications, the law allows the members of that union to challenge the validity of that election. But, of course, those rights are worthless if the union members do not know who the scrutineer is. Nor is it likely to occur to any of them to challenge the appointment if, as in this case, there is a widespread impression that the scrutineer is an organisation as widely respected as the Electoral Reform Society.

As the House will recall, when the identity of the scrutineer became known, there were reports of considerable concern within the union. Allegations were made—and strongly denied—about the role that the scrutineer himself had played in the first, invalid, election. Any such allegations are properly a matter for the police investigation that is now taking place.

Under the 1988 Act, the scrutineer has a clear and specific duty to supervise the production and distribution of all the voting papers. What is abundantly clear in this case is that, whatever arrangements were made for producing and distributing the voting papers, they were not proof against activities so serious that Mr. Todd felt obliged to order the elections for all 39 seats—not just the 11 directly affected—to be held all over again. As a result of the controversy within the union over his role in the first election, the scrutineer resigned before the second ballot took place.

Those are the facts as they have emerged since Mr. Todd's announcement on 9 February. It is a great pity that those responsible have not been identified. Calling in the police was delayed for a total of six weeks while an internal investigation was carried out under the personal supervision of the union's general secretary. It has been widely reported that the internal investigation was unable to establish who was responsible. If that is the case, the delay in calling in the police is all the more unfortunate.

What concerns us here is not so much the irregularity involved in the ballot—serious as that clearly was—as the fact that the members of the TGWU were kept in ignorance of the identity of the scrutineer appointed by their union to oversee the election, and were thus denied the right to challenge his appointment—had they wished to do so—until after the ballot rigging had been discovered.

In Committee, my hon. Friend the Member for Elmet (Mr. Batiste)—who cannot be present this evening as a result of a long-standing engagement—moved an amendment designed to meet that problem. His amendment was technically defective, but amendment No. 6 deals directly with the problem. It adds a new requirement to the duties of trade unions with respect to the independent scrutiny of ballots and elections that are set out in section 15(2) of the Employment Act 1988.

Amendment No. 6 requires a union to notify its members of the identity of the scrutineer before he begins to carry out his functions. That can be done in whatever way the union normally communicates matters of general interest to its members, but the amendment also requires the union to include the name on each voting paper, so that every member of the union knows, before he casts his vote, who is the scrutineer. That is an entirely reasonable addition to the rights of union members. There can be no justification for a union to withhold the name of the scrutineer, especially in circumstances where union members may be misled into thinking that an entirely different organisation, such as the Electoral Reform Society, has been appointed to do the job.

Mr. Wallace: Have the Minister and his Department any estimate of the likely cost to unions, for example to the Transport and General Workers Union, if they were to implement the new statutory requirements?

Mr. Howard: Since all they would have to do is to specify the name of the scrutineer on the ballot paper, I cannot believe that there would be any significant cost.

Mr. Martin Flannery (Sheffield, Hillsborough): We all want fairness in ballots; that is clear. Does the Minister want the same for companies' shareholders? Does he want their ballots to be accurate and checked on carefully?

Mr. Howard: I have never before heard it alleged that shareholders are deprived of any information about any matter on which they have the right to cast their vote. If they have that right, they are given all the information that they require.

This is not a minor matter. If union members do not know who the scrutineer is, they are effectively denied the rights that they were given by the Employment Act 1988 to challenge the scrutineer's competence and qualifications to do the job. As a result, the validity of a whole election may be cast in doubt. Therefore, I hope that—contrary to some of the indications that we have been given tonight—we can look to the whole House to support the amendment.

Mr. Wallace: We have heard an interesting speech from the Secretary of State. How many times have hon. Members and the Chair heard Ministers refuse to commit themselves or take any action on an issue, pending the outcome of an inquiry? Today, however, the Secretary of State is jumping the gun. The amendment does not seem to add much to what is already in the Bill, but the Minister seems to want to make some cheap points at the expense of the Transport and General Workers Union. So far as I can tell, the general secretary of that union took a responsible course of action and called the police in to investigate. The Minister could have had the decency to wait for the investigation to take place before coming up with proposals which do not add up to very much.

If I have misunderstood the position, I would not insist on pressing the amendment in my name, but as I understand it, the Government's amendment uses the words:

"must, before the scrutineer begins to carry out his functions".

That might mean that things have to be done in advance of the ballot. Notice will have to be given of the identity and address of the scrutineer. It was for that reason, to avoid possible expense and unnecessary time-wasting, that I suggest that any union member who wished to find out the name and address of the scrutineer or where he or she or the body concerned could be contacted could simply ask and the union would be obliged to tell them. That seems to me a simple way to achieve much the same end.

Mr. Speaker: Has the hon. Member moved his amendment?

Mr. Wallace: I have not.

Mr. Tony Lloyd: As the Secretary of State is one of the better-paid Members of the House, I should have thought he had better things to do with his time than waste it on such a ridiculous amendment. But for the fact that the Secretary of State has clearly decided to put trade unions back on the political agenda to appease the Prime Minister or the lunatic right of his party, he would recognise that the amendment is totally irrelevant.

The hon. Member for Orkney and Shetland (Mr. Wallace) made the valid point that a police investigation is under way. In other circumstances, Ministers would come to the Dispatch Box to say that it would be premature to take any action before the investigation is concluded. At best, the amendment is premature—at worst, it is totally irrelevant to trade union members and to the Government.

Mr. John Evans: Tory Members talk a great deal of humbug about the election of trade union officials. When the Tory leadership election took place, my hon. Friend the Member for Bolsover (Mr. Skinner) went into the Committee Room where the Tories were conducting their ballot and discovered that there was no protective cover for Tory Members voting in that election—they had to mark their ballot papers in front of the scrutineer. Yet they criticise trade union ballots.

Mr. Lloyd: My hon. Friend makes a powerful point. As the Secretary of State is paying attention to the fine details, I have no doubt that he will wish to respond to it.

If the Secretary of State has nothing better to do than spend his time on this kind of amendment, he ought to look for something else to do.

Mr. Howard: In the election for the leader of the Conservative party, there was no doubt about who the scrutineers were. The purpose of the amendment is to make clear to trade union members who the scrutineer is when they exercise their vote. The Opposition's reaction is truly astonishing. This modest measure simply ensures that trade union members have the information that they require so that they can complain if anything goes wrong. It does not prejudice the inquiry. These general procedures will lead to an improvement in the rights of trade union members. The hon. Member for Orkney and Shetland (Mr. Wallace) has proved once again that his party is the party of trade union officials, not trade union members.

Amendment agreed to.

Clause 6

RESPONSIBILITY OF TRADE UNION FOR ACTS OF OFFICIALS, &C.

Amendments made: No. 7, in page 6, line 7, leave out 'is' and insert

'was at the material time'.

No. 8, in page 6, line 7, leave out 'include' and insert 'included'.—*[Mr. Howard.]*

Mr. Wallace: I beg to move amendment No. 27, in page 6, leave out lines 22 to 27 and insert—

'(b) the union must do its best to give written notice of the fact and date of repudiation, without delay, to the employer of workers taking part, or likely to take part, in industrial action as a result of the act.

(c) on being notified of repudiation by the union, the employer must, without delay, inform his employees who are members of the union of the fact and date of the union's repudiation.'.

Mr. Speaker: With this it will be convenient to consider amendment No. 28, in page 6, line 29, leave out '(b)(i)' and insert '(c)'.

Mr. Wallace: This deals with the procedure that a union must follow in order to repudiate any suggestion of

industrial action. When these provisions were debated in Committee, the Under-Secretary of State said that their purpose was to be fair to unions. Many Committee members pointed out that onerous duties would be placed on unions under subsection (5)—not least to inform every union member who might take part in industrial action.

The amendment seeks to oblige a union to give written notice of repudiation and the date of that repudiation without any delay to the employers of the workers taking part in industrial action. It would then be the duty of the employer without delay to inform his employees who are union members. The employer undoubtedly has more direct access and quicker means of communication with his employees than the union. It would undoubtedly be in the employer's interest to impart that information. If he could do so more efficiently and quickly than the union, it would relieve the union of an additional burden and responsibility. It might also be in the interest and to the benefit of the employer. In the interests, therefore, of achieving a fair balance, I hope that the Minister will accept the amendment.

Mr. Tony Lloyd: We welcome the amendment. We are unhappy about the clause, but the Minister knows the arguments. The amendment is designed not to undermine the clause but to provide limited help to trade unions. I hope that the Minister accepts that it is in the interest of maintaining a proper balance, even though the clause is very unbalanced, that the amendment has been tabled.

Mr. Nicholls: On other occasions and at another time of day I should have had rather a lot to say about the amendment. I cannot accept it. The hon. Member for Orkney and Shetland (Mr. Wallace) is concerned that the obligations placed on unions are unduly onerous. We certainly do not accept that. The obligation is to take steps to repudiate what is effectively official action. If the union does not want to stand by that action and wants to repudiate it, it seems entirely right that it should draw that to the attention of those to whom the call has been made. The obligation is not absolute, even on the face of the Bill; it is merely that the union has to do its best and to proceed without delay, so that is not particularly onerous.

The hon. Gentleman says, in a moment of brevity—I wondered whether it was in a moment of levity—that the obligation should be given to the employers; let them deal with it, as it is their problem. It would also have the ingenious, and I assume unintended, effect——

It being Ten o'clock, the debate stood adjourned.

Ordered,

That, at this day's sitting, the Employment Bill may be proceeded with, though opposed, until any hour.—*[Mr. Nicholas Baker.]*

As amended (in the Standing Committee), again considered.

Question again proposed, That the amendment be made.

Mr. Nicholls: All the employer would have to do would be to ensure that he did not give the employees notice. That would mean that the repudiation had not been effective and that the union would remain liable. Some might think that that would appeal to the Government, but they would be entirely wrong. I cannot accept the amendment.

Mr. Wallace: On the first day of the Committee, the Minister was generous enough to say that he would try not to make cheap debating points on the basis of inadequate drafting. He could not help himself in the last gasp, but I forgive him. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 10

CONSEQUENTIAL REVISION OR REVOCATION OF CODES OF PRACTICE

Amendments made: No. 9, in page 9, line 38, leave out subsections (1) and (2) and insert—

'(1) A Code of Practice to which this section applies may be revised by the appropriate authority in accordance with this section for the purpose of bringing it into conformity with subsequent statutory provisions by the making of consequential amendments and the omission of obsolete passages.

"Statutory provisions" here means provisions made by or under an Act of Parliament, and "subsequent" statutory provisions means provisions coming into force after the Code was issued (whether before or after the commencement of this section).'

(2) The Codes of Practice to which this section applies are—

(a) those issued under section 3 of the Employment Act 1980, in relation to which the appropriate authority is the Secretary of State,

(b) those issued under section 6 of the Employment Protection Act 1975, in relation to which the appropriate authority is the Advisory, Conciliation and Arbitration Service, and

(c) that having effect under paragraph 4 of Schedule 17 to that Act, in relation to which the appropriate authority is the Secretary of State.'.

No. 10, in page 10, line 7, at end insert—

'(3A) Where the Advisory, Conciliation and Arbitration Service proposes to revise a Code under this section, it shall transmit a draft of the revised Code to the Secretary of State who shall—

(a) if he approves of it, lay the draft before each House of Parliament;

(b) if he does not approve of it, publish details of his reasons for withholding approval.'.

No 11, in page 10, line 9, leave out 'the' and insert 'a'.

No 12, in page 10, line 9, after 'Parliament' insert 'under subsection (3) or (3A)'.

No. 13, in page 10, line 16, leave out 'Secretary of State' and insert 'appropriate authority'.

No. 14, in page 10, line 20, leave out subsection (6) and insert—

'(6) A Code of Practice to which this section applies may be revoked by the Secretary of State by order made by statutory instrument; but no such order shall be made—

(a) in the case of a Code in relation to which the Advisory, Conciliation and Arbitration Service is the appropriate authority, except at the request of the Service, and

(b) in any case, unless a draft of the order has been laid before and approved by resolution of each House of Parliament.

(6A) If the Advisory, Conciliation and Arbitration Service requests the Secretary of State to revoke a Code of Practice in relation to which it is the appropriate authority and he decides not to do so, he shall publish details of his reasons for his decision.'.—*[Mr. Howard.]*

Schedule 2

CONSEQUENTIAL AMENDMENTS

Amendment made: No. 15, in page 17, leave out lines 12 to 35 and insert—

'(2) For subsections (1) and (2) substitute—

"(1) An act done by a trade union to induce a person to take part, or continue to take part, in industrial action is not within section 13 of the 1974 Act (protection from certain liabilities in tort) unless the industrial action has the support of a ballot.".

(3) In subsection (3), for the words from "an act" to "done with" substitute "industrial action shall be regarded as having", in paragraph (a) for the words from "strike" to "occurred" substitute "industrial action in question", and for paragraph (c) substitute—

"(c) the requirements of section (*Calling of industrial action with support of ballot*) of the Employment Act 1990 are satisfied;".

(4) In subsection (3A), in paragraph (a), for the words from "by an act" to "performance" substitute "to take part, or continue to take part, in industrial action", in paragraph (b) for the words from "strike" to "interference" substitute "industrial action", and omit the words "of that breach or interference".

(5) In subsection (4) omit the words "strike or other".

(6) In subsection (4A), omit the words "inducing a breach or interference", and for the words from "in the course of which" to the end substitute "to which the act relates".

(7) In subsection (5) omit the definitions of "authorisation or endorsement", "commercial contract", "contract of employment", "relevant act" and "tort" and the words from "and any reference" to the end.

Employment Act 1988 (c.19)

3.—(1) Section 1 of the Employment Act 1988 (right to a ballot before industrial action) is amended as follows.

(2) In subsection (1), for the words from "that the union" to "continue to take part" substitute "that members of the union, including himself, are likely to be or have been induced by the union to take part or to continue to take part in industrial action which does not have the support of a ballot".

(3) In subsection (2), for paragraphs (a) to (c) substitute "that the application is well-founded" and omit the words from "(including" to "endorsement)".

(4) For subsections (3) and (4) substitute—

"(3) For the purposes of this section an act shall be taken to have been done by a trade union if it was authorised or endorsed by the union; and the provisions of subsections (3) to (7) of section 15 of the Employment Act 1982 apply for the purpose of determining whether an act is to be taken to have been so authorised or endorsed.

Those provisions also apply in relation to proceedings for failure to comply with an order under this section as they apply in relation to the original proceedings.".

(5) In subsection (5) omit the words "an authorisation or endorsement by a trade union of any" and for paragraph (e) substitute—

"(e) the requirements of section (*Calling of industrial action with support of ballot*) of the Employment Act 1990 are satisfied.".'.—*[Mr. Howard.]*

Schedule 3

Repeals

Amendments made: No. 16, in page 19, line 9, column 3, leave out from beginning to end of line 12 and insert —

'1988 c.19.	Employment Act 1988.	In section 10— (a) in subsection (3A), the words "of that breach or interference"; (b) in subsection (4), the words "strike or other"; (c) in subsection (4A), the words "inducing a breach or interference"; (d) in subsection (5), the definitions of "authorisation or endorsement" "commercial contract", "contract of employment" "relevant act" and "tort" and the words from "and any reference" to the end.'.

No 17, in page 19, line 22, at end insert—

'1988 c.19.	Employment Act 1988.	In section 1— (a) in subsection (2), the words from "(including" to "endorsement)"; (b) in subsection (5), the words "an authorisation or endorsement by a trade union of any".'.—*[Mr. Howard.]*

Order for Third Reading read.

10.1 pm

Mr. Howard: I beg to move, That the Bill be now read the Third time.

The Bill is a further step in the step-by-step reform of industrial relations that was begun more than 10 years ago. It carries that process of reform an important stage further by removing the last vestige of legal protection from the closed shop and imposing necessary restraints on secondary action and wildcat strikes. It also gives trade union members rights not to be refused employment on account of their membership.

Mr. Robert Hayward (Kingswood): May I put on record the fact that I regret the continued omission of a dispensation for employers who hold strong religious beliefs and who do not have equal freedom not to recognise trade unions in the same way that employees have that right.

Mr. Howard: My hon. Friend knows that we have given careful consideration to that, as I undertook on Second Reading that we would, but we are unable to meet the point that he has raised.

The Labour party believes that the role of the law in these matters is to protect the striker and the union leader. We believe that the law must protect jobs and businesses from the abuse of industrial power and that it must guarantee the democratic rights of trade union members. That is what the Bill will achieve, and that is why I commend it to the House.

10.3 pm

Mr. Blair: We have debated the Bill for many weeks in Committee and again in the House today. I suggest that two issues have emerged clearly. First, the Bill is unfair because it fails to provide protection against discrimination on the ground of people's trade union activities and against the blacklisting of people who are active in trade unions—something which should unite all democratic members of society. It bans any form of sympathy action, no matter what the circumstances or justification.

The Bill is unfair, above all, because it removes from people the right to go to an industrial tribunal and it shuts out the jurisdiction of the tribunal when people take unofficial action, irrespective of the reasons for their action and even when they are about issues such as health and safety—matters which should concern us all.

The Bill is unfair and it is also irrelevant. As we examine the issues that face Britain today—the training and skills crisis, the problems of low pay and problems concerned with women at work—and measure the Bill against those problems, it is clear that it fails not merely because it is unfair but because it is utterly irrelevant to the nation's future. A Labour Government will in due course address that future.

10.5 pm

Mr. Wallace: The one good step that the Bill takes is to abolish the pre-entry closed shop. We on this Bench not only welcome that, but we called on the Government to take that step even before they were prepared to do so. That aside, the Bill and particularly clause 7 is so wholly alien to the promotion of good industrial relations that as a package it cannot possibly be supported.

The Government are aware that we on this Bench have been prepared to support some of the employment legislation that they have introduced. For example, we strongly supported ballots. But we believe that the purpose of the law in industrial relations—where it should appear at all—should be in the pursuit of balance and fairness. This Bill, like the measure on this subject introduced in the previous Session, is an effort to tilt the balance in favour of employers by introducing small measures here and there—and, in clause 7, a large measure—which disrupt that balance.

To bring in the law in that way is no substitute for a proper and good industrial partnership in industrial relations. The measure will not achieve the good industrial relations that hon. Members in all parts of the House wish to see.

10.7 pm

Mr. Peter Griffiths (Portsmouth, North): I listened carefully to the remarks of Labour Members. I had not intended to intervene at this stage because my hon. Friend the Member for Kingswood (Mr. Hayward), in an intervention to the Secretary of State, covered the point that I wanted to make.

I welcome the Bill because of the contribution that it will make to providing a more satisfactory mechanism by which powerful bodies representing workers and employers may settle disputes and because it seeks in a genuine way to provide for the consciences of individual workers to be met.

When my hon. Friend the Member for Kingswood raised with the Minister the question of people's religious conscience, there was a cry from the hon. Member for St. Helens, North (Mr. Evans), from a sedentary position, to the effect that we should not take notice of the Plymouth Brethren because they did not vote. That was a disgraceful statement to make——

Mr. John Evans: On a point of order, Mr. Speaker. Is it in order for the hon. Gentleman to put words in my mouth? I did not make the statement that he claimed I made. I said that the hon. Member for Kingswood (Mr. Hayward) would not get the Plymouth Brethren vote because they did not vote.

Mr. Speaker: I do not intend to get involved in that matter.

Mr. Griffiths: I accept the hon. Gentleman's interpretation of his own words. The suggestion that we should ignore the legitimate, deeply held views of a body of people who may not vote is unacceptable to me. It is important for us to put on record the fact that at least some hon. Members take the view that we are here to represent all the people, regardless of whether they voted in the last election or will vote in the next. The genuinely held conscience of individuals is a matter of great concern to the House, even at a little after 10 o'clock.

Question put, That the Bill be now read the Third time:—

The House divided: Ayes 173, Noes 133.

Division No. 216] **[10.08 pm**

AYES

Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Atkins, Robert
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Bellingham, Henry
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Blaker, Rt Hon Sir Peter
Bonsor, Sir Nicholas
Boswell, Tim
Bowden, Gerald *(Dulwich)*
Bowis, John
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Budgen, Nicholas
Burns, Simon
Butler, Chris
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Dickens, Geoffrey
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Dykes, Hugh
Eggar, Tim
Evennett, David
Fallon, Michael
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Forman, Nigel
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Sir Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gow, Ian
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Hague, William
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hawkins, Christopher
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Hill, James
Howard, Rt Hon Michael
Howarth, G. *(Cannock & B'wd)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, Sir John *(Ravensbourne)*

Hunter, Andrew
Irvine, Michael
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Jones, Robert B *(Herts W)*
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knowles, Michael
Knox, David
Lennox-Boyd, Hon Mark
Lightbown, David
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Macfarlane, Sir Neil
Maclean, David
Malins, Humfrey
Mans, Keith
Marshall, Michael *(Arundel)*
Mates, Michael
Maude, Hon Francis
Mawhinney, Dr Brian
Mayhew, Rt Hon Sir Patrick
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Mitchell, Andrew *(Gedling)*
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Moss, Malcolm
Moynihan, Hon Colin
Neubert, Michael
Nicholls, Patrick
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Patnick, Irvine
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Portillo, Michael
Raffan, Keith
Raison, Rt Hon Timothy
Redwood, John
Renton, Rt Hon Tim
Rhodes James, Robert
Riddick, Graham
Ridsdale, Sir Julian
Rost, Peter
Rowe, Andrew
Ryder, Richard
Sainsbury, Hon Tim
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Richard *(Aldridge)*
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Spicer, Sir Jim *(Dorset W)*
Stanbrook, Ivor
Steen, Anthony
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Sumberg, David
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Tracey, Richard
Walker, Bill *(T'side North)*
Watts, John
Widdecombe, Ann
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes;
Mr. John Taylor and
Mr. Tom Sackville.

NOES

Abbott, Ms Diane
Allen, Graham
Anderson, Donald
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Battle, John
Beckett, Margaret
Benn, Rt Hon Tony
Bermingham, Gerald
Bidwell, Sydney
Blair, Tony
Boateng, Paul
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Carlile, Alex *(Mont'g)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Cohen, Harry
Coleman, Donald
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Davies, Rt Hon Denzil *(Llanelli)*
Dixon, Don
Doran, Frank
Eadie, Alexander
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Field, Frank *(Birkenhead)*
Fisher, Mark
Flannery, Martin
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fyfe, Maria
Galloway, George
Garrett, John *(Norwich South)*
Garrett, Ted *(Wallsend)*
Golding, Mrs Llin
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Harman, Ms Harriet
Haynes, Frank
Henderson, Doug
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Howells, Geraint
Howells, Dr. Kim (Pontypridd)
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Leighton, Ron
Lewis, Terry
Litherland, Robert
Lloyd, Tony *(Stretford)*
McAllion, John
McAvoy, Thomas
McFall, John
McKelvey, William
McLeish, Henry
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meale, Alan
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(G't Grimsby)*
Moonie, Dr Lewis
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Murphy, Paul
Nellist, Dave
O'Brien, William
Orme, Rt Hon Stanley
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Redmond, Martin
Reid, Dr John
Richardson, Jo
Robertson, George
Robinson, Geoffrey
Rogers, Allan
Ruddock, Joan
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, J. P. *(Vale of Glam)*
Soley, Clive
Taylor, Matthew *(Truro)*
Turner, Dennis
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Watson, Mike *(Glasgow, C)*
Welsh, Andrew *(Angus E)*
Williams, Alan W. *(Carm'then)*
Winnick, David
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Allen McKay and
Mr. Jimmy Dunnachie.

Question accordingly agreed to.
Bill read the Third time, and passed.

Godfrey Ermen Playing Field, Manchester

Motion made, and Question proposed, That this House do now adjourn—*[Mr. Wood.]*

10.20 pm

Mr. Gerald Kaufman (Manchester, Gorton): In the presence of my hon. Friend the Member for Stretford (Mr. Lloyd) let me say that I know that the first thing that the House will want to do is to congratulate Manchester United football club on its magnificent victory in the cup final.

I am grateful to you, Mr. Speaker, for giving me the opportunity to raise on the Adjournment an issue of great importance to my constituents. I am well aware that the Adjournment debate is a Back-Bench prerogative which ought rarely, if ever, to be invaded from the Front Bench. I hope that by the time I have finished speaking hon. Members will understand why I have felt it necessary to initiate this debate.

In 1989, a wealthy Manchester cotton manufacturer of Dutch origin, Godrey Ermen, left a fund of £200,000 in trust for any object deemed worthy of assistance. In 1928, Arthur Roby QC, Godfrey Ermen's great-nephew and a trustee of the fund, gave a grant of £5,000 to Manchester and Salford Playing Fields Society for the purchase of land in Abbey Hey, Gorton, and for the land be laid out as a playing field. The £5,000 being found insufficient, a further £670 was added. When the land was purchased, it was ordered by the board of Charity Commissioners for England and Wales that it

"shall forthwith vest in the official trustee of charity lands."

Later,

"These thirteen acres and sixteen perches or thereabouts"

became known as the Godfrey Ermen fields.

The inauguration ceremony in 1931 was presided over by the lord mayor of Manchester. At that ceremony, the field was dedicated "for ever and ever" for the use of all who choose to use it as a playing field. The lord mayor declared that the field was a "very fine lung" for Gorton and Openshaw. The field has not been used for sporting purposes since 1985. Even so, it has remained a valuable amenity to local residents—a green oasis in a heavily built-up area.

My constituency is one of the most heavily populated in the United Kingdom. In the list of the most densely populated parliamentary constituencies, it comes 47th out of 650. It is included in a Manchester and Salford inner-city partnership area in recognition of the deprivation that exists. It is in an area with one of the poorest health records in the city which, according to the city council, gives cause for concern. In the 1980s, people living in east Manchester, in which Gorton is situated, had a 73 to 78 per cent. greater likelihood of dying prematurely than people in the country as a whole. East Manchester has had more fatal and serious accidents involving children than anywhere else in Manchester, and it enjoys less recreational provision than the rest of the city. My constituents need the "very fine lung" provided by the green and open space of Godfrey Ermen field as much as they ever did.

A planning application for the use of the land for a residential development was refused in 1975, on the grounds, among others, that it conflicted with the provision of the city development plan which allocates the land for sports grounds and allotments and woud also result in the loss of playing fields, which are underprovided in east Manchester and the city as a whole.

The city planning department stated to me this week that a general presumption against developing existing playing fields such as this is built into the city's development plan and into the structure plan. The House can therefore imagine the alarm when reports recently began to circulate that the Godfrey Ermen field was to be sold—or even had been sold—for building purposes. Although it was established that the field had not been sold, within a short period 2,000 local residents had signed a petition requesting that the Godfrey Ermen field be saved. Many more would have signed if more time had been available before, with councillor Colin Brierley and a representative of the residents, I presented the petition to the lord mayor of Manchester on 13 October.

The leader of the city council wrote to me stating:

"The Playing Fields Association do admit that the land is surplus to their requirements and that they have had discussions with developers, including Barratts."

The city planning department wrote to councillor Anne Unwin last October stating:

"The land . . . is being marketed through the firm of estate agents, Dunlop Heywood."

Following the presentation of the petition, on 18 October 1989 I wrote to Mr. David Gallop, the secretary of Manchester and Salford Playing Fields Society, requesting a meeting to discuss the future of the playing fields. The meeting was to be attended by local residents, the ward councillors—Tom Hamnett, Colin Brierley and Anne Unwin—and myself. Mr. Gallop's reply ignored my request for a meeting, so I wrote again, again asking for a meeting. Mr. Gallop wrote back stating:

"the reason for not addressing the question of a meeting at this stage was to enable you"—

that is, myself or the residents—

"to put forward any suggestions you might think helpful, and which would serve as a basis for discussions at any such meeting."

What we wanted was a meeting to clarify the intentions of the playing fields society. Even so, I wrote again to Mr. Gallop saying that any suggestions could be put forward at the meeting and, once again, asking for a meeting. Mr. Gallop wrote back, stating:

"My offer of a meeting still stands"—

although he had not offered one—

"providing you first put forward suggestions in writing . . . failure to take advantage of this offer can only cast doubt on the motives for your suggested meeting."

On receipt of that completely unprovoked, nasty and offensive letter, I decided that nothing more could be gained from communicating with an individual who was clearly both arrogant and unpleasant—and just as clearly unfitted to hold the secretaryship of a charitable organisation.

I therefore tabled a motion on the Order Paper expressing concern and followed it up with a letter to the chairman of the playing fields society, Mr. Leslie Mellor, asking amicably and politely for the meeting previously requested. That was on 28 December. By 2 March, he had not replied, so on that date I wrote again, again in amicable terms, but also advising Mr. Mellor that a failure on his part to respond would leave me with only the recourse of using my parliamentary opportunities to air this matter. He still did not reply, so I have sought and obtained this debate.

[Mr. Gerald Kaufman]

Mr. Gallop wrote to a local resident on 9 March stating:

"As far as the right hon. Gerald Kaufman M.P. is concerned, every letter from him has been personally answered within 48 hours."

Mr. Gallop is a liar. None of my letters has been answered within 48 hours and the letters that I have sent since 28 December—nearly five months ago—have not been answered at all.

Mr. Gallop told me the *Manchester Evening News* yesterday:

"We have had no chance to reply".

Once again, he is a liar. He and Mr. Mellor have had seven months to reply, either at a meeting, which I have repeatedly requested, or in replies to my letters which Mr. Leslie Mellor has refused to provide. In any case, Mr. Gallop wrote to the Lord Mayor of Manchester on 18 April declaring:

"There is really no point in holding any meetings."

During the past few months, there has been a succession of odd events and disturbing discoveries. Mr. Gallop said on the telephone to one of my constituents, Mr. Trevor Mooney, who lives in Ackroyd avenue next to the Godfrey Ermen field, that the Manchester and Salford playing fields society was thinking of building on the field. He suggested to Mr. Mooney that he should sell his house to make way for an access road to the field. Why did he do that if there are no plans to build on the field?

Mr. Gallop wrote a letter to the lord mayor of Manchester containing a further lie—that he had given me assurances when he had given me none. In that letter he admitted:

"We have been approached at regular intervals by various property developers to sell the ground for housing etc but this is not uncommon with owners of land like ourselves. Discussions have taken place with some of these developers regarding their proposals, but nothing that might be acceptable has arisen from these discussions."

What on earth is a charitable trust doing having discussions with property developers about proposals from them about land bought by funds from a trust which was vested in the official trustee of charity lands and dedicated for use as a playing field "for ever and ever"?

Last month Mr. Richard Chambers, a representative of the surveyors Dunlop and Heywood, who act for the playing fields society, turned up at the Godfrey Ermen field. He handed his card to one of my constituents who lives in a neighbouring house in Violet street. He appeared to break the lock on the gate giving access to the field, to replace it with a new lock and to measure the width of the field.

My office has been in touch with Mr. Chambers this week and he states that he did no more than come and replace a broken lock. I do not question his word, but he will understand why in the present circumstances his action was interpreted with suspicion by local residents, especially as one of my constituents was told by Dunlop Heywood that plans had been drawn up for building on the playing field and three tenders had been received. My constituent was even told that three houses in Ackroyd avenue would have to be demolished to provide access.

I know nothing about Mr. David Gallop, the secretary of the playing fields society, other than that he is an untruthful and offensive person. However, unless there is more than one Leslie Mellor, I understand that Mr. Leslie Mellor, the chairman of the playing fields society, is an estate agent by profession, that he recently sold the estate agency which carried his name to another member of his family, Edward, and that Edward Mellor also owns a building company called East Manchester plc of which Leslie Mellor is said to be a director. If that is so, is Mr. Mellor a suitable person to be the chairman of a charitable organisation that owns land which, if made available for development, could be worth millions of pounds and on which 150 houses could be built?

Is an estate agent a suitable person to be the chairman of an organisation which admits to holding discussions about developing land which is clearly prey for property speculation? Who put Mr. Mellor in his position, and who put Mr. Gallop in his? To whom are they answerable? Clearly they are not answerable to local residents, local councillors or the local Member of Parliament, whom they ignore, misinform or tell lies to or about. How can they be got rid off?

Clearly, they are deplorable custodians of the land in their trust. I recently visited the Godfrey Ermen field. I had been told that a changing room on the field was regarded as a hazard to local children. Residents had therefore asked the playing fields society to secure it. Instead it demolished it, leaving a large pile of unsightly rubble.

The society has repeatedly been asked to secure the fence at the end of Coram street, which I saw when I visited the field. The Coram street outlet is in a deplorable mess and is both a hazard and an eyesore for people living in the street. I am told that, since the debate was announced, some action has been taken to provide a fence, but that it is makeshift and unsatisfactory.

Are we witnessing a scheme to sell land which is a local amenity, the development value of which could add up to millions of pounds? Are we simply witnessing no more than arrogance and insensitivity? I do not know. If Mr. Gallop and Mr. Mellor had been open and forthcoming, concerned local residents might have known. If, without the response of those people, we are forced to place our own interpretation on their role, they have only themselves to blame. If they will not provide answers, I ask the Government to do so.

Will the Government set up an inquiry into the activities of the Manchester and Salford Playing Fields Society and its officers? Will they inform me on behalf of my constituents whether those people have the right to have discussions about selling land which they hold as a charitable trust and which on purchase was vested in the official trustee of charity lands? Above all, will the Government protect an amenity valued by thousands of my constituents and give me the assurance that the Government will not permit the land to be sold?

In a letter to my constituent, Mr. Trevor Mooney, Mr. J. S. Donaldson of the Department of the Environment regional office in Manchester stated:

"Local authorities are generally best placed to make these difficult judgments on land uses on the basis of local needs, policies and priorities."

Manchester city council has made its position clear on these matters. Mr. Donaldson continued:

"The Government have urged local authorities to take into account the needs of the wider community and to consult local sport and recreation interests before allowing recreational land to be developed."

Those are encouraging words and I look forward to further encouraging words when the Minister replies.

My constituents reject any possibility of Godfrey Ermen field being built on. They want the fine lung provided for them by Godfrey Ermen's Trust—they want Godfrey Ermen field to be available for recreational use, as promised at its dedication, "for ever and ever". I look to the Government for the assurances for which my constituents ask and to which they have a right.

10.36 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. Colin Moynihan): I congratulate the right hon. Member for Manchester, Gorton (Mr. Kaufman) on using this opportunity to raise a matter which is clearly of great concern to his constituents and on putting their case with his usual force and thoroughness. I echo his opening remarks by also congratulating Manchester United, friends and hon. Members who have a personal, constituency and sporting interest in its success this evening.

I well understand the feelings of residents in the Abbey Hey area of Gorton at seeing land which once provided a valuable recreational asset, and which appears capable of doing so again, being closed off and left unused. It must be particularly upsetting to them that the owners appear to be a body whose name suggests that its essential function is to provide recreational land.

The land is privately owned and, like all private land, its owners are entitled to use it as they wish, or not to use it at all, provided that they comply with any planning, building or other controls which may be relevant.

At this point it may be helpful if I say something about the Manchester and Salford Playing Fields Society and its activities. I am informed that the society was funded in 1907 by Mr. Will Melland, a local lads' club manager, with the object of providing playing fields for organised games for children, youths and adults of both sexes within or near the city of Manchester and the then borough of Salford.

The society was registered as a charity and is regulated by a scheme of the Charity Commission dated 23 August 1923. Within the scheme, the society has the power to sell, let, mortgage or exchange lands which are not immediately required or which it may be advantageous to the charity to do so. The power has been exercised from time to time when grounds have been sold and others bought or exchanged.

The Godfrey Ermen playing field was bought by the society in 1928 as a freehold property. Its last tenant was the GEC sports and social club, which relinquished its tenancy in 1985 after having spent several thousand pounds of its own money trying to correct a drainage problem. The society says that, in order to attract another client, it would first be necessary to correct the drainage of the field. Its investigations have shown that the cost of a full drainage system would be prohibitive, and the field has been left fallow while its future has been considered. Because of vandalism, the society has had to demolish the pavilion which stood on the land, and on the likely income from the field the society could not expect to be able to replace it.

Since GEC left in 1985, the society has received only two inquiries about the use of the playing field. As has rightly been said by the right hon. Member for Gorton, the society has, however, had various approaches from property developers and others interested in developing the land. However, it still remains in the ownership of the society. That is the position as the society has described it.

I cannot speak for the society, nor can I say what view the Charity Commission would be likely to take of any proposal by the society to dispose of the Godfrey Ermen land. However, I can say something about the planning background which may be relevant should a proposal to develop the land proceed.

It is clearly desirable that urban land should be used effectively. In urban areas, the provision of open spaces, whether as playing fields or as areas for walking and informal recreation, may be as desirable as the provision of land for houses or even for employment generating development. One of the Government's aims, therefore, is to ensure that recreational land and facilities are not unjustifiably lost. But competing pressures on local authorities for housing and industrial development sometimes mean that recreational land will either be relocated or lost, particularly when it has fallen into disuse.

The clear advice given to the right hon. Gentleman by the local office of the Department of the Environment rightly shows—and I echo the right hon. Gentleman's words—that local authorities are generally best placed to make these difficult judgments on land use on the basis of local needs, policies and priorities and are therefore the authorities primarily responsible for regulating development in their own areas. The planning Acts have given local authorities ample powers to prevent remaining open spaces from being built upon when, having regard to their local development plan and other national considerations, they consider it right to do so.

I understand that Manchester city council did indeed refuse a planning application for permission to build houses on the Godfrey Ermen playing field in 1975. Whether it would do so again if a new application were made to it would be a matter for the council to determine in the light of all considerations that might be relevant at the time. No doubt the council would have regard, among other things, to a policy in the Greater Manchester structure plan, which is still operative, that seeks to minimise losses of land and facilities used for leisure purposes and to encourage the replacement or relocation of those amenities when they cannot be saved. But it would also need to have regard to any other considerations that might be material and it would not be right for me to speculate about what the council's decision might be.

The Government have urged local authorities to take account of the needs of the wider community and, as has been said, it is important to consult local sporting and recreational interests before allowing recreational land to be developed for other purposes. I have no doubt that Manchester city council will do this should a planning application for the Godfrey Ermen land be made. I know that the council takes the loss of recreational land seriously and seeks to have it replaced with land which is equally good in quality as well as in quantity.

Although, as I have said, the decision on a planning application would be for the council in the first place and is not a matter on which it would be proper for me to speculate, I have no doubt that, in reaching its decision,

[Mr. Colin Moynihan]

the council would give very careful consideration to the effect of a proposal on recreational provision in east Manchester.

Before a planning application is received, it could well be that the council will have the benefit of a planning policy guidance note on sport and recreation which the Government hope to issue to consolidate and update existing planning guidance to local authorities. The right hon. Gentleman might find it helpful to know that the Government's main agency for advising on and helping to develop opportunities for sport and recreation is the Sports Council, an independent body sponsored by my Department. Through the regional councils for sport and recreation, the Sports Council rightly monitors the provision of recreational land and facilities at local level and seeks to ensure that recreational land is retained.

I sympathise with the right hon. Gentleman's points about his constituency and about the need for adequate provision of recreational land and open space. That is especially important at a time when it is all too easy in built-up constituencies, such as his and mine, with declining school rolls and 1 million fewer children likely to be in school in 1994 than in 1984, for recreational land to be disposed of.

One of the key points about the planning policy guidance note that we hope shortly to publish for consultation, is to reinforce the importance of open land and good recreational space being available. It is so easy to build on recreational land and so difficult to provide for future generations and the numbers of children who would wish to benefit from open space, especially those living in heavily built-up urban areas. It is difficult to undo what has been done by developers.

I have considerable sympathy with the strength of opinion that the right hon. Gentleman has expressed. Those of us who are responsible for sport and recreation and for the education of children must emphasise the importance of open space and recreational land; hence my support for the principle that he has espoused this evening. However, I am sure that he would be the first to recognise that, when wearing a planning hat, it is right and proper that I should not intervene in what might become a case to be considered in due course by my right hon. Friend the Secretary of State.

The future of the Godfrey Ermen playing field, like any other privately owned land, lies primarily with its owners. Like other owners, they are free to make proposals for its future development, and are free also to seek to acquire the property of their neighbours if they consider that that might help them to produce a more acceptable development scheme. Only when they have produced a scheme and require planning permission for it do they need to make an approach to the council. In the meantime, if they choose not to use their land, the planning system cannot force them to use it.

The planning system c nnot force landowners to open up their land for use by the public or to use it in any way that they choose not to do. However, if an authority considers that land is required for development, redevelopment or improvement, or for a purpose it is necessary to achieve in the interests of the proper planning of an area, it may use its powers to acquire it, by agreement or compulsorily, to ensure that it is used properly.

The right hon. Gentleman would not expect me to say whether the use of the council's powers would be justified in the case of the Godfrey Ermen land or of any other land in Manchester. Nor would it be right for me to express any opinion about what might be its proper use because, as I have said, it is a question that could come before my right hon. Friend the Secretary of State in the form of a planning appeal or in compulsory purchase proceedings.

The right hon. Gentleman asked whether my right hon. Friend would be prepared to hold an inquiry into the affairs of the society. I understand his wish, and that of his constituents, to have the future of the Godfrey Ermen land resolved, but there is no planning issue at present that would justify intervention by the Secretry of State into the affairs of that private organisation. As I explained, if the society put forward planning proposals for the land, the city council would consider them. If, failing proposals being put to it, the council thought that the planning interest of the community justified it, it might seek to acquire the land. In either event, the matter could come before the Secretary of State and be fully ventilated at an inquiry into a planning appeal or a compulsory purchase order.

For the moment all that I can say to local people and to the right hon. Gentleman is that they should ensure that their views about the land are made clear to the city council so that they might be given proper weight in the event of a planning application being made. If they are concerned that there is a good planning case for putting this land into active recreational use, and are unable to persuade the owners to do that, they must put their case to the council and press it to consider the possibility of acquiring the land.

It is important for planning authorities to move briskly to a position where planning decisions can be taken in the context of up-to-date development plans. The procedures leading to the adoption of such plans offer considerable opportunities for public consultation and for the consideration of objections and representations. Once plans have been adopted, therefore, decisions guided by them are likely to carry considerable weight and to be less susceptible to challenge than others.

The right hon. Member might well consider it in the interests of the people of Gorton, both in relation to the Godfrey Ermen land and otherwise, to do all that he can to encourage Manchester city council to proceed with the utmost vigour and speed with the production of its unitary plan.

A major scheme at Longsight, east Manchester, is the city-wide athletic facility at the former Ducie high school, where more than £1 million has been approved for the reclamation of 6·8 hectares of school playing fields to provide a regional field and track athletic facility.

Therefore, the Government are far from unmindful of the value of open spaces and recreational facilities in inner urban areas such as Gorton. However, local planning problems are essentially matters for the local planning

authority, and it remains with Manchester city council to use its planning powers as necessary in order to deal with the problems of individual sites.

Once again, I congratulate the right hon. Gentleman. He has made his case clear, and it is on the record. He has taken the interests of his constituents one step further. I thank him for giving us the opportunity to consider the importance of open space for good recreational provision, to ensure that it is not lost, and to re-emphasise, as he has done, the importance of preserving the quality of life for so many people in inner-city areas by making open space and recreational fields available for the future.

Question put and agreed to.

Adjourned accordingly at ten minutes to Eleven o'clock.

House of Commons

Friday 18 May 1990

The House met at half-past Nine o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Channel Tunnel Rail Link

9.34 am

Mr. Gerald Bowden (Dulwich): I beg to move,

That this House urges British Rail to give full and thorough consideration to proposals for a Channel Tunnel Rail Link based on a junction at Stratford, and to enter into professional discussions with those proposing the Stratford alternative before presenting their Private Bill to Parliament for a decision.

I take this opportunity to congratulate my hon. Friend the Member for Kettering (Mr. Freeman) on his appointment as Minister for Public Transport. I am pleased to see him in the Chamber in what I think is his first parliamentary role in his new office. He enjoys a high reputation in the House for his calm courtesy on all occasions, his ability to listen and his capacity to take action. I know that those three qualities will stand him in good stead in dealing with the issues that are before us.

I shall explain how the motion came up for debate today. Some months ago I proposed, together with leading Members from all political parties in the House and all regions of the United Kingdom, an early-day motion urging British Rail to consider the alternatives before presenting to Parliament its proposals for a channel tunnel rail link. That all-party early-day motion attracted more than 100 signatures and, as is the custom when an early-day motion gains such widespread support in the House, I raised the matter at business questions with my right hon. and learned Friend the Leader of the House and asked him when time might be provided to debate that motion. He gave his customary answer of never. He wrapped it up a little more gently than that and said that the matter would be debated when British Rail came forward with its own proposals.

Good fortune favours a good cause and a few days later I entered my name in the ballot for private Members' motions. Good fortune shone and I was drawn first in that ballot. I was given by fate the opportunity that the Leader of the House was not able to provide to have a debate on the motion.

It is a matter of minuscule parliamentary precedent that this is the first early-day motion which, in its original form on the Order Paper, is being subjected to a full-scale debate. The Table Office tells me that its records for living memory do not show another such instance. Perhaps that is a precedent which might be reflected in other precedents that I shall seek to bring before the House later in my speech. I read on the front page of *The Times* this morning that the Cabinet will make a decision on this matter next week. I have no way of knowing whether that is true, but it means that this is an opportune moment to air the issues and ventilate the concerns.

Perhaps I should explain how I first became involved in this matter and how my attention was drawn to the channel tunnel rail link problem. It will come as no surprise to hon. Members to learn that it was first a constituency concern. It was felt that there was the threat to my constituency that the British Rail proposals would do a great deal of damage. I make no apology for my concern having been attracted by the parochial principle. However, having looked at the detail of British Rail's proposals, and having seen the effect that they would have not only on my constituency but on south-east England and on the other regions of the United Kingdom, I began to realise the inadequacy of those proposals.

Let us go back to basics. What is the purpose of a channel tunnel link? It should be to offer all parts of the United Kingdom—all the major cities, all the industrial conurbations and all the regions—the opportunity for a fast and direct link to continental mainland Europe. Furthermore, that link should not have a bottleneck or a buffer stop in London but should shift freight or convey passengers from any part of the United Kingdom to any part of continental Europe and link up with the continental rail system. British Rail's proposals singularly fail to do any of those things.

In looking at any route that should fulfil the objective of being part of a strategic European rail network, one has to apply three criteria—operational, financial and environmental. First, any such route must be operationally effective. Secondly, by statutory provision it has to be financially self-supporting. Thirdly, and more important, it must be environmentally acceptable. It must cause the minimum environmental damage for the vast majority of people. The King's Cross rail route, the channel tunnel rail route and the King's Cross rail terminal must be measured against these criteria.

Let us first see whether the channel tunnel plan is operationally effective. We are slightly in the dark because British Rail's proposals are not firmly on the table, but we have seen its first and second compromises and we have an idea of what it is proposing, so we can work on certain assumptions. For passengers, it proposes to run a line that will go through rural Kent from Ashford. It will touch on south-east London, going over bridges, viaducts and embankments above communities, close to schools and into King's Cross or Waterloo stations. This route is called a high-speed or fast-rail link. However, the optimum speed or more than 120 mph cannot be achieved if it is to take that route. The experience of rail disasters and tragedies that we have regrettably seen over the past few years shows that it would not be possible to run passenger trains on such a route. British Rail has said—I think that I am right, but no doubt I shall be corrected if I am not—that the time saved by this construction will be between a quarter of an hour and half an hour. I ask the House, as I would ask all who are affected by this and all who wish to see such a route constructed, whether the environmental damage is not too high a price to pay for such a minimal operational benefit.

The only destination will be London. Passengers who want to go to Edinburgh, Liverpool, the west, Bristol, the south-west or south Wales will arrive at King's Cross station and will have to make their own arrangements, by other transport means, to cross London to, for example, Paddington or Heathrow.

We are uncertain about exactly what the interchange arrangements for trains going north will be, but in most cases people will have to change trains to go beyond

[Mr. Gerald Bowden]

London. Those who feel, psychologically, temperamentally or nostalgically drawn to King's Cross as the gateway to the north will find that British Rail's proposals for a terminal at King's Cross do not meet the needs of a direct route through or around London for passengers who do not wish to stop at London.

Mr. Nigel Spearing (Newham, South): Will the hon. Gentleman give way?

Mr. Bowden: I shall give way in a moment, but I wish to develop my argument a little further.

British Rail's plans make the assumption that all passengers will be going to London. As I find this slightly strange, I wrote to the Secretary of State expressing my misgivings on 25 August 1989. I received a reply from the then Minister of State on 14 December, in which he said that 70 per cent. of passengers travelling on the route would have London as their destination. I wonder where that figure comes from. If that is the figure on which British Rail and the Department of Transport are working, there is a clear need to examine more closely the assumptions and presumptions on which the route is being built.

One further operational point is worth raising now, although it can be developed later. It is that the track gauge used on the route will not harmonise with the gauge used on mainland Europe. Therefore, far from having a train that goes straight through from Brussels, Paris or Milan, passengers will have to change on to a British gauge train when they arrive here. The idea of a through train for passengers' convenience is lost. I wonder what benefit such a journey will offer over and above the existing travel arrangements by ferry boat and train or by plane.

The provision for freight in British Rail's plans is basically nil. It proposes to run freight over existing lines, and there is to be no dedicated freight route. I find it extraordinary that it should not have looked on this as an opportunity. We convey far less of our freight by rail than any other nation in Europe. We complain about the congestion on our roads and we see great refrigerated vehicles trundling down from the north or Scotland and crossing on the ferries to deliver their merchandise to the capitals of Europe. It is absurd that there should be no provision for putting fish in refrigerated goods trains in Aberdeen and conveying it to the capitals of Europe in less than eight hours. British Rail has not even thought about this and has made no provision for dealing with freight either in London or through London and beyond.

I have raised the matter with British Rail on several occasions and the answer given to me by a board member was that British Rail freight is not "time sensitive". What a wonderful phrase that is. It means that British Rail has no intention of making provision for fast-travelling freight or of competing with road transport to get freight that has to be delivered on time. That stands as an indictment of British Rail's development of its commercial aspects.

Mr. Mark Wolfson (Sevenoaks): I fully support my hon. Friend's point about British Rail's apparent lack of any positive interest in achieving a proper slice of the freight market. It has given details of how little money there is in moving freight in Britain, but that is not a good enough excuse if we are to solve the environmental problem of pressure on the roads.

Mr. Bowden: I am grateful to my hon. Friend for endorsing that point, with which many hon. Members agree.

Mr. Nigel Spearing: We all agree about British Rail's apparent lack of interest in freight. Is the hon. Gentleman aware that I have had conversations with British Rail officials? It is clear that their wish to concentrate as much traffic in London as they can get away with is related to the need for maximum return on capital invested in the route. Use of stock and lines predicates what they are suggesting, which is not to the convenience of the passengers. Is not that a result of Government financial policy, first, in requiring minimum capital and, secondly, maximum return on stock and route?

Mr. Bowden: I am grateful to the hon. Gentleman. He is one step ahead of me. He anticipated what I shall say in a moment. If I do not answer his point directly, I shall do so in due course. We are in agreement.

If freight and the so-called high-speed rail links are run over existing commuter lines, what consequences will it have for commuters who use those lines and who are suffering and complaining about the inadequacy of service? Operationally, many questions need to be asked. Many defects are immediately apparent, and BR has singularly failed to explain many aspects. Before a decision is made, there should be a searching inquiry into the operational benefits and defects of BR's proposals.

Sir Philip Goodhart (Beckenham): Before my hon. Friend leaves the question of freight, is not it extraordinary that British Rail has not fully explored the possibility of developing the links between Tonbridge, Redhill and Reading and the midlands and the north?

Mr. Bowden: I find extraordinary not only that but the fact that BR has not explored any of the other alternatives in detail or depth.

Someone said to me the other day, "From the way that you are speaking, it seems you have a vision of a rail network. Is that really a Tory characteristic?" I said, "Yes, I have a vision of a rail network in Britain linking with the transport network in Europe". I find regrettable the lack of vision of BR's board—indeed, its tunnel vision. The only vision that members of the BR board have is that which they see from their boardroom window during their coffee break, when they look out of the Euston road boardroom and see the King's Cross development. I wonder how many members of the board have been on the alternative routes, have even considered the alternative proposals or have visited Stratford. It calls into question the role of the BR board, which is appointed to serve the public interest, and it shows that BR probably relied on so-called experts within its organisation to feed it what it thinks it should be fed.

Mr. Andrew Rowe (Mid-Kent): Does my hon. Friend recall that his point was almost fantastically reinforced by the admission that BR made about its original proposals to drive a route through a brand-new housing estate in my constituency? It admitted that nobody had been down the chosen route. What on earth would possibly induce it to consider any alternative?

Mr. Bowden: It is a pity that BR did not travel by train along the proposed route because it would have found that there are some defects in it.

I turn to the second criterion—finance. Section 42 of the Channel Tunnel Act 1987 makes it clear that the route should be self-financing. The route chosen by BR goes through mid-Kent and some of not only the most beautiful but the most expensive land in the country. It is also some of the most difficult terrain on which to engineer and construct. That causes additional expense. The route goes through housing estates which BR had not realised were there. How could it cost the compensation claims without knowing where the line of the route went? That leaves one with grave misgivings about its professionalism in costing the route.

Undeterred, British Rail sought the public sector partner that it had been encouraged to seek for finance. Although I was not party to the discussions, it was clear that the public sector partners with which it flirted were unable to see how the route into King's Cross could possibly be self-financing. One way or another, all partners failed, except Trafalgar House. For the convenience of hon. Members I shall not refer to the corporate names that consortiums have used because we are all confused about Eurorail and Kentrail. Eurorail was formed with Trafalgar House, which agreed with BR to construct the route and that it would be self-financing. It was not surprising to the other groups that had made a bid that, having opened the books, Trafalgar House found that there was no way in which the BR-preferred route could be self-supporting or self-financing and that it would be necessary to seek public money.

I shall deal briefly with the environmental criteria and how BR's preferred route measures up to them. The route drives through some of the most beautiful landscape in the south-east of England and some of the most beautiful farm land, which we see as our heritage as well as protective of rural life and fostering rural communities. It drives through small communities, small villages and densely populated south-east London urban areas. It does so not underground but, in many places, above ground, with all the environmental damage and danger that that implies. It will cause not only long-term nuisance and environmental damage, but during the construction period it will cause considerable short-term nuisance.

I know that only too well in my constituency. Warwick gardens—I see my constituency neighbour, the hon. Member for Peckham (Ms. Harman) in her place—is temperamentally Peckham but technically Dulwich. I speak for Warwick gardens, which people believe is in the Peckham area. Some years ago, it was run down, but it has regenerated itself by the commitment of those who live there and those who have moved in. The human tragedy of the threat of blight caused by these insensitive proposals shows that there is something gravely wrong with planning a route without consulting in advance the communities that it deeply affects.

I know that many other hon. Members are aware of similar anguish being expressed by communities affected by the threat of blight. Those who participated last year in the marches through London and saw the banners from all parts of the community and all parts of the south-east realised that there was a great force of opposition to such a wasteful threat to the environment.

As I have said, there is no real benefit to the commuter, to the continental passenger or to the freight shipper in the King's Cross terminal and route proposals. Who does benefit from the route? I am indebted to my hon. Friends the Members for Christchurch (Mr. Adley) and for Harrow, East (Mr. Dykes) for prompting consideration of that point. I discovered that an amendment to my early-day motion 692 used the phrase "developer-led". I was amazed by the use of that phrase and decided to delve a little more into what that might mean.

A letter was sent to hon. Members who had signed the early-day motion, with the exception of the six leading signatories, by Mr. J. Palmer, the managing director of European Rail Link, which is a part venture with Trafalgar House and BICC. He used that same phrase in attempting to disparage the alternatives. He said:

"Alternative proposals for direct links from Stratford to the city, King's Cross, Heathrow and the Midlands, North and Scotland, appear to have been grafted on to developer led plans."

It appears that that piece of jargon is used not only in our Order Paper but in the wider world. That prompted me to trawl through the evidence given to the Committee considering the King's Cross Bill, which began its work last June but which has not yet reported. The report of its proceedings is interesting to read, not so much because of the questions that were answered, as because of those that were not even asked. On Tuesday 12 December Mr. Godfrey Bradman, one of the developers, was asked in some detail about the terms on which British Rail would develop the King's Cross site and how Trafalgar House was linked with that development. The Chairman said:

"Those are assurances that we have been given by BR in this Committee; we want to know whether they are convincing to you."

Mr. Bradman replied:

"I think what you need to have if I may say so is Mr. John Fletcher of Eurorail to whom I spoke as recently as yesterday; he has said that he would be very happy to come and give evidence".

My hon. Friend the Member for Chelmsford (Mr. Burns), a member of the Committee, took up that point. It draws to the attention of the House the unsatisfactory way in which fact and truth emerge from such questioning. He said:

"No, every time we come up against a brick wall it is suggested we call somebody else for evidence."

That shows that we should more closely investigate the terms under which King's Cross is to be developed and the implications for the channel tunnel rail link—or, the other way around, the implications of the channel tunnel rail link going into King's Cross and the proposed development of that site.

I believe that such tactics are called the salami strategy. It is tactically useful for British Rail to produce a Bill that covers only the tunnel aspect. It makes no mention of what happens after the tunnel or any further along the line, British Rail having obtained the tunnel, the next slice of the salami is the terminal, which is to be at King's Cross —yet still no mention is made of how one gets between one and the other. When those who might be on the route between one and the other attempt to make representations, the narrow interpretation of the locus standi rule, imposed by the Court of Referees, denies hon. Members whose constituencies will be affected the opportunity to give evidence, to petition or even to ask questions of that Committee. For that reason it would be useful today to pose the questions that the Committee should have asked the developers.

What is the relationship between the developers of the King's Cross site and British Rail and its venture partner Trafalgar House? Is Trafalgar House a developer connected with the King's Cross development as well as

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being part of the joint venture arrangement? What is the value of the development at King's Cross? The rental value per square foot in the location of King's Cross may be £x. If, however it is developed as a terminal for the channel tunnel rail link, tenants and their clients could simply go downstairs, get on the train and be in Paris or Brussels in two and a half hours. The rental value would then be not £x but £3x, £4x or £5x per square foot. The value of the King's Cross development depends very much upon the likelihood of its becoming the channel tunnel rail link terminal. I wonder whether there is a sine qua non in the arrangements, whereby if there is no rail link the development might not even take place, or if it did, not on the same terms.

Mr. Graham Allen (Nottingham, North): I congratulate the hon. Gentleman on drawing first place in the ballot. As he knows, I came second. I have already told him that had I been first, I would have given him half the time available. Whether he will reciprocate is another matter.

The hon. Gentleman referred to salami tactics. There is a problem for potential supporters of the Stratford interchange. If the line runs from the channel tunnel to Stratford, is there a danger that the next slice of salami from Stratford to King's Cross might not be constructed? The hon. Gentleman appears to be considerably downgrading the King's Cross terminal. The stretch from Stratford to King's Cross would be very expensive. I represent constituents in the east midlands whose line is not electrified, so they are already at a disadvantage. We are worried that the line might go only to Stratford, and not on to King's Cross. If that happens, it would not then continue to the east midlands and most of the traffic would go up the east coast. A number of people who are potential supporters of the hon. Gentleman's arguments wish him to clarify that point.

Mr. Bowden: I do not know how long the debate will take, but obviously it needs to run long enough to allow all who wish to speak to do so. I hope that I have as much generosity of spirit as the hon. Gentleman and, if it were within my power, I would give half of my time to him as he said he would give to me. However, that is the world of hypothesis.

We must question the relationship of the developers not only with British Rail but with the Government. They want to develop a line and a terminal. They have international tenants waiting who would love to have an international office block with fast links to continental Europe. However, they have found public opposition on a scale which I, for one, have never previously encountered. People who are inexperienced in protest have turned out on Sundays and marched through the south-east in lines of tens of thousands to tell the Government that the plans are unacceptable. That public opposition is no mean feature.

There is also the question of delay. Every time that occurs in the making of a decision, then, to use a developer's phrase, the window of opportunity is closed in respect of making a letting to the right tenant. There is also the cost factor. It is clear that the link cannot be constructed in the way that British Rail proposes without money from other public funds. I suggest that you, Mr. Deputy Speaker, put yourself in the developers' shoes. What should they do? Perhaps I should not put you, Mr. Deputy Speaker, to that inconvenience. Instead, I shall put myself in their shoes.

Perhaps I should declare a past interest. Twenty years ago, I was involved in the property development industry and know it to be an honourable profession, and one which makes a great contribution to the nation's well-being. Having served an apprenticeship in that profession, I subsequently taught young people who were destined to enter it, and was able to pass on some of my own experience.

I place myself in the shoes of developers facing the problem of public opposition, delay and cost, and wonder how I would tackle them. I shall paint a scenario. First, I would circulate rumours among the press and other media to the effect that, "The Minister must give the go-ahead at once." Secondly, I would spread the rumours that, "The Minister must fund the project with some public money." Having let those two rumours mature for a little time, I would beat a path to the Minister's door and deliver my ultimatum, saying, "Pay up now, or we pull out—and then where will your Government be?" Having allowed him to digest that, I would try the soft touch, saying, "I know that you must avoid section 42 of the Channel Tunnel act 1987. I know that financing is statute-barred and that you cannot be seen to devote public money to the project. But let us dress it up in some way. Let us call it an environmental grant. Let us say the money is being used to minimise the impact of the rail link on the environment. If you don't like that, let us call it a commuter services upgrading allowance. Let us say that the money will be used to improve Network SouthEast to the benefit of all, so that it will not be seen as a subsidy for the channel tunnel link. Wrap it up in pink paper, tie a ribbon around it, and the public will feel that they are giving a present to a good cause."

That is how one might try to sell such a proposal to any Minister. One would put the wind up him and then show him the way out. But decisions made in those circumstances would be bad decisions, reached without considering the defects of the proposals or the benefits of the alternatives. No amount of public money can make a bad scheme good. In those circumstances, it would be a financial insult to devote public money to an existing environmental injury.

Mr. David Shaw (Dover): Has my hon. Friend taken into account that the channel tunnel project itself has grotesquely overrun its original financial projections? It is extremely unlikely that shareholders will ever see a return on their initial investment, and they may be required to put up another £1 billion or £2 billion later this year. As a consequence, when considering the rail link, one inevitably asks why the Government should become involved in putting up taxpayers' money for what will be a high-risk project.

Mr. Bowden: And an inefficient high-risk project, at that.

I turn to the proposed procedure and timing. Right hon. and hon. Members are more than familiar with the timing requirements of private Bills. They must be deposited by 27 November, and then lie on the Table until the end of January, to allow objections to be raised and petitions to be presented.

Mr. John Prescott (Kingston upon Hull, East): The hon. Gentleman raises an important point, but I am not sure that his facts are right. I raised that aspect with the appropriate authorities of the House, and established that there are a number of precedents for depositing important Bills after November, particularly with a Bill that is likely to span two parliamentary Sessions. That allows proper consideration to be given to alternatives.

Mr. Bowden: I am grateful to the hon. Gentleman for his remarks. No doubt those who take decisions about when the Bill is deposited and how it is to be dealt with will take them into account. However, they do not detract from the point I was about to make.

When the Channel Tunnel Bill came before the House, there were 5,000 petitions against it, which took a considerable time to screen and hear. If there were 5,000 petitions against the tunnel itself, how many more petitions will there be against a Bill to provide a rail link with it through Kent and south-east London into King's Cross? One could probably multiply those 5,000 petitions by five. The likelihood of there being 25,000 petitions against such a proposal is no more than a conservative estimate. It would take us from, say, January 1991 until June of that year to hear all those petitions and to have them screened by the Court of Referees.

The Bill might receive its Second Reading in June 1991 and then go into Committee. The King's Cross terminal Bill went into Committee last June, and technically it is still in Committee one year on. The proposed new Bill might emerge from Committee in 1992 and be reported to the House—but June 1992 is also the buffer stop for a general election. If we believe that we can solve the problem, we must solve it in a way that allows us to persuade the electorate that we have the right answer. It would not just be an election issue in the south-east—it would be the election issue.

The alternative might be a hybrid Bill. Wearing my property developer's hat, I might say to the Minister, "Come on. Join in on this one. Make it a hybrid Bill. Get your commitment behind it. Make your payroll vote support it, and we will get it through." That might work in certain circumstances, but I am told by more experienced people with wiser heads than mine that success in politics is often, if not always, a matter of timing.

The timing of a hybrid Bill would present exactly the same problems as those that I described in relation to a private Bill. It might have a certain amount of Government commitment and would technically be a Government Bill. However, that would not lessen the number of objections and petitions, which I believe would still number around 25,000—so its Committee stage would not be shortened. Even a hybrid Bill would still be a major issue in the next general election.

There is an alternative strategy and alternative routes that command support from the majority of people involved either in the route alignment or at the destinations. The alternatives should be examined, because there is no way that British Rail's Bill can be put through before the next general election, or even in time to straddle that election.

Why not consider the alternatives, which might command support, might not generate public opposition, might meet the self-financing cost requirement and might obviate some of the delay?

Mr. Simon Hughes (Southwark and Bermondsey): Before the hon. Gentleman turns to specific alternatives, does he agree that the timing of the debate is all-important? If British Rail made an announcement within the next few weeks without taking into account what he and all hon. Members anticipate will be universal disapproval for the likely proposals, and if it ignores voices from all parts of the country asking for a total rethink, which will benefit all the regions—Scotland, Wales, London and the south-east—it will cause British Rail, the Government and any other supporters of BR immense difficulty.

I know the hon. Gentleman well enough to think that he is trying to get a solution that will be acceptable throughout the House and the country. Before any specific alternatives are canvassed I hope that the key point in his remarks will be taken up—that British Rail must not ignore the strongest possible pleas for it to stop going down a second wrong route and must listen to the unanimous call for it to consider all the alternatives suggested in the House today.

Mr. Bowden: I think that the hon. Member is saying that timing is all-important, as I suggested a moment ago, and that there is no point in foisting the wrong route upon the country because BR needs to make a decision now. That would only generate further delay because of opposition along the route. If the right route is found, one which fulfils the three criteria, it will obviate the need for delay and will have widespread acceptance. Therefore it could go through the parliamentary procedures with far fewer obstacles and with a fair wind from both sides of the House behind it.

Four main alternatives have been suggested in detail. They are known by the acronyms TALIS and RACHEL. Those two routes are the work of groups which are not professionally sponsored but comprise professionals with experience of civil engineering and railroad building. Indeed, I believe that some had experience of building railways in other parts of the world and could therefore claim to have more professional expertise than many people in British Rail.

In addition to those two route alignments, two other sponsors made proposals—Ove Arup, a prominent civil engineering consortium and Manufacturers Hanover Trust, which has experience of bringing together groups for this type of development. There are two professional consortia and two professional proposals. It is not the point of my speech to single out which proposal is better. That needs to be done at a more professional level within British Rail and the Department of Transport. However all the proposals have one thing in common—they recognise the concept of a Euro-rail link and the need for a strategic integrated transport plan for the United Kingdom and the rest of Europe, and they all recognise the need to avoid every piece of freight and passenger going through central London whatever its destination in the United Kingdom.

All the proposals start with a route alignment through north-east Kent rather than mid-Kent and through south-east Essex rather than into King's Cross and one knows not where from there. Benefits flow from that route. The consortia should capitalise on any agreement among themselves. Taking the route through north-east Kent is the idea that they all seem to have in common. Thereby, they will take the route through one of the most deprived

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parts of the south-east where there is a fair amount of derelict industrial land and the local communities could benefit from an economic uplift. Any such route, with its freight and passenger transport potential, would introduce new jobs and give a boost to the industrial economy. We should consider the issue not only from the benefit to be gained from operation of the route, but from the intrinsic value it will have for the community through which it passes.

Something someone said a moment ago reminded me of an early meeting I attended with the protest group in which I take an interest, Pearl, which is concerned mainly with the Warwick gardens area. We went to a meeting at British Rail headquarters and met a group of middle managers—not the top brass. Someone said that the TALIS and RACHEL routes ought to be considered. British Rail said that it had considered one—TALIS, I think—and was now considering the other. We asked who was looking at it. Was it an independent consultant? BR said, "Yes, Transmark is looking at it."

I found out that Transmark is a subsidiary of British Rail and its affairs are mentioned in the BR balance sheet. Surprise, surprise—in the first instance Transmark came up with a report on TALIS, I think, saying that that proposal was rubbish. We then discussed the RACHEL route and asked what would happen if Transmark, British Rail's subsidiary, found in favour of RACHEL or found good points in that proposal. The phrase, "fell about" describes the way that British Rail's middle management reacted. They laughed and slapped their sides at the idea that Transmark would find in favour of an alternative. Someone pressed the point and asked the question again. I remember the substance of what was said—although the person with whom I checked takes a different view. I think that one of them said, "We would lose our jobs," and another said, "We should all resign." Whichever way one looks at it, they were saying that their employment with British Rail would somehow terminate. I cite that as an example of the fact that one cannot rely on British Rail having an independent assessment of the alternatives unless it is forced to do so.

A biblical quotation describes the situation but it escapes me. I do not remember the exact words, but I suspect that part of Transmark's job was to point out the speck of dust in the eye of the other proposal, to distract attention from the lump of concrete in its own. I think that that is the modern translation rather than the original authorised version, but the sense is there.

Are the alternatives operationally effective? Let us consider the proposals on an operational basis. They would allow freight and passengers to be conveyed at speed to and beyond London along routes which are easy to engineer. They would provide a direct bypass to the city for passengers and freight not destined to remain in London. Although there is no point or purpose in trying to suggest costings today, it is obvious, even to those not experienced in property values, that acquiring industrial derelict land in north-east Kent will be cheaper, in terms of the amount of compensation that will have to be paid, than acquiring highly expensive farming and residential land in mid-Kent and south-east London.

If Stratford were a passenger terminal, people would be able to park and ride—to go by car to Stratford, as they might to an airport. They would not be able to do that at King's Cross. What is even more important, Stratford is not regarded as a terminal. Manufacturers Hanover Trust and Ove Arup, the promoters of the two main schemes, have said that repeatedly. In all their communications with hon. Members and at all their meetings they have made it clear that they do not believe that Stratford should be a terminal but that it should be a bypass junction for those who wish to go beyond London.

An essential feature is that there should be a connection between Stratford and the west country. Passenger and freight trains destined for the west country would go from the channel tunnel port to Stratford, turn left by means of a constructed tunnel or existing route, to the City—perhaps via Fenchurch street to King's Cross, touching the King's Cross development—and then carry on to Paddington, Heathrow, Bristol and the west. An essential feature of the strategy is that the route from Stratford to the west would take in mid-town London, west London and the City. It is that essential feature, put forward in the alternatives, which British Rail has consistently denied is there. By means of misinformation and disinformation it has insisted that that is the greatest inadequacy and deficiency of the alternative proposals.

There would also be a not too difficult method of taking passengers and freight to the north-east and the north-west. Stratford could be linked with the routes to the north, either by a route north of King's Cross or by going through King's Cross. That would make Stratford a junction point in a national network; it would not be just a terminal. That is the most important aspect of the alternative proposals.

A passenger and freight alignment along the lines that I have suggested could be designed to the continental gauge. The United Kingdom route would then harmonise with the European gauge and there would be no need to change trains when passengers and freight arrived in this country. That is the main benefit of the alternatives. Routes along those alignments and the development of Stratford would generate their own financial support.

Mr. Richard Holt (Langbaurgh): For the benefit of my constituents in the north-east, can my hon. Friend confirm that his plan would not be to the detriment of my constituency and that it would not slow down the opportunities for development in the north-east, bearing in mind in particular the Government's mule-headed attitude towards a proper motorway to the north-east of England?

Mr. Bowden: I am grateful to my hon. Friend for allowing me to elaborate on that point. British Rail's preferred route with a terminal at King's Cross, would be of little benefit to those in the north-east, certainly to industrialists who want to shift freight. They would have to find a way to get it to London and then to a terminal, be it at Willesden or Stratford, so that their freight could reach the fast link network. If, however, a freight line went through Stratford, freight could be sent to the rest of the country on the continental gauge. It would be a progressive development. The Stratford option offers more to those in the north and west of England than British Rail's proposals. British Rail has sold its proposals as being the only way in which the north-east, the north-west, Scotland and the south-west can be accommodated. The reverse is the case.

Mr. Tony Lloyd (Stretford): The hon. Gentleman referred to the progressive development of his preferred option. Hon. Members with constituencies in the north believe that the planning by both the Department of Transport and the Government has failed to take account of the need to integrate transport systems as quickly as possible with the channel tunnel link. We need access to the tunnel at the greatest possible speed so that the north of England and Scotland can take advantage of all the benefits. We must not be marginalised, simply because we cannot gain access to the tunnel.

Mr. Bowden: I am grateful for the opportunity to try to dispel any misapprehension that there may be in the north about my proposal. Many of us came to the issue because of the need to protect our constituencies from the threat, but the more that we looked at the proposals the more we realised their inadequacy and how little, if anything, they offered to regions other than London and the south-east. The movement of freight and passengers to the north, the north-east and the north-west, bypassing London, could be based on Stratford without the delays, bottlenecks and the interchange of trains that would be necessary at King's Cross. It would allow for the development of lines northwards on a gauge that harmonised with the rest of Europe. Passengers and freight from the north would be able to stay on one train and not have to get out of it until they reached their destination in Europe. That objective is enshrined in the alternative proposals. If the hon. Gentleman has not received the details that make that clear in black and white, I shall ensure that he receives them. The proposal based on Stratford offers infinitely more to the United Kingdom than British Rail's King's Cross proposal.

I do not propose to deal in detail with the Ove Arup or the Manufacturers Hanover Trust proposals. They have been sent to hon. Members and I know that many of them want to speak in the debate. However, I end on a note that is often struck in the press: the French do it differently and the French do it better. They have adopted a strategic approach to the transport link—a grand design that links up the whole of France. They have decided that if there is to be a link between Lille, Bordeaux, Lyon and the channel tunnel, the people who live in those towns will not want to go through central Paris. They have bypassed Paris by means of a line to the east. Interestingly enough, our alternative proposals bypass London with a line to the east. The French avoided taking the line through the centre of their capital—in contrast to what British Rail proposes to do at King's Cross.

The French have also optimised the opportunity to bring prosperity and industry and therefore to improve the economy of depressed areas. Certain towns in northern France have begged the authorities to allow the rail line to go through their region because it would lead to spin off developments. The Stratford alternative would offer similar opportunities. It would go through land that does not enjoy the benefit of the prosperity that is found elsewhere. Moreover, the French have decided to link the line to the Disney theme park to be built in France. Proposals are afoot for developing Rainham marshes in Essex as an international theme park. The alternative link would take passengers from continental Europe directly to the theme park without passengers having to go to King's Cross and change trains to get to the Rainham area.

The alternative proposals ought to be considered seriously by British Rail instead of being rubbished by it in a programme of disinformation and misinformation to hon. Members suggesting that the only solution is the one that British Rail prefers.

The more one considers the proposals, the more one realises that they are wrong. I have not approached the matter negatively. There is a way forward. British Rail should talk seriously to the promoters of the alternative proposals and use a clean slate, without its existing commitments and loyalties pre-determining its approach. We need to find an alignment that serves those who wish to come to London, keeps away the threat of blight from the areas that many of us represent and provides a system that not only is part of an integrated road and rail transport infrastructure in this country but is linked to an integrated transport system for Europe. This is not an idealistic grand vision but a realistic way of looking at the problem. If we miss this opportunity, the effects will last for many years, at great expense and resulting in great tragedy.

10.40 am

Mr. Nigel Spearing (Newham, South): Many of us would echo the sentiments expressed in the closing remarks of the hon. Member for Dulwich (Mr. Bowden) and would congratulate him on his choice of subject. Like my hon. Friend the Member for Newham, North-West (Mr. Banks), in whose constituency the possible Stratford terminal will lie, I congratulate the hon. Gentleman on his motion. In the past hour and 10 minutes, he has ranged over the problems and shown us its many facets. My only quarrel with an otherwise excellent round-up concerns the gauge—the loading gauge in the United Kingdom is more restricted than that on the continent, but the track gauge is not; it is the same—Stephenson. British Rail has said that it will run British Rail size coaches to the continent but the reverse will not be possible. There will be some restriction on freight but, happily, I do not think that it will be necessary to change trains or bogies as the hon. Gentleman suggested.

We welcome the Minister of State to what I believe is his first main debate on these matters. He will listen, as his predecessor did, but, ironically, his predecessor's political beliefs have put him and the Government on the hook. The hook on which the Government and British Rail are impaled is their refusal to provide the capital infrastructure for a new, 21st century railway line, coupled with—a poisonous combination—the requirement or preference for some developer-led finance. Those two matters form the basis for the hook on which not only the Minister and the Government but the hapless officials of British Rail are constantly twisting to every turn either of St. Bartholomew's hospital or of the various developers who come along.

I do not have all that much sympathy for British Rail officials, who do not seem to run our railways as well as they might, but the Government are breathing down their necks and telling them to make all the economies that they can. By chance, I have just returned from Victoria station, having travelled overnight by train from Brussels.

Mr. Tony Banks (Newham, North-West): You old tripper!

Mr. Spearing: My hon. Friend says that I am a tripper. I was listening to the golden, honeyed words of Mr. Giscard d'Estaing and Mr. Jacques Delors—but that is another topic.

Had I travelled overnight to or from Brussels 55 years ago, I should have had a much better deal, as I did a few years' ago when I could go to Victoria station on foot, climb aboard a sleeper and wake somewhere past Lille. Alas, the night ferry has disappeared and its substitute is poor. The overnight train advertised as travelling to places such as Cologne and Brussels stops at every station between Bromley and Faversham. Returning this morning, we had a two-hour wait at Dover and joined the first commuter train at 4.45 from Dover Priory, which was naturally liable to be overcrowded as it neared Victoria. That is the standard to which British Rail treats us.

I commend the fact that British Rail is to have a spanking new vessel on which to put a few coaches. You may have thought, Mr. Deputy Speaker, that in a few years' time one would be able to stroll over Westminster bridge, climb aboard the new super-train at Waterloo and perhaps settle down to a nice dinner, just as you do on your way to Bristol and as my hon. Friends do on their way to places such as Manchester, but no such luck! Having spotted the design of the new super-trains, I wrote to British Rail about this. British Rail replied that it could not afford the lavish restaurant facilities that it has on its domestic services, so there will be meals at one's seat only rather like the service on the otherwise excellent TGVs and on aeroplanes, which people wish to avoid.

Mr. Rowe: The vision that the hon. Gentleman conjured up was enchanting, but he left it unpeopled. The congestion that will be caused by using Waterloo as the central terminal for the cross-channel traffic will mean that the hon. Gentleman will be dodging his way across Waterloo bridge among a horde of pedestrians.

Mr. Spearing: The hon. Gentleman may be right. That is yet another limitation to the plan.

I suggest that there are four desiderata with which we all agree. First, we must have a 21st century railway which fits in with the continental system and our own and must be built to have minimal environmental impact. Secondly, that railway will serve the whole of the United Kingdom. Thirdly, the arrangements for stations in London—I emphasise the plural "stations" and not "terminal"—must meet the strategic planning needs of London and Londoners. Fourthly, there should be sufficient through-running of passengers and freight across or around London.

As I understand it, most of those criteria are not permitted by the infrastructure costs laid down by the Government.

Ms. Harriet Harman (Peckham): None of them is.

Mr. Spearing: My hon. Friend says that none of them is permitted. That shows the inadequacy of the present plans. The King's Cross solution is impaled on the developers' hook, off which they may have been pushed by the intervention of St. Bartholomew's hospital.

There is also the disadvantage of the south London problem. One either uses the route south from King's Cross on the existing overcrowded lines of Thameslink and Network SouthEast, which would add difficulties and use scarce tracks, or one has to build expensive tunnels through the water-laden gravels of the area. British Rail seems to have tried to get round the problem by what is known as the Swanley solution, which makes one's mind boggle. The idea of having a "terminal" somewhere near the M25, not coming through London on dedicated tracks to link up with the rest of the national system, seems rather strange. There would be a link, of course, but nothing more than that provided by the South East Chatham Railway nearly a century ago.

The south London problem is, in a sense, the bottleneck and the strategic geographical problem on which most of these matters turn. The hon. Member for Dulwich listed the names which have become familiar—TALIS, RACHEL and Ove Arup. As he rightly said, the south London problem is avoided by having a north Thames crossing, somewhere between south-east Essex and Barking. I think that strategically that is probably right, although I dissent from the idea of its being developer-led, whether in Rainham—a controversial development—the Maidstone parkway or nationally.

If we are to get it right, I suggest that bringing greater development in and around the railway to fund it would denude other parts of Britain of opportunities, and is thus not something that either the House or the country would wish to see. Therefore, while TALIS, RACHEL and Ove Arup are on the right lines, I still believe that any contribution made to them by developers, or any dependence which is placed on their developments, is almost certainly wrong.

What we might describe as the north Thames solution has other implications, especially for London's strategic planning. The hon. Member for Dulwich touched on that when he referred to Stratford, an area in Newham which is not necessarily opposed to having an intercontinental or a continental station. Stratford's links are already pretty good. The House has passed a Bill for a direct extension of the Jubilee line from central London to Stratford.

Of course, the Government may choose CrossRail, which is part of the London scheme. If they did, not only would there be three direct links from Stratford into central London, by the Central line, the Jubilee line and CrossRail—I assure Conservative Members that CrossRail would take only 10 minutes to reach the west end or the City—but the line could go out to Heathrow, up to Stansted or through to King's Cross secondary station with all the links to the north and the west. What better solution could there be? If CrossRail was used initially as that link, the costs might be less than for a dedicated track, although I agree that ultimately London should have dedicated tunnels, preferably to the Union Internationale de Chemins de Fer B-plus loading gauge.

Mr. Allen: I am grateful to my hon. Friend for giving way and I apologise for having missed the first few minutes of his speech.

What worries me and other people in the east midlands is the concept of a secondary station at King's Cross. We are worried that virtually all rail traffic will be filtered out at Stratford and that there will be very little incentive to complete an effective link from Stratford to King's Cross and St. Pancras, which is one of the main routes to the east midlands, including Leicester, Derby and Nottingham. As I said when I intervened in the speech of the hon. Member for Dulwich (Mr. Bowden), we already labour under the

problem of not having an electrified line to the east midlands main line. Would not these proposals present a further problem?

Both the hon. Member for Dulwich and my hon. Friend the Member for Newham, South (Mr. Spearing) need to reassure people in the east midlands that the channel link will be completed through to King's Cross and St. Pancras, that it will be a first-class link and that not only will traffic go through the channel tunnel, but much of it will be enabled to come up to the east midlands. If my hon. Friend fails to do that, we would be as well to stick to the present option.

Mr. Spearing: I am grateful to my hon. Friend for his intervention because it allows me to describe what I believe is the geographical and operational position, which is not entirely clear to some of my hon. Friends representing the midlands and the north. The fears about through-running could apply to King's Cross and to the existing ThamesLink routes, as currently planned. The problem that I dealt with earlier when I intervened in the speech of the hon. Member for Dulwich is that British Rail wants to get the maximum return from "high quality" coaches zipping to and fro, rather than from through-running. So, we have that problem in any case.

Personally, I do not want to see any disadvantage in the Stratford case—and I do not think that there is any. As I have said, even without CrossRail, there are already physical links from Stratford to most of the lines to the north-west, the midlands and the great north. With a few little additions, that line could do as well as a dedicated track. The guts of the problem lie in persuading British Rail and the operators to through-run.

My hon. Friend the Member for Nottingham, North (Mr. Allen) may like to know that I have always backed a rolling plan for electrification, but British Rail and the Government seem to have got it wrong. The east midlands main line is a four-track main line and would, I understand, provide one of the best options for the modification to the UIC B-plus gauge for the whole country. My hon. Friend can be assured that, whatever the problems, the Stratford option would not add to them and would, I believe, be the correct strategy.

One problem which has not so far been divulged about TALIS, RACHEL, Ove Arup and the north Thames solution—other than the unsatisfactory nature of British Rail's "Swanley Solution"—is that British Rail has signed a contract with Eurotunnel with regard to train paths to the tunnel. We know that the tunnel is to be shared between the so-called "ferry traffic" and the so-called "railway traffic". I understand that British Rail has purchased or has an agreement about the proportion that it will run, and no doubt has also made a commercial agreement, which is doubtless highly secret, about how much it will pay. It has been suggested that any other route suggested by any other promoter could not have access through the tunnel section because British Rail has already written the contract.

We seem to be back in the 19th century with railway Bills, tracks and all the rest of it. That is one reason why the Government must come clean. If they have a hidden card in their hand—which may be revealed in the House today if the Minister confirms it or otherwise in his reply—however good all the alternatives that have been suggested, they will not wash because the agreements have already been made.

I conclude by assessing the present position as I see it. British Rail and others are planning routes that we do not want. A number of other routes might be better, but at the moment it looks as though we shall not get them. We do not have any strategic planning for our railways for the 21st century. My hon. Friend the Member for Lewisham, Deptford (Ms. Ruddock) has some sound ideas about that, but we have not even reached the stage that the French and the Germans reached, not now but a century ago, when they planned their railways properly. Those who know railway history may recall that even the great Mr. Gladstone was inclined to say that, like the telephone and postal services, railways were so important that they should be publicly planned and even publicly funded. If that were the view now, we should not be discussing the Government's inadequate and feeble planning with which we are confronted at the moment.

Several Hon. Members *rose*——

Mr. Deputy Speaker (Sir Paul Dean): Order. It is evident that many hon. Members wish to speak, so I hope that Members will help each other by making short speeches.

10.57 am

Sir Peter Blaker (Blackpool, South): As the Member for a north-west constituency, I want to make the point that the siting of the second London terminal has major implications for all regions north of London and for Scotland. The House knows the important part that industry and business in the north play in the economy of the country. My own region, the north-west, makes the second highest regional contribution to the gross domestic product.

Like other regions north of London, the north-west wants to play its full part in exploiting the opportunities that the single market will provide, but it cannot do so unless first-class communications are available, both from the region to London and the south, and from the region directly through to the continent via the channel tunnel.

The transport infrastructure will be a key to capitalising on the economic opportunities of 1992 and later. The north-west has the most to gain and the most to lose from the channel tunnel. It is the largest single market area for international rail freight and passenger services outside the south-east and stands to gain from both the increased export opportunities and the increased opportunities for tourism. Many more visitors are already coming to the region.

There is real concern in the north-west and, I am sure, in many other regions, about the delay in reaching decisions on both the siting of the tracks to and from the tunnel, and the location of the new rail terminal in London itself.

Decisions must be taken or confirmed now, with national rather than purely London and south-east interests in mind. For that reason I must express my anxiety that we are debating a motion which raises fresh doubts about the location of the new international rail terminal for London. It opens up again the controversy about the siting of the international terminal. King's Cross has enormous advantages over Stratford and the location of the terminal there is important to the national interest. That is the overwhelming opinion in the north-west.

[Sir Peter Blaker]

It seems ridiculous to suggest, as I understand is being suggested, that there should be three London terminals —Waterloo, King's Cross and Stratford. Surely, King's Cross, with its central location and with the nearby stations of Euston and St. Pancras, is the hub of London communications. Some 60 per cent. of all London underground stations, through five main underground networks, are connected directly with King's Cross, and the proposed travelator, linking it with Euston, would certainly enhance its role. Another advantage of King's Cross is that by a minor upgrading of the existing route through west Hampstead, it could, and with little additional expenditure would, have a direct rail link with the west coast main line.

I welcome British Rail's plan to use King's Cross as the London international terminal and I hope that we can give our backing to it so that it can proceed as quickly as possible. However, my enthusiasm for British Rail in this connection is tempered by the lack of planned investment in effective, high-speed, rail tracks coupled with suitable terminal facilities in the north-west. My parliamentary colleagues and I will make the case for progress with increasing vigour over the coming months. I, and no doubt my hon. and learned Friend the Member for Blackpool, North (Mr. Miscampbell), will continue to press the case for electrification of the line from Manchester to our constituencies.

I again stress the need to make real progress quickly with the development of our communications from the north and the midlands to the channel tunnel.

Mr. Tony Lloyd: Will the right hon. Gentleman give way?

Sir Peter Blaker: I should prefer not to give way as many hon. Members wish to speak.

A decision on the siting of the London terminal needs to be taken without more delay. My belief and that of the vast majority of those involved in commerce and industry in the north-west is that King's Cross is the natural and sensible choice for the new London terminal. I hope that today's debate will show the strength of that view and the anxieties of hon. Members that this motion, calling for yet another alternative to be considered, will only delay matters further.

11.1 am

Mr. Gordon Oakes (Halton): I welcome the speech of the right hon. Member for Blackpool, South (Sir P. Blaker) and echo his remarks. Like him, I represent the north-west—I am a Cheshire Member of Parliament—and we are extremely worried at the delay which could result from today's debate.

The hon. Member for Southwark and Bermondsey (Mr. Hughes) in a clever intervention said that if the House today makes it clear that it is dissatisfied with King's Cross and British Rail, and is, therefore, by implication in favour of Stratford or some other alternative, British Rail will have to listen to that opinion. That may be true. The danger is that few northern Members attend the House on a Friday. It is a London day, for logistical reasons. It is not because northern Members are idle, but they must return to their constituencies, whereas London Members can attend to constituency duties at the weekend. It has always been so. I and, no doubt, the right hon. Member for Blackpool, South, the hon. and learned Member for Blackpool, North (Mr. Miscampbell) and my hon. Friend the Member for Worsley (Mr. Lewis), have stayed because we fear that delay or worse could result from this motion.

No matter what has been said about British Rail, and I endorse a great deal of what was said about its management, King's Cross is a natural point for the north of England—not only the north-west, but the northern consortium which includes Yorkshire, Lancashire, Merseyside and Cheshire. Those regions are in favour of King's Cross because of its obvious geographical location and its obvious advantages for passengers from the north.

It is deplorable that British Rail will not provide more through trains in the early years of the tunnel. My hon. Friend the Member for Newham, South (Mr. Spearing) and I both want to be able to get on a train in Manchester or Crewe and get off in Paris or Brussels. We do not want to have to change, but British Rail is not providing that initially. Therefore, if I must make a connection in London, probably at Waterloo because it will be the No. 1 terminal, I must get from Euston to Waterloo which is not an easy journey. The route is the same as that I use to come to the House and involves the Northern line. On the other hand, King's Cross is only the next station on the underground from Euston. At a pinch I could walk there and I could certainly get a taxi within a few hundred yards of Euston station.

Many hon. Members' views about Stratford make it sound desirable, but is the finance there for it? If there was a link and one could take a train from the north to the continent which would bypass London completely, that would be ideal, but I see no proposals before the House which lead me to believe that that is likely. What, then, is left? We have the proposals for King's Cross.

King's Cross is a major station serving London. Its communications by underground with the rest of London are excellent. It has communications with the north-west, Cambridgeshire, East Anglia, Scotland and Northern Ireland. It is the terminus for those trains. To lay doubt on the proposals, as today's debate may well do, could delay matters considerably. We shall be talking of a second London terminal not in the closing years of the 1990s, but in the next century. That is our fear because we need the service now.

The channel tunnel is a national project, not a London link. It will link the whole of the United Kingdom to the whole continent. Would that we had had the sense to behave like the French in looking at it from a national point of view or, indeed, from an international or European view. That is far more logical than our scrappy proposals.

I am about to sit down as many hon. Gentleman——

Ms. Harman: And Ladies.

Mr. Oakes: —and Ladies wish to speak. Hon. Members, especially those who represent the north, Scotland and Northern Ireland, think that the proposal for King's Cross is the best that we have now. We talk at our peril about scrapping it. The probable cost will be delay far into the next century before we get a proper second London terminal.

11.7 am

Mr. Neil Thorne (Ilford, South): I congratulate my hon. Friend the Member for Dulwich (Mr. Bowden) on coming top of the ballot and on presenting his case so forcefully this morning. However, he slightly misled the House by suggesting that the gauge was not the same. He was right to say that the wagon gauge was not the same, but certainly the rail gauge is the same. Just as bridges and roads are being upgraded to cater for road traffic, so the gauges will be upgraded for wagons. In time we shall have complete similarity throughout the country. It is not the intention that people will have to change trains to go through the tunnel. The only changes likely to take place would involve the crew, but, as I understand it, the passengers will go right through, certainly from London to Paris, on the same train. I hope that eventually they will be able to go through from Manchester to Paris, and other locations. I fully accept the point so eloquently made by the right hon. Member for Halton (Mr. Oakes) about the need to get on with the job.

I believe that my hon. Friend the Member for Dulwich may have got the wrong end of the stick about freight. British Rail is expecting a considerable income from freight. Whether it should be transported at the same speed as passengers is a matter of debate and cost. There are provisions at present for freight to be transported round this country at considerable speed, but it is a matter of how much the customer is prepared to pay, as in anything else.

My hon. Friend the Member for Dulwich was slightly unfair to the members of the British Railways Board. It is easy to fire at and criticise people from the House. We all need criticism to keep us on our toes, but we must not go too far over the top. I know that British Rail has provided facilities for me to see various other alternative routes. I am sure that the same facilities have been made available to members of the British Railways Board, who travel on trains just as we do. One should not believe that they use a different form of transport and do not have any experience of trains.

Since the autumn of 1987, no fewer than 42 locations have been considered for the terminal. King's Cross was eventually chosen. Ten of the 42 were considered in detail. Some 70 routes were studied to get passengers from the channel tunnel, through London, to other parts of the United Kingdom. Some 300 options were considered.

We must accept that British Rail has gone to some trouble to explore the matter thoroughly, and the route through Stratford was one option considered. It would be wrong to suggest that the matter has not been thoroughly considered. It certainly has, but there is a time factor. One cannot go on considering issues for ever. If we were to consider all the 300 options in the greatest detail, we would still be discussing the matter in the year 2020. By that time, the French and German railways would be carrying passengers and freight at enormous speed round the country, and hon. Members would be complaining that our unemployment figures were rising and we were not getting a fair crack of the whip in Europe. They would be asking what we were doing about it. A number of hon. Members on both sides of the House have already expressed concern about whether the decision should be delayed, and whether we have already spent too long considering the issue.

I know that parts of Kent and Essex, and many other parts of the country, are particularly beautiful, and should be treated with proper respect and care. However, we must acknowledge that the other proposals put forward by a number of consortia that my hon. Friend the Member for Dulwich mentioned have not gone into great detail. Therefore, colleagues have not been inundated by protests from local groups in their area because we do not know where those lines are proposed and exactly what the problems would be.

Certainly, any alternative has to include provision for trains to go through, and right into the centre of, London. It would be wrong to say that because a scheme had been put forward that got passengers to Stratford more cheaply than it could get them to King's Cross, it should automatically be considered on a par. It cannot be, and hon. Members on both sides of the House have explained why. We must take account of that.

There is great concern at present that various parts of this country will miss out unless we get on and achieve our objective. There are certainly problems enough without prolonging and delaying the matter unduly. The French and German railways have made massive strides forward. I think that it was the hon. Member for Newham, South (Mr. Spearing) who seemed to think that French and German railways were so much in advance of ours, and had been for 100 years. I do not agree. German railways snake round the rivers and take a long time to get from A to B. A system has been introduced in the past few years, and we must admire what has been achieved in that time, but 20 years ago Germany's railways were no better than the British Rail network.

Mr. Spearing: I would not wish the hon. Gentleman to misunderstand what I was saying. The standard of service may not have been as good, but about a century ago there was a national plan for railways in Germany, which we did not then have.

Mr. Thorne: That may be true. Perhaps the hon. Gentleman would also agree that we introduced railways into the world in the first place. One of the disadvantages of inventing something is that one does not get the same distanced planning as if one is considering it from the outside. Other countries, such as France and Germany, had those advantages, and certainly took advantage of our experience. That was how they could achieve their planning objectives.

Various points have been made about independent assessments and theme parks. Visitors to theme parks are welcome, but they will not form a major part of the traffic that is likely to come from the continent. In addition, I am sure that such people would want to stay in hotels overnight and would be likely to go to the main centres for that purpose.

Compensation is an important issue. My hon. Friend the Member for Dulwich hit on an important point when he mentioned the comparison between the income that one might expect from the development of King's Cross, and that which one might expect from a development at Stratford, and whether the income was an attractive proposition and should form part of a programme. Yes, certainly those factors should be considered, and I am sure that many hon. Members would wish to attract some of that business and prosperity to different districts for their own reasons.

[Mr. Thorne]

However, we must consider the matter as a whole. We must consider not only the connections of the railways to central London but the road networks. Many people feel that the road networks are lacking and are already far too congested. Many people will want to go to the terminus by taxi and we should have to make provision for them to get by taxi to and from Stratford, if that were the alternative. Therefore, in our costings we must allow for an improved road network, whether to King's Cross or Stratford. That factor must be taken into account.

It is important to compare like with like, and if we are to consider the alternatives—we would have to do so quickly—we need more detail than has been supplied. It is easy to put up nebulous cases and say that they would definitely be better. Unless they are detailed, we cannot compare or cost them properly. We must take those important issues into account.

Mr. Rowe: British Rail persistently makes that point, which is substantially disingenuous. It has consistently blocked any alternative proposal by saying that it will not consider it. It is therefore putting on any alternative contractor the obligation to spend tens of millions of pounds to carry out the detailed work required to achieve what my hon. Friend wants. It then argues that it has always said that it will not consider that alternative.

Mr. Thorne: We have to accept that British Rail has considered 300 alternative routes from the channel tunnel into and serving London. British Rail has done a great deal of work already, and some routes have been examined in considerable detail. Any proposals that are put forward have to be more positive than they have been so far. Any detailed proposals of which British Rail is not aware would certainly be considered. However, we have to examine the reasons why people are promoting certain alternatives. It is not fair to expect British Rail to spend unlimited money on considering every proposal that has been put forward, as there are often special reasons why various individuals and companies are promoting certain alternatives. Those reasons are not necessarily in the best interests of British Rail or the country. We have to be fair in our assessment. I accept that it is an expensive operation, but one has to be fairly definite and positive in one's criticism of people with a fair degree of expertise and about the grounds for refusal.

I know that other hon. Members wish to speak, so I shall not detain the House any longer except to say that it is important that the facility should not be unduly delayed. The vast majority of hon. Members seek a solution sooner rather than later. Every additional delay is likely to increase construction costs and the cost to the British economy unless we are able and and ready to face the challenges of being part of Europe in the 1990s and beyond.

11.21 am

Miss Kate Hoey (Vauxhall): I too, congratulate the hon. Member for Dulwich (Mr. Bowden) on initiating the debate. It is a timely opportunity. In the past, I have shared many platforms with the hon. Gentleman in fighting British Rail's proposals. As he said, initially we approached the discussion with constituency concerns in mind. I represent the views of many people in my constituency, particularly around Clapham and Waterloo. In addition to examining British Rail's proposals from the point of view of our constituents, we must also consider what is best for the country generally. It is clear that operationally, financially and environmentally, British Rail's proposals will not benefit all parts of Britain through increasing our links with Europe.

I shall say a few words about my constituency concerns, particularly those involving Waterloo. We are discussing alternative proposals for King's Cross and Stratford. Let me remind the House that some years ago it was decided that Waterloo should be the first main terminus for the channel tunnel. Many of us are doubtful about the proposals and mistrust British Rail because we were told then that there was a need for only one terminus which had to be at Waterloo. The people of Waterloo and Lambeth said that Waterloo was not the right place for the terminus.

There is now a still greater need to consider what has already been decided for Waterloo. The current design for the Waterloo terminus would cater for 10·5 million people. That was confirmed to Lambeth's planning committee as recently as last autumn when Lambeth was considering the detailed planning application for the terminus. I was pleased that the borough has resisted the temptation to support any moves to get that terminus built. A public inquiry starts in a few weeks' time.

However, British Rail's own transport forecasts now show the original estimates to be wrong. We now know that there will probably be up to 40 million passengers using Waterloo when the channel tunnel opens in 1993. My hon. Friend the Member for Newham, South (Mr. Spearing) travelled through Victoria this morning; anyone who travels through Waterloo knows how chaotic it is there. In addition, the Jubilee line extension to Stratford through Waterloo and the long-awaited improvements to the Northern line will undoubtedly produce a significant increase in the number of passengers using the station. Given the likely increases in the number of passengers due to the channel tunnel, increased numbers of tube and rail passengers and, we hope, more people using public transport, it is clear that Waterloo is not the right place for international travellers to arrive.

Lambeth is refusing to be bulldozed into granting planning permission because the design of the terminus does not in any way come up to the standards that would be needed for the numbers of passengers using it. The taxi and car drop-off and pick-up points are woefully inadequate, there is insufficient allocation of time for passengers with luggage who may have a problem with language and may not be able to ask the way, the coach drop-off point is a long way from the terminal, making it difficult for elderly or infirm people, and the plan provides for only one additional escalator on the underground system. British Rail has stated that it expects 50 per cent. of passengers to arrive and depart by tube. Anyone who travels in and out of Waterloo by tube knows just how congested it is.

The plan does not take into account the effect of the community around Waterloo which has fought off increasing developments in the area. Even at this stage, if we need a terminus at Waterloo, let us at least get it right and not push through proposals for an inadequate terminus. However, I believe that there is a no need for a terminus at Waterloo. If we were to have a public inquiry and consider the overall benefits of moving to the

Stratford initiative, it would not be necessary to spend that money at Waterloo. The Government have recognised that the position has changed. In their planning guidance, Waterloo is almost the only part of London where the Secretary of State has been quite specific in his directions.

One of the dangers of British Rail's proposal is that it has not really examined the movement of freight. It has been very much a plan for passengers. The present plan is to run all the freight along the two existing south London commuter routes in and out of London. British Rail has admitted that it will be able to use those routes only at night as they are already operated to capacity during peak hours because of London commuter and passenger traffic. All the channel tunnel freight would converge on Clapham Junction station before crossing the Thames to a depot at Willesden. Given the number of recent rail disasters, I share the anxieties of the hon. Member for Dulwich about safety when that railway line operates at full capacity. Eurotunnel has said unofficially that it is in its interests for British Rail to develop a freight plan that will maximise the project potential.

The people in Lambeth, Waterloo and Clapham believe that the route via Stratford must be examined by British Rail and that we must have a public inquiry into the matter. I understand the worries of hon. Members from the north and midlands about benefiting from the tunnel. The only reason for the channel tunnel is that it will benefit all the people. Because we are worried about the delay we might push through something that is not the best way forward. I hope that the debate will give the Minister something to think about. I hope that he will listen more attentively than his predecessor and will perhaps move slightly towards the feelings that I understand the Secretary of State may have about the Stratford route.

11.31 am

Mr. Jacques Arnold (Gravesham): I welcome the debate and the attention called for by my hon. Friend the Member for Dulwich (Mr. Bowden) whose constituency is also affected by British Rail's current proposals. However, I view with dismay my hon. Friend's proposals for full and, no doubt, lengthy consideration. My constituents and I are fed up with continuing delay during which numerous rumours of alternative routes have been bandied about. There is hardly a square kilometre of my constituency that has not been the subject of splendidly disruptive proposals. It seems that every civil engineer in the country has made a bid not only for a railway line but to gain the reputation of an up and coming expert on the prospect for a grand renaissance of our railways. Locally, we resent being the guinea pigs for these no doubt stimulating exercises.

The villages of Istead Rise and New Barn have been in the firing line for the longest period. They may be suffering from war weariness, but they remain vigilant in the battle for their environment. Ever since the first announcement burst on us in October 1988, those villages have had to contend with the professional approach of British Rail to these matters—and we all know how professional that is.

The original proposals provided for a towering viaduct overlooking the village of Istead Rise, with the railway slicing on through various houses, having previously carved out the Meopham cricket ground at Nurstead. I am glad to tell the House that, following detailed representations by Gravesham borough council and the Istead Rise rail action group, with which I have been closely involved, some major modifications have been made.

The Nurstead cricket ground will now remain unmolested. The North downs tunnel would be extended westward to Thirty Acre Shaw between the villages of Istead Rise and New Barn. The south side of Istead Rise would be saved in the long-term by a cut-and-cover tunnel, although likely to be disrupted in the medium term by a major construction site in the Cobham valleys, during which time the Wrotham road would be heavily loaded by construction traffic, particularly removing tunnel spoil.

Both the west side of Istead Rise and New Barn would be exposed to noise from the cutting westward from the mouth of the tunnel, and the permanent disfigurement of the current rural landscape which separates the two villages. This is the major bone of contention with British Rail for my constituents both in Istead Rise and that part of the village of New Barn in my constituency. Were this deep cutting to be covered, I think that much of the local opposition would evaporate.

We do not even know if British Rail intends to stick to its current proposals. Rumours abound that it might move its route southwards, bringing relief to Istead Rise and New Barn, but transferring the anxiety to the parish of Meopham. Proposals have been made which involve tunnels under Luddesdown and Meopham near the parish church, and yet another running under southern Luddesdown and Meopham near Culverstone. Any of these proposals involving tunnelling the entire distance beneath Gravesham would be preferable, provided the tunnel is bored from the Medway and any ventilation shafts and construction sites are sensibly located. That site is well to the west. I know that Meopham parish council and its dedicated sub-committee remain vigilant on those aspects of the matter. I hope that British Rail's preferred route can rapidly be announced to relieve the anxieties of most of my constituents, and to concentrate the minds of those who are directly in its path.

Various other interests have formulated plans. The most serious of those are the plans of the Ove Arup partnership. In respect of Gravesham they propose to cross the borough from east to west along a line slightly to the south of the A2. They would emerge from a tunnel at Scalers Hill, Cobham, having tunnelled under Cobham golf course. They would then travel westward in a cutting past Singlewell, Marling Cross, and Watling street, Gravesend, cross the Wrotham road by viaduct, and then progress on an embankment past the Gough Cooper, Henley Deane and Pepper hill housing estates in Northfleet.

This scheme would have a serious impact on the local environment, and its four tracks would add to the considerable amount of noise arising from the A2 motor road. The partnership's proposals for an urban fringe woodland between railway and highway are imaginative, but we will need much analysis about the effects on the environments of the urban areas that I have just mentioned, as well as of the village of Istead Rise lying to the south-east of the embankment.

There are yet other schemes, notably that of Rail-Europe, the principal of whose routes ploughs through the parish of Higham. It even outlines a route carving through the urban areas of both Gravesend and Northfleet. It has not done us the courtesy of drawing that

[Mr. Jacques Arnold]

route to our attention or saying whether it is on stilts or buried or merely ploughs straight through the houses and gardens of thousands of my constituents.

Many hon. Members were eloquent about the economic and employment advantages of massive railway projects, particularly for the midlands, the north and Scotland. They have to bear in mind the heavy environmental cost for the people living in the transport corridors. A prerequisite has to be the protection of the environment. The House will have to ensure that this prevails. Any developer of a railway project, British Rail or any other, will have to come to the House to obtain a private Bill for any such project.

The private Bill procedure is an extremely onerous one, and any promoter would be well advised to do his environmental homework well in advance. I am encouraged by the Government's statements on the need for an environmental assessment of any project, and for high environmental standards. Unless these needs are met, my hon. Friends from Kent and I will give any Bill a very rough ride. I am also encouraged by the announcement by the Minister's predecessor about the establishment of a committee to recommend a national noise insulation standard for new railway lines. We look forward to its report.

Kent is under threat. We are being assailed by development in a multitude of forms, which is putting terrible pressures on our green belt. Our constituents fear erosion and blows from gandiose projects such as this one. It is high time that the project was finally crystallised, so that we know the precise detail of the challenge that faces us.

11.38 am

Mr. Richard Livsey (Brecon and Radnor): I shall not detain the House long, but as a Member from Wales I feel that our problems in relation to the channel tunnel link have not been considered. Someone from further afield can perhaps look at such problems objectively, although it is difficult when faced with the multiplicity of plans outlined by hon. Members who feel that their constituencies and constituents are under threat.

The basic question to be addressed is why we are concentrating entirely on the situation in London. Surely the whole of the United Kingdom should be considered in terms of the link to the tunnel. It is salutary to realise that those of us who live in Wales, in the west of England and in parts of the south-west midlands, have no prospect whatever of a direct link to the tunnel. Because of the Government's investment criteria for British Rail, our railway lines are not to be electrified, so we cannot have through services.

Why should trains go through London at all? Why not bypass London with high speed trains and link the rest of Britain with an orbital rail bypass and, with an integrated transport system, and include Heathrow and Gatwick? The existing track could be used for trains to go into the London terminals at a lower speed. There would be much less disruption with such a system.

The French are in the middle of constructing a Paris bypass for TGV which will cut two hours off the journey time between Lille and Lyon, and will link with Charles de Gaulle airport. That is an integrated transport system. I do not know why we have such a lack of vision about a 21st century rail transport system. Most of us want through trains to the continent and are not interested in stopping off in London, which has its own problems—it is full of people and traffic, with all the resulting pollution. We want to get past all that and on to Paris, Milan or even Moscow on the rail system.

British Rail is constricted by the Government's policy and, in particular, investment criteria. The insistence on the 8 per cent. return on capital investment is distorting all British Rail's decisions. One has only to look at King's Cross to see that, because it depends on the 125 acres of land to finance the investment programme. That is crazy. The correct procedure would be to use a cost-benefit analysis, which is the criterion used on the continent.

The channel tunnel rail link is dependent on section 42 of the Channel Tunnel Act 1987, which precludes public investment in the line. That ought to be repealed—private developers cannot finance the project properly and some are already screaming for public money to bail them out—if it is desirable to bring a direct route to London.

Confronted with the facts and the options, Waterloo is clearly the answer. I understand the feelings of the hon. Member for Vauxhall (Miss Hoey), but she must understand that putting a block on Waterloo would cut out a direct route to the channel tunnel for Wales and the west country. Nevertheless, I understand the effects that a terminal at Waterloo will have on her constituency and how sensitive the matter is.

The King's Cross option will prove difficult for the west because we shall need a link in London Paddington to get there. The same applies to the Stratford option, because we do not know whether there will be the money to invest in a link between Stratford and Paddington and, for those in the north, between King's Cross and Stratford. If the terminal is to be built, we need guarantees about such links. Otherwise, we shall be left out on a limb and passengers will have to use the underground system, lugging baggage around, which would be unacceptable.

I was a member of the Select Committee on Welsh Affairs which considered the channel tunnel links with Wales a few months ago. The Committee opposed construction of the Stratford terminal because it believed that a link from Stratford to Paddington would not be built. However, the Ove Arup proposals may offer some hope.

Another possibility is the existing rail link from Tonbridge to Reading, which has been used from the channel ports for a long time. In the first world war, soldiers were carted from Dover to the north on it. If it could be done then, it can surely be done now. I understand that the problem with that link is that a bridge in the Redhill area needs to be rebuilt and redirected.

Miss Hoey: I do not understand the hon. Member's point about Waterloo because whenever I have gone to the west, I have gone from Paddington.

Mr. Livsey: British Rail has assured us that there will be through trains from Wales to Waterloo and only a single platform transfer. The hon. Lady should be aware of that proposal, which British Rail has even put in writing.

Environmental considerations are also extremely important. In Wales, the opencast mining executive of British Coal is proposing to demolish houses, chapels, farms and other buildings to dig coal out of the ground.

Those who live in the south-east should be aware of the environmental rape with which we continually have to put up. One hears little about that. The south-east has a number of choices, and it needs to consider them. The main choice is between rail and road. If there is not to be a Berne-gauge system of UIC for freight, much of the freight will be decanted on to lorries at the channel ports. There will be even more lorries than there are now in Kent —and even more motorways, each of which takes up 25 acres of land per mile. The south-east has to think seriously about whether a rail system would not be preferable, as it would take up much less land, lay much less concrete and overcome many problems. The road lobby is railroading the rail system out of existence and priorities must be sorted out. We need greater vision in relation to the environment because it is well proven that railways do not affect the environment as much as roads. There is far less pollution.

The Ove Arup proposals are a move forward towards an integrated plan for a rail strategy. They are based on Stratford east, and a terminal at Stratford east will be useless without links with the rest of the rail system. The Ove Arup proposals have such links and will avoid tunnelling in south London. There will be less environmental disturbance. Although a London rail bypass would be the better of the two options, some of the other proposals on the table are not worthy of consideration.

11.49 am

Mr. Michael Alison (Selby): In seeking to strike a note that I fear my hon. Friends the Members for Dulwich (Mr. Bowden) and for Gravesham (Mr. Arnold) will find a little discordant, I want to stress that I am not insensitive to the environmental and other pertinent considerations that press on them and their constituents and on other colleagues, who represent constituencies in the south-east of England. My advocacy of King's Cross against Stratford as the inter-connecting rail link does not prejudge any consequential environmental considerations that my hon. Friend the Member for Gravesham mentioned as being an essential and proper prerequisite of a private Bill that may have to be introduced.

I want to stress the relevant and pertinent considerations that press on those who represent constituencies in the north, particularly Yorkshire and Humberside. In a nutshell, Stratford will represent a set back, a profound disadvantage and a sharp detriment to the economic life, prospects for jobs, prosperity and economic growth in areas of the north such as Yorkshire and Humberside, which already lag behind the south in those respects.

The railway industry is undergoing something of a rebirth. Huge capital sums are being invested throughout Europe, even in the United States of America, revitalising and refurbishing the attractions of rail travel. The unique relevant feature that the railway offers compared with other modes of transport is a city centre departure and arrival point. The logic of urban industrial growth has produced an uncovenanted bonus for railways: railway termini find themselves at the centre of the urban web and not on the periphery. King's Cross, Euston, St. Pancras, Paddington and Waterloo are at the centre of the urban web by the mere logic of industrial and urban development.

No colleague who has faced the prospect of a two-hour air journey and has had to spend an hour struggling on the periphery of the city to get to the airport can underestimate the value of the centre-of-the-web feature of a modern railway terminal.

Mr. Tony Banks: I respect the right hon. Gentleman's views because he normally speaks for God in this place. How can he dismiss Stratford in a couple of sentences with the sweeping assertion that the development there would lead to jobs and opportunities being lost in the north? Where did he get that information from, and will he give some substance to the point he made?

Mr. Alison: The hon. Gentleman is being hazardous in imputing to me some divine access or inspiration. His facetious remarks may expose him to considerable risk. I disclaim any inspiration for the modest analysis that I am giving. I shall try to elaborate, for the purpose of the hon. Gentleman, why I believe that Stratford is unsuitable.

British Rail can offer only two trains a day to the continent of Europe via the channel tunnel on the east coast main line from the north. Northern business men travelling to Europe and European business men travelling to the north must take the ordinary InterCity train and change in London to complete a journey from Rome or Milan to the north.

Can anyone imagine the psychological and physical disincentive effect of having to change trains at Stratford rather than King's Cross to link with the InterCity service? Having entered a modern, air-conditioned, high-speed train from Paris, Milan or Stuttgart, anticipating the excitement and novel experience of travelling through the glorious countryside of the south-east of England or northern France and the unique railway experience of racing through the new channel tunnel at up to 300 km per hour, imagine the psychological effect on the now thoroughly enchanted and delighted railway passenger of being deposited among the dreaming spires of Stratford.

Can anyone imagine a more delirious anti-climax than arriving at the dreaming spires of Stratford, after all the excitement of travelling through the channel tunnel and north-east France or—starting from York—across the glorious scenery of northern England? As a loading of delight upon delight, on arriving at Stratford the passenger has the unique enchantment of a high-speed tube. Could anything be more calculated to delight the European passenger than the prospect of catching a high-speed tube, which has an average speed of 15 mph, with stops, to link with high-speed trains on the ordinary InterCity services?

Diverting passengers from Europe who cannot use the through-train services, of which there will be so few, to Stratford and forcing them from channel tunnel trains on to the London underground system, stopping at every stop to get to King's Cross and catch the InterCity service, is a nightmare and a total disincentive. No serious passengers travelling from Rome or Milan will bother to do so. They will miss out the north of England. Why should they expose themselves to those primitive forms of urban inter-communication?

Mr. Ivor Stanbrook (Orpington): My right hon. Friend is living in the past. The modern business man from the north who wishes to travel to Milan will fly. Why should he bother about a long and tiring railway journey?

Mr. Alison: My hon. Friend, as a southern Member, does not appreciate the extent to which we in the north are still subject to a thrombosis in economic travel and development. There are no great airports anywhere near Yorkshire and Humberside. Yorkshire folk must travel to Manchester, 40 or 50 miles down the rather less-developed road system, to reach a decent international airport. There is a positive attraction in train travel because of the inner-city location of termini. That gives it a great advantage over air travel. The throwing away of the centre-of-the-web feature of railway termini is a profound disadvantage to the idea of locating the system at Stratford.

Mr. Simon Hughes: The right hon. Gentleman has become carried away with the prejudice of his argument. People will want to go direct to the continent without stopping in London. It matters not whether they travel through Stratford or any other station. They want to get under the channel and away. Other people may want to do business in London on the way. They can go to King's Cross, do their business and continue on to the continent. It is not the simple, only one desired form of travel option that the right hon. Gentleman suggests. That is a false analysis of the travel needs of people from his part of the world, who travel to Europe and sometimes stop in London. Stratford would not prejudice that, because they could travel to the centre of London.

Mr. Alison: The hon. Gentleman's analysis is wrong. There are two options: first, the through connection, ignoring London—there will be only too few such trains—and, secondly, the non-through connection—the ordinary InterCity train service. A business man travelling from Milan to the north of England or from the north to Milan must stop in London to change trains. No business man from Milan will expose himself to the necessity of travelling from Milan through the channel tunnel to Stratford, where he will have to catch an underground train to get to the inter-connecting InterCity train service because there will be no ordinary InterCity train service based at Stratford. Investment in an InterCity network link would be too expensive. The business man will have to take the underground to get to King's Cross to catch an InterCity train to the north. It is a profound throttling of the prospects of business men in the north getting into Europe and of the European business man getting into the north. I urge my hon. Friends to major on the King's Cross link, not Stratford, at all costs.

12 noon

Mr. Tony Banks (Newham, North-West): I had not realised that the right hon. Member for Selby (Mr. Alison) was so much of a detached snob. Perhaps he has for too long answered questions on behalf of the Church Commissioners. I should like him to come to Stratford some time. I admit that it is not the most beautiful place on earth, even though I represent it, but his remarks were unworthy of him and unfair on the people who live in Stratford and in the east end in general. The hon. Member for Orpington (Mr. Stanbrook) was right to say that the right hon. Gentleman is living in the past. He might have the time to gaze out of the window when travelling through the rolling countryside, but those who want to come to this country to do business want to get here as quickly as possible—and, given the right hon. Gentleman's views, probably want to get away as quickly as they can.

I welcome the Minister to his new office. I understand that in the past he was an accountant. That makes two accountants running the Department of Transport, as accountancy is also the Secretary of State's background. I look forward to the day when an engine driver or a bus driver is running the Department. Then, perhaps, we might have someone who is more acquainted with the needs of the travelling public. My hon. Friend the Member for Kingston upon Hull, East (Mr. Prescott), who will be the next Secretary of State for Transport, will bring to the post some of the qualifications that he has acquired.

I congratulate the hon. Member for Dulwich (Mr. Bowden) on choosing this subject for debate. It gives the Minister an opportunity to acquaint himself with a significant issue. It is opportune that this important debate should be the first in his new post. As a number of hon. Members have said, it is a most unsatisfactory way to construct an enormously significant transport infrastructure. It is piecemeal, shoddy and inefficient. The Government are to blame for the mess in which we all now find ourselves. It is the most significant transport investment decision this century, but the manner in which the Government have approached it, right from the beginning, is grossly inadequate.

We are often lectured by Conservative Members on the efficiency of the private sector. They could hardly use the fiasco of the British contribution to the tunnel and the rail links as a sign of its efficiency. Original costs have escalated wildly from £4·8 billion to £7 billion and rising. The developers are now saying to the Government "Bail us out or it goes down." It is one of the flagship developments. The Prime Minister has stood at the Dispatch Box and made speeches throughout the country extolling such a wonderful example of the private sector. Now the Government have to bail it out.

I hope that the Minister will say whether a report in *The Times* today is true. It states:

"The Cabinet will decide next week whether to back proposals for the 68-mile Channel tunnel rail link with the injection of a £400 million subsidy, informed sources say."

Mr. Spearing: Bernard Ingham.

Mr. Banks: It was not Bernard Ingham; the article said "informed sources".

I want to know whether the article was true. The Government made clear statements that there would be no public money—our money, taxpayers' money—for the project. We have always argued that that was not the way to do it. If taxpayers' money is now to be used to bail out the developers, who obviously had their calculations wrong, what will be the return for the British taxpayer? I am not in favour of bailing out private developers. Let them go bust and then we can pick it up for nothing. The Government must remember that their main fiduciary duty is not to private developers, but to the British taxpayers.

If we contrast the attitude of the British with that of the French, we come out rather poorly. There is close co-operation between the French Government and SNCF, the French nationalised railway system. Speaking as a citizen of this country, I feel almost ashamed that the SNCF has volunteered to put up the money for the British side of the infrastructure investment. What on earth are we

doing? Must we rely on the French to put up the money for the British side of the development? The Government are reducing Britain to a lesser development status. That is atrocious and the Government should be ashamed of themselves.

The French work in close co-operation, but British Rail is narrow minded and the Government are bigoted. It is a decision of national and international significance. It is far too important to be left to British Rail and a bunch of bureaucrats with their limited and unimaginiative approach. Why should we take anything that British Rail says as right? It said that there would be only one London terminal and gave us estimates for the number of passengers. That has changed. Before it has even constructed the first terminal, it wants a second. It says that it must be at King's Cross. How can anyone trust British Rail's planning process? There should be an objective assessment of what is needed—not necessarily for London or even the south-east, but for the country as a whole, and, indeed, for the whole of Europe. That is something that only the Government can do. They cannot leave it to British Rail.

British Rail says—and for once I have some sympathy with it—that it is not the strategic planning authority for the country, or even for London and the south-east. It is a transport undertaker which must get a return on capital. It wants to get people into the middle of London because it says that that is the best that it can do. There are other options, but it is neither authorised to consider them nor does it have the resources to finance them. The Government must take responsibility.

Although I criticise British Rail for its blinkered approach and the way that it deliberately shut off the other options, in the end the Government must take responsibility. The decision is so vast and so important that it cannot be left to British Rail. Indeed, the Government cannot leave it to British Rail and the developers because they now have to put in money. That will be humiliating, although they will probably try to dress it up. They might say, "Actually, we are not contravening section 42 of the Act; it is a subsidy to pay for additional environmental works that we have asked the developers to undertake." Perhaps the Government will be honest for once and say that they have to repeal section 42. If they do, they will run into a great deal of trouble, not only from Opposition Members but from many Conservative Members.

My right hon. Friend the Member for Halton (Mr. Oakes) made a good speech in which he expressed the fears of many people in the north. They want to know that, whatever option is preferred, it will not be to their disadvantage. The various proposals surrounding Stratford, especially that from Ove Arup, would not disadvantage the north, whether it be the north-east or the north-west. Indeed it would be positively advantageous. When I went to see the previous Minister for Public Transport—before he was given the black spot by Blind Pugh and told to convince the nation why the poll tax is such a wonderful thing; I think that he should have stuck to transport—I told him, as I want to tell the new Minister, that there must be a proper assessment of all the options. We want the Government to take the lead in making an objective appraisal and in saying, "This project affects the whole country, so we must take an overview and not leave it entirely to British Rail."

If that were done, the issues raised by my right hon. Friend the Member for Halton could be properly addressed. He expressed concern that our debate could influence British Rail in reaching its decision. British Rail has not been influenced by good sense and reasonable argument up till now, so it is unlikely to be swayed by anything that is said in this Chamber. My hon. Friend can be assured of that. We must hope instead that the debate will influence the Government, because it is they who sit at the centre of the web and who can determine whether the project will be a success or a lamentable failure that will have to be carried over into the next century.

The proposals made by Ove Arup are worthy of close scrutiny. They answer all the points made by my right hon. Friend the Member for Halton and would involve both King's Cross and Stratford, which would be in the interests of us all.

The London borough of Newham has worked closely with Colin Buchanan and Partners in making an assessment of Stratford as a prospective site. Newham and the surrounding borough councils—including Redbridge, within the constituency of the hon. Member for Ilford, South (Mr. Thorne), who criticises the Stratford proposal —support the Stratford option. Even then, it is not a London but a national issue. Newham has been in the forefront in trying to persuade British Rail to choose Stratford. A development there, linked with additional necessary investment—particularly in cross-rail—would be advantageous to the whole country and to the whole of Europe. It would also be a cheaper option not requiring demolition of property on a large scale. Two hundred acres of British Rail development land is already available at Stratford.

For all those reasons—because the Government should be involved, because of the international nature of the project, and because Stratford is ready and willing and able to accommodate a terminal—I congratulate the hon. Member for Dulwich on his proposal. Even if today's debate does not in any way influence British Rail, we must hope that the new Minister will take a fresh look and seize the opportunity to make a great name for himself.

12.12 pm

Mr. Mark Wolfson (Sevenoaks): I start by congratulating my hon. Friend the Member for Dulwich (Mr. Bowden) on achieving today's debate, which is extremely valuable and could benefit the whole country. It is also a pleasure to welcome my hon. Friend the Minister for Public Transport, in his new role. We had close dealings when he was Under-Secretary of State at the Department of Health, and we are likely to do so again in respect of the vitally important issue that is the subject of today's debate, and which also affects my constituency.

I bring to the House the apologies of my hon. Friend the Member for Dartford (Mr. Dunn), who wanted to be here today but has urgent other business with British Rail in his constituency this morning.

I want to focus on the strategic issues involved. History tells us—and so does experience today—that railway development, like road development, can give the lead to economic development. Other hon. Members made the point that alternatives to British Rail's present proposals could benefit parts of south-east England which need further stimulation of economic development and would

[Mr. Mark Wolfson]

in no way be detrimental, though others have argued otherwise, to the development of the midlands, north, and Scotland.

I am no advocate of the north Thames alternative or of the Stratford alternative, unless at the same time there can be a sensible cross-London link enabling passengers to alight either at King's Cross or at Stratford. A development at Stratford would affect the eastward move of London. We must remember the strategic point that London is moving east. In 50 years' time there may be a very different perception of what constitutes the centre of London compared with today, bearing in mind developments at Canary wharf and docklands. Because at this stage British Rail is viewing the development entirely in terms of its existing network, and because of British Rail's background and raison d'être, it tends to perceive everything in terms of rail transport. I call on the Minister, as I have done frequently in the past, to take a strategic view instead.

Historically, railways have led economic development. It is interesting that in France the Government grant for TGV trains was based on making them take the lead in developing those regions of France which needed it most. I refer not only to the north of France but to the Brittany peninsula, where the TGV Atlantique has been constructed with regional development very much in mind.

My hon. Friend the Member for Dulwich spelt out the three criteria against which he measured British Rail's present proposals—operational benefits, costs, and environmental factors. I will not repeat the concerns that he expressed, and which I share, but I greatly fear that British Rail's proposals—which we do not know in detail, but of which we have a pretty clear picture—bear all the hallmarks of a British bodger's job on a herculean scale simply because strategic issues were not addressed before decisions were taken on the exact route and what it should achieve.

I wish to highlight one anxiety affecting my constituency before addressing wider points. The expected route is likely to run through my constituency, where there could be an international station, which I am led to believe might be located within a five-mile radius of Swanley. Any such plan will run counter to all existing green belt policies and to the Kent structure plan. It is bound to bring major building development to the vicinity in future years, and the prospect of such growth will rightly arouse much controversy. Here we have the prospect of growth being centred on an area where it is neither needed nor planned for. If anything, there is over-employment in that area, which for many years has been designated green belt for controlled development only. If British Rail's development was allowed, it would open a Pandora's box and act like the magnet that large airports have become. Such magnets are needed, but not in that location.

I ask my hon. Friend the Minister to give careful consideration to the argument that whatever type of Bill is brought before the House, be it private or hybrid, to enable the rail link to be constructed any development apart from the line itself should be subject to the usual planning requirements and therefore a matter ultimately to be decided through the public inquiry procedure. We had that assurance on the previous proposals for British Rail and the Parkway station further east in Kent, and I look to the present Minister to give us that assurance again.

As regards the Stratford or north Thames alternatives, I have already said that a terminal at Stratford could bring benefits because of the eastwards growth of London and the fact that the centre of London is moving in that direction.

No other scheme has focused on the national issues. Speeches today from hon. Members representing constituencies in the north have concentrated on passenger traffic. The Stratford alternative—Ove Arup's alternative, in particular—will also deal with freight.

My hon. Friend the Member for Dulwich said in his introduction that none of us can be satisfied with British Rail's approach to the freight market. It is missing an enormous opportunity here. British industry, and especially the CBI, are extremely worried about that approach, and anyone who is concerned about the environment and the pressure on our roads should also be worried. Surely the main reason for the channel link was to enable British industry and people to flow through to the continental system. British Rail's proposals would tie us, from the beginning, to the same problem that Brunel battled with—the problem of gauges in Britain being different from those in other parts of Europe. I do not mean the gauge of the track, but the loading gauge and the size of truck and carriage that will be able to run on the British system.

As this stage, with all the effort being put into 1992, we should ensure that Britain's infrastructure and railways are compatible with the entire continental system and not merely the European Community. Opportunities are opening up throughout Europe, and eastern European countries now have the chance to link in. Lord Young said, off the cuff, that he foresaw Europeans travelling by train in the next century rather than by plane, but that will not happen unless our links can be as effective as those in Europe.

To deal with the proper concerns voiced so eloquently by hon. Members representing northern constituencies, the Stratford alternative only makes sense if we also have a cross-London rail link so that Stratford is one of a number of possible boarding and alighting points within the capital. As does the freight system, Ove Arup's alternative provides us with the opportunity progressively to upgrade the rail network north and west of London to handle the continental loading gauge. The swap-body system, in which the body of a freight wagon is moved on and off a lorry allows for huge growth. It occurs all over Europe and cuts transport time and costs. It is recommended by the European Commission, which emphasised its view that the system should be extended to Scotland, but that will not happen unless British Rail produces a scheme which can automatically cope with that system everywhere. Ove Arup's scheme is a start, and if we do not do something similar we shall be at a disadvantage when competing in Europe.

In contrast, what have we got? British Rail has ordered new rolling stock on the existing British gauge and has apparently ruled out upgrading lines designated for freight however far into the future one looks. British Rail has tunnel vision. It must look further ahead and must not merely upgrade within the existing British loading gauge, but upgrade to take continental wagons. Otherwise, we shall again be at a considerable disadvantage.

Some people may argue that these proposals are visionary, but there is a necessity for some vision in such a matter. We have the opportunity for the regeneration of Liverpool as a port. Ships could call there once more and load freight on to a European network at Europe's most westerly point. Freight could run straight through from Liverpool into Europe.

Other hon. Members have compared the situation here with that in France, which is way ahead in developing its passenger network and in planning for freight. The French scheme makes rail travel fit in strategically. One will be able to board fast passenger trains at Charles de Gaulle airport and people who do not want to pass through Paris will not need to do so. We should offer similar opportunities here.

One of the reasons why infrastructure in France, both road and rail, is generally more advanced than in Britain is that compensation arrangements there have been so much better. Our arrangements put a block on development. People feel aggrieved from the beginning when they know that compulsory purchase is to take place against their will and that they will get the lowest possible market value. In France, people are over-compensated by up to 25 per cent. That is surely a good incentive and it can be a saving. So often in Britain the fight against compulsory purchase takes so long that by the time the infrastructure is built, having bought the land, all the costs have escalated hugely. Better compensation would be a sensible way around that.

We argued about compensation in the debates on the Channel Tunnel Act 1987. We did not win the argument, but since then the Government have produced a discussion document on compensation and I encourage hon. Members involved in this issue to keep up the pressure for such a change. There should be improved compensation not just for farmers but also for householders, and for anyone who is bought out as a result of a scheme, whichever scheme is chosen.

Another factor in compulsory purchase orders for land is that if private sector partners are now to be brought in —and I welcome that—to infrastructure projects such as the channel tunnel link, they will want to make a profit out of the land that they purchase. The land is not purely pro bono publico but is required to be profitable for private sector organisations who enter the scheme. It is therefore equitable that the original purchase should not be at a knock-down price. The person who is forced to sell should get some benefit as the scene is changing. That adds force to my argument for the need for better compensation.

I support the motion, which asks the House to urge British Rail properly to evaluate the sensible north Thames alternatives. If British Rail does not do so, our debates on the high-speed rail link will continue to be dogged by complaints from many hon. Members, and from large numbers of people all over Britain, who are not satisfied that this huge national and international project has been approached from the beginning with the proper strategic issues in mind.

12.37 pm

Ms. Harriet Harman (Peckham): I congratulate the hon. Member for Dulwich (Mr. Bowden) on his excellent speech. I also congratulate the Minister for Public Transport on his appointment to his new post. I hope that he will pay careful heed to everything that the hon. Member for Dulwich has said. The hon. Member for Dulwich dealt very well with the point that I intend to make—that it is not a question of London and the south-east versus Wales, the north and Scotland, but a question of whether we are to have a national strategy in the national interest or whether there is to be anarchy, chaos and shambles.

We have heard about business men and women in Stuttgart, Milan and Lille, and where they will be. I am glad that they are not in the Strangers Gallery listening to the debate. It is a national scandal that we should be deciding national strategic issues on this basis. My hon. Friend the Member for Newham, North-West (Mr. Banks) said that he hoped that the Minister would pay heed to the facts, but none of us is very clear about the facts. The intention seems to have been to obscure the facts. Banks, property developers, British Rail and Members of Parliament with constituency interests have been fighting like rats in a sack while the national interest wanders lonely and afraid with no one to look after it. The Minister must take the national interest under his wing and look after it—otherwise, not only London and the south will suffer but also the north, Wales and Scotland.

Those who live in south-east London have no interest in seeing the failure of the manufacturing base of this country, nor are we interested in the ruination of the beautiful environment of Kent, the garden of south-east London. We want a sensible strategy to be developed. The Government must therefore take a grip on the problem. Discussion of the terminal issue has been no more than a parliamentary pin-the-tail-on-the-donkey exercise. We have to do better than that.

One of the most disturbing aspects of the shambles over the channel tunnel rail link is the Government's failure to take any responsibility for this major strategic transport decision. I well remember that in another debate the Minister's predecessor, the hon. Member for Enfield (Mr. Portillo), sat there with a studied, neutral expression on his face. He listened to one side; he listened to the other; then he got up and said, "Of course, it's nothing to do with me." That is not good enough.

The Government must take a view on a decision that will have important consequences for the development of the British economy and our place in Europe both now and into the next century. However, instead of recognising the importance of the rail link, the Government act as though it were of no more importance than a minor extension of the Central line to West Ruislip. The Secretary of State for Transport said that the plan for the route was a private matter for British Rail and its partners. That is no way to treat the issue.

I congratulate the hon. Member for Dulwich on tabling his motion. His constituency borders mine. The motion reflects the anger and despair of hon. Members on both sides of the House and in all parts of the country at the way in which the dispute is being handled. It is not yet too late. The debate has provided us with an opportunity to demand that the Government wake up to their responsibilities and look again at where the rail link is to go.

The Secretary of State and the Minister must also recognise that British Rail's plans will cause devastation in south London. There is no strong evidence that they will be of economic benefit to the region or that they will equip us with the means to face the challenge of integrating the British transport system with the European transport

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system. I am glad that hon. Members have not erred on the side of castigating British Rail and saying that it is all BR's fault. It is not without fault, but the villains of the piece are the Government who set us all off on the wrong footing.

Section 42 of the Channel Tunnel Act, which prevents any public investment in the scheme, has forced BR to try to find the cheapest route possible under the shortest-term objectives. That is the reason for the mess that we are in. We can get out of it only if the Government's central role in developing the rail link is accepted. British Rail has still to announce its final plan, but it has announced loads of "final" plans. It is difficult to remember the number of "final" plans over the past two years. I wonder whether we shall still be waiting in 1992 for the "final" plan to emerge out of the shambolic Opposed Private Bill Committee procedure.

The last British Rail plan was a route through south-east London, which would have involved a massive junction at Warwick gardens in Southwark and the rest of the link in a tunnel under the Thames to King's Cross. That scheme had to be abandoned on 3 November 1989 because the costs were unacceptable to BR's partner, Eurorail. We have since been promised many times a formal announcement of the route, but we are still waiting. I fear that British Rail may now be forced, because of financial pressures, to rever to part of the route that it proposed in March 1988. That would be totally unacceptable to my constituents because it would mean that substantial parts of the rail link would run overground through Peckham, chopping communities in half.

The Government are spending money on inner-city projects, but they can forget inner-city regeneration if, sliced through the middle of Southwark there is a rail link which will divide the shops from where people live and cause a construction blight over the whole of this fragile inner-city area. All the North Peckham task forces and business men's breakfasts in the world will mean nothing. The area will be blighted and become dreadful if British Rail goes ahead with the March 1988 plan of slicing through the middle of Walworth and constructing what has been described as the Walworth wall.

Mr. Simon Hughes: The hon. Member for Dulwich (Mr. Bowden), the hon. Lady and I have similar views. We have never argued that there should be any environmentally unacceptable plan for the shire counties or other parts of Britain. Does the hon. Lady agree, however, that running rail services overground in what is already an environmentally harmed and polluted area would be just another form of discrimination for the haves against the have-nots? The Government must not try to divide parts of Britain against other parts. We will not, and the country should not, allow inner-city areas to be environmentally damaged any more than they are already.

Ms. Harman: The hon. Gentleman is correct.

The commercial pressures imposed on British Rail have led it into misrepresenting the devastation that would result from its cheapest option. British Rail implied that there would be a minor bit of returfing in Warwick gardens and that it would all be all right, resulting in only minor disruption. The equipment that British Rail admits will be used to carry out that work includes two bulldozers, two or three excavators, two bored pile rigs or two diaphragm wall excavators, one concrete-batching plant, two or three front and back-end loaders, one bentonite slump production plant, one large soil compactor, one reinforcing bar bending shed, four mobile cranes, four dumper trucks and numerous site huts—all on Warwick gardens, one of the few patches of green in an area that is struggling to regenerate itself. Warwick gardens would, in effect, be turned into a giant construction slum for up to 10 years. That would be the effect of trying to do the job on a cheapskate basis.

It is not in the national interest to strangle the manufacturing base of the north-west, north-east and Wales. It is not in the national interest to let our inner-city areas degenerate and turn into slums. The hon. Member for Sevenoaks (Mr. Wolfson) mentioned compensation. I have taken up many hardship cases. British Rail's criteria have been utterly inadequate. Many people want to sell their homes but cannot either because they are just outside the compulsory purchase zone or because they cannot prove severe hardship. They have been left completely stranded because the "compulsory purchase zone" description is completely inadequate. The blight has spread far wider than the compulsory purchase zone and people have been unable to take up new jobs or to move for family reasons. They have seen the value of their homes collapse. They cannot sell their homes—they are stuck.

The difficulties of my constituents have been made much worse by the continuing uncertainty surrounding the route of the link. No doubt businesses in the north and east feel that uncertainty and cannot look forward to developing for 1992 because they do not know how they will knit in with Europe, but people in my constituency feel that they cannot plan from one day to the next because we do not know what is happening. One of the commonest complaints that I receive is that people do not know where they stand because the route has not yet been decided.

British Rail has purchased 117 homes in the Warwick gardens area, but I am concerned because it is not maintaining them adequately. The homes have been purchased under the compulsory purchase scheme, but British Rail is not ensuring that they are used. Whole streets around the Warwick gardens area in my constituency have been bought up by British Rail only to be left to fall into disrepair. The properties are empty. Given the housing shortage in London, I hope that British Rail will ensure that those properties are filled straight away with, for example, the teachers that we need in our primary schools, or with social workers or nurses. The properties that have been purchased in this awful situation should at least be used to house what are described as key workers. I understand that British Rail has already spent more than £12 million buying those properties.

British Rail has made things worse. It has managed to unite opposing interests against it. Because British Rail is frightened of the public view, it has tried to ride roughshod over it. I invited British Rail to come with me to the meeting of the Lettsom estate tenants association. Those tenants will be affected by the rail link—The letter I received from British Rail stated:

"Thank you for your letter of 9 May.

Experience has told us that large public meetings are not effective in dealing with the perfectly genuine worries of people on the route of the Channel Tunnel Rail Link.

In the circumstances, I am sure you will appreciate why we shall not be sending a representative to the meeting at the Lettsom Estate Tenants' Association".

British Rail has given up coming to meetings because it does not have any answers. Whenever it has attended a meeting, people have been left more angry, more bewildered and more uncertain than when they arrived.

I want to examine the way in which British Rail has handled the private Bill procedure relating to the terminal. With the terminal at King's Cross and the channel tunnel ending at the coast in Kent, my constituency is clearly in the middle. If one takes a map and puts a dot on King's Cross and another dot at the mouth of the channel tunnel, one can see that there is a real question mark over whether the route will come through my constituency.

Of course, my constituents have an interest in the route of the tunnel. That is why I petitioned the Committee that studied the King's Cross Railways Bill and said that, through my representations, my constituents, wanted to be heard and to know the location of the terminal because it will affect them. However, I was told "No, you cannot speak to the Committee about your constituents' concerns. You have no locus standi. This Bill deals only with the terminal. You can talk to us about the route." But we all know what will happen when we get to the route. British Rail will say, "The terminal is already fixed. Thanks for coming to the Opposed Private Bill Committee, but we are sorry, our hands are tied. Look where the terminal is and look where the channel tunnel mouth is—you just happen to be in the middle. Sorry, you are too late. The terminal is there and the numbers are settled." By opposing my locus standi, it is British Rail, not the Court of Referees, that must take responsibility.

Of course, although British Rail is one of the key players, it is not here. These discussions always take place without the right information and without the right people being involved. However, I advise British Rail that when the Bill has been considered by this House, it will go to the Lords where there will be an Opposed Private Bill Committee and where I shall petition on behalf of my constituents. I hope that British Rail will see the error of its ways and allow my petitioners a voice in the Opposed Private Bill Committee in the Lords, despite the fact that BR outrageously blocked that voice here in the Commons.

The Government must establish a proper committee of inquiry to look at all the alternative routes to the rail link so that even those who may lose out in the end feel that consideration has been fair and in the national interest rather than a shambolic back-of-an-envelope job. The Minister will recognise from this debate that although people have held different and even opposing views about whether the terminal should be at Stratford or King's Cross, we are all united in our unhappiness about the handling of the matter. We are fed up.

There is no alternative to the Government repealing section 42 of the Channel Tunnel Act 1988. We cannot continue with the present mess and uncertainty. The Government must face up to their responsibilities now and act to prevent the current shambles from worsening. I know from my past dealings with the Minister on health matters that he does not lack the intelligence to deal with the issue. He will quickly understand what is going on. I hope that, as a new Minister, he will have a new opportunity to understand the issues and that he will be a new broom. We should all welcome that.

The Government will not sort out the problem by blaming British Rail or by trying to persuade more of their friends in the private sector to come up with the cash. The Government can do so only by meeting the two demands that I and many other hon. Members are making today, which are that they set up a proper committee of inquiry to consider the best route and that they allow public investment in the project in the national interest.

I will support the motion for Stratford, but until the Government take those two steps, the present crisis will continue and my constituents and others throughout the country will continue to suffer.

12.46 pm

Mr. Andrew Rowe (Mid-Kent): I hope that my hon. Friend the Member for Dulwich (Mr. Bowden) will take as read the polite remarks that I would make if there were more time, but many hon. Members wish to speak.

Commuter traffic on British Rail has dipped to a level which, if it were to persist, would make the additional capacity of a high-speed rail link unnecessary. We must remember in this numbers game that we cannot necessarily assume that the growth in use of Network SouthEast will continue; working at home, network working and all sorts of other developments may well diminish that use.

This is a particularly useful debate for clearing up some misapprehensions and I hope to do so. It is disappointing that many hon. Members who have spoken are backward looking. They have fallen into the same trap as British Rail in assuming that the world will stay much the same as it is now. Nobody could assume from listening to our debate that we are talking about a development which will not come on stream until virtually the next century. I shall make my remarks in that context.

The high-speed rail link is not indispensable to get passengers or freight from the channel tunnel portal to other destinations in the United Kingdom. We know that British Rail is spending more than £1 billion to bring international passengers from Cheriton to Waterloo in 1993. We are told that it can cope as it is until the year 2000. British Rail's joint venture partners, Trafalgar House, tells us that there are no plans beyond the year 2000. We also know that British Rail is developing plans to take freight round London on underused passenger lines either via Maidstone or Tonbridge-Redhill. With its sights set at a maximum of 6·1 million tonnes, it reckons that it can cope with that for the foreseeable future.

The high-speed rail link is not indispensable to the channel tunnel. On Thursday, Alastair Morton came to the Select Committee on Transport and said that his scheme was not dependent on the rail link. He said that Eurotunnel would make more money from carrying freight on lorries through the tunnel by shuttle, than on through-trains.

British Rail's proposed high-speed rail link is not a freight line. There are still those in the north of the United Kingdom who believe that King's Cross is vital to ensure that their goods reach mainland Europe quicker than they do now. Those who believe that are completely confused, because King's Cross has nothing to do with freight.

What is the British Rail-Trafalgar House proposal, and why should it not be accepted as it stands? My hon. Friend the Member for Ilford, South (Mr. Thorne), who has had to leave, is asking a great deal of those of us who have dealt with British Rail during the past few yers to believe that it is so expert that it should not be questioned nearly as much as some of us try to question it. He made an impassioned plea for its expertise. Having watched it flounder its way through the negotiations and turn, in the end, with great

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reluctance to its private enterprise partner, not merely to carry out the contract it wanted, but to tell it how to design the line, I am entitled to feel some scepticism about British Rail's specialist expertise.

We do not know what the British Rail-Trafalgar House proposal actually is. We have been assured that a twin-track line following the M20 from an international station in Ashford to an international station somewhere near Swanley will stick pretty closely to the maps already published. After Swanley, it will follow a line that has not yet been disclosed, until it reaches a newly developed interchange at King's Cross. We could make some pretty good guesses about where it would go, but it would be silly to try to second guess British Rail at present.

I found it a bit thick for my hon. Friend the Member for Ilford, South to contend that it is impossible to evaluate any alternative because it is necessary to know in detail where a line will go in order to evaluate it. None of us has the faintest idea where British Rail's line is to go.

Mr. Spearing: Does the information that the hon. Gentleman has, and which I have not seen, state whether that link from the Swanley area to the King's Cross area will be entirely a new route in tunnel, an enlargement of existing routes or a mixture of both?

Mr. Rowe: I cannot give the hon. Gentleman anything other than some informed guesses to which I have been made privy that suggest that it will be a combination of both, and is likely to go underground for the last five or six miles, perhaps further.

We know that Trafalgar House and British Rail cannot build their line without subsidies, despite the fact that Trafalgar House defeated its five competitors for the contract partly on the basis that it would build it without a subsidy. That is the sort of constantly shifting sand with which the previous Minister and my hon. Friend the Minister for Public Transport, whom I am delighted to see here today, have had to grapple. Every time they think they have got something firm, it slips away from them.

I understand that the funding gap is closer to £1 billion than the £400 million suggested in *The Times*, but, again, we have no knowledge of the figures because such things are confidential. That is despite the fact that the arbiter, the sole proponent of this great scheme, is a nationalised industry. I find it difficult to see why information held by a nationalised industry should not more easily be put into the public domain.

I understand that British Rail would prefer to receive a lump sum for any subsidies it needs. Therefore, any deal based on commuters paying to use the line, either directly or indirectly, through Network SouthEast, would not meet that requirement. One is bound to ask in this year of hard Treasury decisions whether British Rail's proposed high-speed rail link is the most worthy recipient of £1 billion, even if that proved to be all that was required.

One cannot rely on British Rail. Let me give just one example out of dozens. King's Cross station has additional parking capacity of 150 places. Mr. Welsby who is now chief executive of British Rail—his handling of the project in its early stages was so exemplary that he was promoted—made me look extremely foolish in front of about 350 angry constituents at a public meeting by telling me that it was stupid of me to imagine that people would want to bring their cars to the railway station, as people who wanted to travel by train would travel by train. So it came as something of a surprise when his successor in charge of the transport project came to see me the other day, and when I asked why British Rail wanted Swanley, he said, as if I were a complete moron, "Because international passengers travelling to a railway station come by car." So British Rail cannot be trusted, and the entire process stands as a monument to its incompetence.

The costs of the proposal are dubious, even within the parameters of British Rail and Trafalgar House, but those parameters are drawn far too narrowly. I received from the managing director of Trafalgar House a categorical assurance that British Rail will make no contribution whatsoever to the infrastructure costs of a parkway station at its preferred site near Aylesford on the edge of my constituency, yet the costs of the necessary roads to that green field site will be enormous. If Eurorail were a grocery company, it would be required to contribute, with obvious consequences for its costings. Is not it similarly appropriate to include in those costings the costs of upgrading the passenger lines that British Rail propose should be used for freight, including the sound insulations that the many thousands of people who live along those routes have good reason to expect? I believe that the true costs of the British Rail proposal are substantially in excess of £3 billion.

Finally, Kent county council is increasingly unhappy about the proposal. No sooner had Mr. Welsby been translated to his new post as chief executive than he confirmed that Swanley is now indispensable to the project. Kent county council views that change with great alarm. As my hon. Friend the Member for Dulwich said in his most eloquent speech, it affects the green belt. The proposal is also an enormous threat to the prosperity of Ashford. For many years Kent has tried to make Ashford the development centre for the county. A major interchange at Swanley and a Maidstone parkway station would make it almost inconceivable that Ashford would grow in competition with those two centres. It is significant that the consultants who have been appointed to carry out the work on Ashford international station have so far received no further instructions.

I might say in passing that British Rail's own study for Maidstone parkway station shows that more than half its likely passengers would come from the Sittingbourne, Swale and Gillingham areas. No one who has seen the A229 over Bluebell hill in the morning can seriously believe that the Maidstone parkway site is a sensible place for a parkway station, even if it did not drive a coach and horses through Maidstone borough council's and Kent county council's green belt policy. The county council has understandable anxiety that a careful count of houses has shown that more than 7,000 houses in Kent alone will be affected by the three routes in British Rail's present proposals, so for all those reasons we have to be extremely careful.

What about some of the other possibilities? I shall speak of one only, the Bechtel—Manufacturers Hanover Trust proposal, which addresses many of the questions that I have raised. The whole of its proposal is in the public domain, but for the reason that I mentioned to my hon. Friend the Member for Ilford, South it is not in detail.

One of the few skilful things that British Rail has done in all the negotiations is successfully to destroy the Government's original intention to get it to work with a

private contractor. British Rail did that by shutting out design considerations from the private contractors who were invited by British Rail merely to contract to do the work that British Rail had already specified. I understood that the whole idea of bringing in the private sector was to bring its greater imagination and experience to bear on the design. It was only when British Rail got nearer to London than Swanley that it allowed Trafalgar House to take part in the design.

The Bechtel—Manufacturers Hanover Trust proposal will not be a pig in a poke, and it is important for the Minister to remember that. That company has a record of properly pricing its products and if the price is accepted it completes them at that price or carries the overspend. I am worried that we have a budding Concorde on our hands and that once British Rail has the Government behind it on the project we shall find, amazingly, the cost constantly escalating. There may be other desirable elements in the Bechtel plan. For example, it proposes to continue its line to St. Pancras and that would be a great help to the east midlands. There is also a far greater chance of Bechtel finishing the project without Government subsidy.

In all the debates about the channel links, freight has dominated, especially for those who live in the north or west. The northern fear is that if the continental UIC gauge, which is indispensable for a 21st century freight system in this country, is taken to Temple Mills it will cripple the north. I do not think that that is the case.

British Rail is developing ingenious small-wheeled bogies that will allow UIC gauge containers to travel on United Kingdom lines. The problem, as British Rail admits, is that the number of such wagons would be very small as a percentage of all European wagons. Are we seriously to believe that European manufactures will hang about waiting for a small-wheeled bogie to turn up when they have a container to put on the railway? Of course not. They will put their containers on the nearest available wagons.

I understand that the French are already building a transfer depot which will allow such containers on large-wheeled bogies to be transferred to lorries in France. I remind the House that Eurotunnel will make more money taking lorries on shuttles than it will make on through trains. As a result the roads of Kent, indeed the roads of the United Kingdom, will be filled with all the lorries that the channel tunnel was supposed to take off our roads. However, if the small wheeled bogies were based at Temple Mills they would form a high percentage of the total United Kingdom wagons and the rest of the United Kingdom could be more easily served by UIC gauge containers.

It is extraordinary for British Rail to take such a pessimistic view of freight. Its estimates of what it can capture are lower than those of SNCF, lower than Eurotunnel's and lower than the estimates of the independent consultants who have considered the matter. At 6·1 million tonnes, the estimate is such a small proportion of the United Kingdom's total freight that the anxieties of the rest of the United Kingdom about being linked to the system are barely worth the trouble. Is British Rail right to be pessimistic? I emphatically believe that it is not. Let us look at two measures. International freight growth has been running at 12 or 13 per cent. on the railways in recent years and that growth will accelerate in 1992. Unitised freight movements in 1989 exceeded the forecast that had originaly been made for 1993.

Next we must look at pollution. For how long will the heavy goods vehicle continue to enjoy its privileged position? I remind the House that we are looking into the 21st century. In the light of the announcement yesterday of the new anti-pollution agreement into which the Department of the Environment has entered, we can confidently forecast that pressure will mount every year to get the freight off the roads and on to rail. The tragedy is that, under British Rail's proposals, there will be no international rail network of any sensible proportions to take freight. Any proposal that puts forward a purpose-built freight line, as does the Bechtell-Manufacturers Hanover Trust proposal, on UIC gauge deserves much more analysis than it has so far received.

British Rail is pessimistic because, at the very beginning, when, no doubt, Mr. Welsby was in charge, it took the view that freight would be on a small scale, so it entered an agreement with SNCF, with a tariff that it now discovers gives it no profit. Trafalgar House has admitted that it see no profit in freight.

Mr. Wolfson: My hon. Friend has made my point. Unfortunately, Trafalgar House appears to be taking the same view. That is both depressing and wrong.

Mr. Rowe: As I understand it, the reason is that it has gone along with the traditional railway freight allocation income of so many pence a mile. That puts the United Kingdom at a huge disadvantage. People who enter such contracts at the beginning of a project of this size should be sacked.

The cost to the infrastructure of the Bechtel-Manufacturers Hanover Trust line are much lower than the costs of the British Rail-Trafalgar House proposal and deserve serious consideration. For example the new Isle of Grain container port, the proposed MCA development at Rainham and the contribution that it will make to the lower Thames road crossing make it clear that the opportunity for getting input into the costs of building the line and the stations attached to it are greater than under the British Rail plan. When I tell the House that only eight houses in Kent will be affected by the Bechtel-Manufacturers Hanover Trust line, whereas 7,500 houses are affected by British Rail's proposals, it will understand that it would be irresponsible for a Kent Member of Parliament not to press for the line to be looked at.

My hon. Friend the Member for Sevenoaks (Mr. Wolfson) is right. The centre of London is moving east. In 15 years' time it will be nonsense for my right hon. Friend the Member for Selby (Mr. Alison) to pretend that King's Cross, that Victorian station, is in the centre of London. It will be on the periphery by then. Most international business travellers will want to come to docklands and to the City, so the eastern approach will be much better.

For all these reasons, I urge my hon. Friend the Minister not to rush into accepting a proposal that will cost more than we are told that it will cost, will be less effective than we are led to believe, takes no account of the future European freight and is in many ways wholly wrong.

1.8 pm

Mr. Tony Lloyd (Stretford): I agree with some of the comments made by the hon. Member for Mid-Kent (Mr. Rowe), but one narrow point will illustrate our difference in perspective. He said that London is moving eastward,

[Mr. Tony Lloyd]

either in the next 15 years or well into the next century. He should understand that one of the pressures that those in the north feel strongly is that much of the emphasis on the tunnel and developments from it means that we shall be at a considerable disadvantage in the early years. Pressures for economic and industrial development will be dictated by the physical and geographical realities of where the tunnel is and where adequate links to it have been established.

From the point of view of the north, decisions must be made quickly to implement proposals. We cannot afford to have our links built at some indefinite time in the future. I hope that that message is understood, because there is common agreement among hon. Members that planning by the Government and British Rail has been appalling. Solutions have been based on the minimum possible cost and effort—not strategically or to achieve the maximum possible benefit for the nation.

The hon. Member for Mid-Kent mentioned freight. The debate on King's Cross has nothing to do with freight, but I am unhappy and unclear about whether the solutions being advanced by British Rail take account of a region such as mine—a major trading region second only to the south-east in economic importance. We insist on adequate access to the channel tunnel for freight distribution. There are all manner of things that we feel British Rail has not provided, such as a decent high-speed link with the north-west, but I accept that those issues are not relevant to the debate.

Whether the terminal is at King's Cross or Stratford we are still unhappy about the lack of through trains. People travelling to the continent from Manchester, Liverpool or any of the northern cities will not want to stop in London. That is no disrespect to Londoners—we simply do not want to have to change in London to travel through the tunnel and we feel that British Rail is letting us down.

There should be adequate links with the three railway lines to the north—the west coast, east coast and midlands lines. As my hon. Friend the Member for Nottingham, North (Mr. Allen) said, the Nottingham line is not electrified. That is ridiculous. It is equally ridiculous that, the line from Blackpool to Manchester is not electrified, allowing the north-west to become part of an adequate, modern railway system. Any link must connect the London interchange with those three rail lines. A good interchange system is a high priority.

I say to hon. Members who are arguing the case for Stratford that the problem in the north is that we know that at King's Cross there will be at least a semi-adequate system. It is incumbent on those hon. Members to guarantee that the interchange at Stratford will be just as good. That case has not been made to me or to others from the region.

Mr. Jeremy Corbyn (Islington, North): I am grateful to my hon. Friend for giving way and I am sorry to interrupt his flow. As a London Member, I support Stratford because I believe that it will do less damage to the King's Cross area and because in terms of transport infrastructure it makes much sense. We do not see Stratford as a means of worsening rail services or through trains for people from the north. It would improve the throughput of rail freight and passengers and enable people such as my hon. Friend to travel directly from Manchester to the continent more simply than if the trains went from King's Cross.

Mr. Lloyd: My hon. Friend's remarks are central to the case being put forward by those who are arguing for Stratford.

The other problem with the Stratford development is the possibility of delays being built into the system, which would put the north at a further disadvantage. It must be demonstrated that any movement away from King's Cross would not disadvantage the north. Whatever is on offer, we must have an assurance that it will not disadvantage the north. We cannot afford delays in an operational system for the northern regions.

If there is to be any reconsideration of the proposal, it is paramount that we are guaranteed that the funding will not sabotage achieving what we need. Central to the case of hon. Members so far has been cost minimisation rather than quality of service maximisation. We know the position with the King's Cross development—we understand the advantages and the disadvantages. If that proposal is to be changed, it is incumbent upon the Minister to guarantee that the system will come into operation quickly and that it will be properly funded so that it is a genuine national system, not just a system to serve the interests of one region.

1.16 pm

Mr. David Shaw (Dover): I congratulate my hon. Friend the Member for Dulwich (Mr. Bowden) on obtaining such an important debate at such an opportune time. I also congratulate my hon. Friend the Minister on his appointment. In view of the importance of the issue that we are discussing, he will be kept busy for many months and years ahead.

It might be helpful to consider the background to the debate—not only the rail link, but the channel tunnel itself, without which we would not be having this debate. The channel tunnel has become an extremely expensive project, not only in money but, as we sadly heard the other day, in loss of life. The House is concerned about the considerable loss of life during construction work to date.

The main aspect of concern today is the immense financial cost of the project, which has now risen to an estimated £8 billion. The only people who have been right about the finances of the channel tunnel are its critics. Those who have advocated the project have consistently got their figures wrong. The changes in figures have all been negative when proven. The only positive changes to the figures are the hypothetical estimates of the revenue to be earned from passengers and freight. Those figures are pure guesswork because no one knows to what extent freight lorries or passengers and their cars will transfer from the ferries to the channel tunnel. Therefore, it is true to say that the jury is still out. Indeed, the bankers are potentially out of pocket with the channel tunnel finances. The £6 billion debt for the channel tunnel project means an annual interest bill, at current rates, of £900 million. Administration costs will add another £200 million, producing total annual running costs of £1,100 million annually. The revenue earned from the existing ferries operation is estimated at £500 million, so even if the whole of that trade transfers to the tunnel, there would remain a

deficit of £600 million and a loss-making channel tunnel for ever and a day. Against that background, we are asked to contemplate an immensely expensive rail link.

The passenger volumes on which the channel tunnel revenue forecast was based were made at a time when it was thought that the tunnel trains would travel faster than is likely as a result of the technological requirements of the latest designs. That and other factors mean that passengers will probably have to pay more to use the tunnel, as will those who use it to transport freight. Therefore, the traffic volumes predicted in previous revenue forecasts are even more suspect.

The new ferries being introduced on cross-channel routes are larger, safer and more comfortable than ever before—they even include club class. They present a competitive advantage by comparison with the tunnel. The ferries will offer much more comfort than cramped railway carriages or the shuttles that will force passengers to remain in their cars as they travel through the tunnel. Those advantages, combined with new technology such as hovercraft catamarans on some of the long-haul channel routes, will mean that passengers will enjoy more comfort if they continue to use sea crossings rather than the tunnel.

With so many doubts about the tunnel's financial viability, one must question also whether the proposed rail link makes sense or whether alternatives should be examined. Several of my hon. Friends have effectively advocated the viability, in terms both of financial considerations, passenger comfort and commonsense, of alternative rail links. The use of Stratford would seem to make sense and be more cost-effective, and it could benefit many more people. British Rail's plan seems ill thought out, and it has brought complaints from right hon. and hon. Members in all parts of the House and from their constituents.

The motives of the supporters of, and participants in, the proposed link were questioned by my hon. Friend the Member for Dulwich. My hon. Friends and I would not question motivations of profit, because they are laudable in any business man—but we do question the profit motive when it is at the expense of a taxpayers' subsidy, and it is being suggested that the rail link cannot work, in terms of a terminal at King's Cross, unless such a subsidy is provided. That would be ludicrous, and we must not be left with a developer-led scheme that results in a taxpayers' subsidy.

If there is any spare money around from property developers, it should be used to realise the potential that exists at, for example, Stratford. The hon. Member for Newham, North-West (Mr. Banks) was right to appeal for Stratford to be developed, reminding the House that his constituency is not the most beautiful area in London. It is incumbent upon us to promote a project that might improve his constituency.

The alternatives are not adequately examined in the current proposals. Perhaps if we consider the alternatives in detail we may find that they could benefit many more constituencies and many more people.

In Dover, we are interested in a good rail link. The present link is a disgrace. Last Friday night when my wife came down to the constituency, she missed an urgent appointment that she was supposed to attend with me, because the train journey ended up taking three hours instead of one and a half. It should not even be one and a half hours. If we had a decent rail service, we could get the time down to an hour and it would then be equivalent to services in the rest of the country.

What is British Rail going to do about improving the Dover service? It does not have to wait for the channel tunnel rail link. Something could, and should, be done now.

Dover is a part of east Kent and we are therefore anxious that, if the rail link is constructed, Ashford international should be promoted as a major through-change. That would bring prosperity to east Kent and it would reduce the level of unemployment, which has gone down considerably due to recent Government proposals and the changes that have taken place in this country in the past few years, but it could still be reduced further. A development at Ashford would be beneficial to that.

In Dover our other interest is to ensure the survival of the ferry industry. Ferries now offer a better, safer and more comfortable service than they did. That is why I am particularly disturbed to hear Labour spokesmen talking about the repeal of section 42 of the Channel Tunnel Act 1987. The Government put that section into the Act to support the ferries of Dover. It was a sensible section, which ensured that the ferry companies and their employees could be confident that the industry could compete fairly with the tunnel, which would not have a competitive advantage over ferries from Dover. Section 42 ensures that the Government do not put money into the tunnel to do down the ferries in Dover. Therefore it is wrong for the Labour spokesmen to seek to do down the ferry industry. We must ensure that Labour's proposal to repeal section 42 does not succeed and that it is not supported by the House.

Should there be any public subsidy or support for British Rail? I question whether that would be sensible. I cannot see why British Rail or the proposed Eurorail company should have a subsidy. It would enable a thoroughly unpopular route—one which would not exist if it were not for the subsidy—to be viable. It is a route that does not seem to have any significant benefits. Some environmental benefits have been promised for some constituencies, but they would make the situation worse in other constituencies, such as Dulwich and Mid-Kent. I do not see why £300 million to £400 million of public money should be put in to do down those constituencies for the benefit of a few areas on the route.

The speed of travel is a marginal reason for a public sector subsidy. It is debatable whether the tunnel, when it is completed, will reduce considerably the time taken to get to Paris. The tunnel will not improve travel speed as much as was originally thought because the rolling stock will have to go at a slower speed, and consequently it will not have such a time advantage. To promote the project with public money to achieve a marginal time benefit seems ludicrous.

What would happen if the project exceeded its budget? Once the first £400 million or, as my hon. Friend the Member for Mid-Kent (Mr. Rowe) said, £1 billion, has been committed, what will happen if the project goes wrong? Will the Government be committed to financing a share of the overrun, or most or all of it? That would be a major mistake. What would happen if the channel tunnel rail link project went into receivership or liquidation? If the Government had committed money to it, would they have to bail out the project, either in its entirety or in part?

[Mr. David Shaw]

The Government must consider the alternative uses to which £100 million, £200 million or even £1 billion of public money could be put. Airports in other parts of the country or road links would be immensely beneficial and would be of far greater benefit than the narrow use of £1 billion on the channel tunnel rail link.

I am critical of the fact that no figures relating to the cost of the proposal have been published. Only rumours and leaks abound about them. There has been no public debate about the cost of the channel tunnel rail link. There have been suggestions in the press today of a £400 million subsidy, but it could amount to £1 billion or more. There is not even a back-of-an-envelope calculation to support the proposal.

I see no reason to worry about what the French may or may not be doing. Two out of three people who cross the channel go to France. The French are the net beneficiaries, since only one out of three people who cross the channel from Europe are French. We should not therefore subsidise a project that would benefit French holiday-makers and the French rail link.

The project is imperfect. The proposal has been neither properly considered nor properly debated. Its finances are uncertain and the taxpayer would have to pick up a considerable part of the bill. We should keep the taxpayer out of it. I congratulate my hon. Friend the Member for Dulwich on his motion. I shall vote for it.

1.32 pm

Ms. Joan Ruddock (Lewisham, Deptford): I join other hon. Members in welcoming the Minister for Public Transport to his new post. We look forward to his contribution to the debate.

It is extraordinary that we should be debating what is arguably the most significant engineering project of our time, with potentially the most profound impact on our nation's economy, on a private Member's motion in a half-empty House. Why has that happened? It is because the Government have adopted an entirely cavalier approach. They have chosen to ignore the nation's economic needs and the railway revolution across the channel. They have chosen to stand aloof while alarm and despondency have spread through public and private institutions alike.

It is extraordinary that the Government have not once raised the subject for debate in this Parliament—extraordinary, yes, but surprising, no. The Government's doctrinaire approach to planning, the economy and transport prohibits strategic planning and proper consideration of the public interest. The hon. Member for Dulwich (Mr. Bowden) is to be congratulated on bringing this subject before the House, although I guess that it will become obvious that he does not have the backing of his Government.

The hon. Gentleman's motion seeks to place the responsibility on British Rail for assessing the alternative rail links to the channel tunnel. We cannot support him. There is a clear need to examine the alternatives. My hon. Friend the Member for Kingston upon Hull, East (Mr. Prescott) has consistently called for a full public inquiry into the project, though we recognise that the time for such an inquiry has probably passed. We recognise also that British Rail cannot be expected to be objective. We propose instead that the Secretary of State, by means of the good offices of his hon. Friend the Minister for Public Transport, should establish a committee of experts to examine all the available alternative rail link options. We believe that the committee could report within three months and should have a brief to examine the economic and environmental effects, the costs and the safety aspects of all the proposed routes. We suggest that can be done because so much work has already been done outside Government circles. The experts should hear the representations of the many groups of ordinary people who have real concerns and sensible questions and have proposals to make on this subject.

A wide consensus exists on the criteria that should determine the preferred route for the channel tunnel link. That consensus reaches across the political spectrum and encompasses the Confederation of British Industry and the Trades Union Congress. Last month's public opinion panel survey of Members of Parliament gives further testimony to that consensus. It found that the order of priority to specify considerations for determining the route was as follows: first, the need for through links to United Kingdom regions; secondly, the need for fast links to London; thirdly, the environmental impact of the route; fourthly, the cost of the route; and, last, the scheme's ability to be financed completely from private capital. Clearly, the Government are out of step with the views of hon. Members. The survey found also that two thirds of the Members questioned were not satisfied that the regions would be adequately served by links through the tunnel to Europe. Significantly, the survey recorded strong support for greater investment in the railway network to maximise the economic benefits of the channel tunnel.

This debate, because of the motion, has understandably focused on the merits and, to some extent, demerits of Stratford as a second international terminal. Undoubtedly, there are significant planning issues and property interests associated with all potential terminal locations, but we believe that achieving the priority objectives of the link should determine terminal location and not the other way around.

There is a clear consensus about objectives but little confidence that the Government are ensuring that British Rail and Eurotunnel meet them. Instead, a financial straitjacket has been applied by a Government determined to maintain the farce that this massive project can be built without any public money. The outcome is likely to be another botched job and a further public outcry when the latest BR-preferred route sees the light of day. The Secretary of State, we understand, has been studying the plans for six weeks. Perhaps the Minister will tell us today when the right hon. Gentleman is likely to make an announcement, or is it possible that he is having second thoughts?

British Rail's briefing for today gives some sign of the impossible hoops through which it has to jump. It is clear that the financial regime of the Secretary of State cannot be made to work. The preferred route, we are told, will include a proposed new commuter service from Kent to King's Cross in an attempt to attract public subsidy. What a ludicrous way to devise a national infrastructure plan for the 21st century. Having thought up this addition to the route, British Rail then uses it in its critique of alternative routes, saying that the latter do not offer the potential for

a Kent commuter service. I do not think that we will find that many Members actively support a preferred route on the grounds of an enhanced commuter service for Kent.

There are certain fundamental questions. How can we provide a high-speed rail link, a service which links the whole of the United Kingdom to the tunnel and offers a first-rate service for passengers and freight alike? We believe that ideally we should look for a dedicated track built to European standards. Anything less will create a differential between the British service and the continental service, such that in parts of Britain trains could be running at half the speed that they run in France. Will the Minister tell us today whether his Department really finds that acceptable? We believe that the needs of the north of England and of Scottish passenger services——

Mr. Jacques Arnold *rose*——

Ms. Ruddock: Just a moment.

Those needs require major interchange facilities at King's Cross. That is the official Labour party view. However, we believe equally that the case is well made on environmental and strategic grounds in London and Kent for an alternative route linked to Stratford. The case for the Arup group proposal has been rehearsed today. There are those who believe that those two requirements can be combined with a relatively fast link from Stratford to King's Cross at a cost of about £500 million.

The House needs to know whether that can be done. Is it a solution to what could otherwise be presented as conflicting interests? Does the Minister agree with the costing? Has he or his right hon. Friend the Secretary of State studied the proposal? Are they still prepared to consider it, and if not, why not?

Mr. Jacques Arnold *rose*——

Ms. Ruddock: I am sorry, I shall not give way; I have been asked to be brief.

Will the Minister confirm that such a combination of terminals present no disadvantage to the running of through services to the north?

As an hon. Member representing a south London constituency, I am acutely aware of the need to avoid a route that goes through such a densely populated area as my constituency. However, as a shadow Minister, I am also aware of the strong feelings of those in the midlands, the north of England and Scotland that they could be sold short if the concerns of only Kent and London were to be taken into account. Opposition Members are extremely anxious to find a consensus and solution that is right for Britain as a whole.

Our economic future depends on the rail links to the tunnel. With desperately overcrowded roads in London and the south-east and the dilapidated state of public transport, we shall have a disaster on our hands if millions of people and tonnes of freight are simply dumped outside the tunnel or in the heart of this capital city. We must plan for the needs of the nation as a whole with economic efficiency and environmental sensitivity at the top of the agenda.

We are aware that European money is available for European projects. Why should not Britain be the beneficiary? If the French can produce a nationwide network of super-fast trains, why cannot Britain? If the French railways can carry 42 per cent. of all long-distance freight, why cannot British Rail do the same? Why should British Rail be forced, through financial restraints, to behave as though it was still running a 19th century railway instead of planning for the 21st century?

The Secretary of State cannot be allowed to stand aside any longer. He must consider repealing section 42 of the Channel Tunnel Act 1987. I heard what the hon. Member for Dover (Mr. Shaw) said. Of course, we supported that section to protect the ferry services running from our coasts—and rightly so, but it is our contention that those services are competitive and that they remain so without that special protection. It is in the nationwide interest that they do so. However, we should also bear in mind the nationwide interest of being able to provide an adequate railway link to the channel tunnel.

The Secretary of State must relax the financial regime imposed on the rail project. Although we believe that money is required, we are completely opposed to using taxpayers' money to prop up private sector projects. The Minister must be aware that rumours abound. It is high time that his right hon. Friend came to the House and admitted what is going on. Will the Minister tell us today whether we can expect a statement on the financing of the rail link before the spring recess? Before he does so, perhaps the Secretary of State should also consult his officials about the likely impact of the proposed European directive on establishing a Community railway policy, because the harmonisation required to build a Community network is directly at odds with the expected British Rail-Eurorail proposals for the British channel tunnel rail link. The report on that proposed directive states:

> "From a technical point of view it is obviously possible, to a certain extent, to live with different systems and different specifications. However, this approach, which up to now has been the basis of co-operation between the different networks, will result in high costs and less reliable equipment. The European railways should rather adopt 'universal' specifications compatible with the particular set of international routes they plan to serve, which is their only chance of success."

We must note what the directive says about developments on the continent. The Secretary of State would be ill-advised to ignore them.

If the Government continue with their present stance, Britain will again be relegated to the dark ages while continental Europe reaps the greatest economic benefits of the single market and the opening of the tunnel. We are in danger of paying the highest environmental cost for the least economic return. We in the Labour party are clear where the blame for this fiasco lies. We share all the anxieties that people have about the behaviour of British Rail, but responsibility for the fiasco lies with the Government, and it is the Government who must act now. Money can and must be found to make an adequate link. A review by a committee of experts will not delay the proceedings. We know that it is crucial if we are to achieve the high-quality, high-speed rail links for the whole of Britain, to which the Labour party is committed.

1.47 pm

The Minister for Public Transport (Mr. Roger Freeman): This has been an interesting debate and it is certainly not yet over. It has been particularly valuable to me as a new Minister at the Department to listen to this timely and useful discussion. I congratulate my hon. Friend the Member for Dulwich (Mr. Bowden) on his courtesy to me prior to the debate and on the clear and even-handed way in which he presented his case. I also

[Mr. Roger Freeman]

thank him and the hon. Member for Lewisham, Deptford (Ms. Ruddock) for their kind remarks in welcoming me to my new position.

The hon. Member for Newham, North-West (Mr. Banks) described the debate as being, in effect, a five-hour tutorial for a new Minister, and he is right in so far as 15 hon. Members have spoken, excluding my hon. Friend the Member for Dulwich, and the debate has certainly been helpful to me. I hope that I bring a fresh and inquiring mind to the issue. It will also be helpful to British Rail and to officials at my Department, and I will ensure that the record is fully studied. To the extent that I cannot answer the questions raised in the time available to me, I will write to hon. Members who have contributed to the debate. I find these half-day debates helpful—for a Minister, one's desk is cleared and one rightly has to listen to the arguments and so far as possible reach decisions. The proceedings which follow such debates are also most helpful.

My hon. Friend the Member for Dulwich will be glad to know that no one, least of all British Rail, disagrees with the terms of his motion. British Rail has examined the alternative routes, including those to Stratford, and will continue to examine them. It has been in contact with both promoters of the alternative routes to Stratford or to the east of London to discuss the details of the schemes. I understand that the new Chairman of British Rail, Mr. Bob Reid, plans to see the two groups himself—the Ove Arup group and the Manufacturers Hanover Trust and Bechtel group. I hope that my hon. Friend the Member for Dulwich will be reassured by that.

Both British Rail and the Government are quite clear that before adopting any final proposals, and before submitting them to Parliament, British Rail will need to be as satisfied as it possibly can be that it has made the right route decision. Parliament will expect to be satisfied, and to have it demonstrated, that the alternatives have been properly and fully examined and that there are good and convincing reasons for the final proposal. There is no monopoly of wisdom in these matters and all ideas must be looked at on their merits.

I agree with my hon. Friend the Member for Mid-Kent (Mr. Rowe), who sought to put this debate in the context of the channel tunnel opening in three years' time and a rail link being a decade away, even with the fastest possible agreement on the route, and its design and structure. The opening of the channel tunnel and the rail link are governed by two different time scales.

I can give not only my hon. Friend the Member for Dulwich, but other hon. Members, the assurance that British Rail takes the alternatives seriously—it has to. I shall return to the suggestion of the hon. Member for Deptford for a committee of experts. British Rail has to convince not only itself but the Department of Transport and Parliament because the private Bill procedure, which operates for extensions or alterations to the railway network, provides a careful examination of such proposals.

The issue of the channel tunnel rail link must be seen in the context of the Government's policy that the maximum benefits and efficiencies from transport systems, as in other walks of life, are achieved where there is fair and equal opportunity for as many competitors as possible to compete in the market. As for inter-city rail and international services, we believe that the railways can and should compete on an equal basis with other transport modes including sea, air or road. I chose my words carefully when I spoke of "inter-city rail" and "international services".

Operators and users of other services are not subsidised and in terms of economics and fairness there is no reason why international rail services should be subsidised. The essentially commercial nature of international rail services is also enshrined in section 42 of the Channel Tunnel Act 1987. The hon. Member for Newham, South (Mr. Spearing) referred to the channel tunnel. If he believes that the Government are going to bail out or subsidise the channel tunnel, I can disabuse him of that fact. He may have been confusing the channel tunnel and rail link. I assure him that there is no question of the Government bailing out the construction of the tunnel, which needs additional finance. We shall see whether the company is successful—it has a good story to tell and I hope that it will soon be successful.

Section 42 of the Channel Tunnel Act was widely supported at the time, not least by the Opposition, who now seem to be calling for its repeal. Indeed, the hon. Member for Deptford called for it to be repealed. At the time, there was widespread recognition that it was right to guarantee fair play to the ferries and ports, and to those working in those organisations who were concerned that subsidised international rail services would inevitably, in effect, subsidise the channel tunnel. I can tell my hon. Friend the Member for Dover (Mr. Shaw) that we have no intention of repealing section 42 of the Channel Tunnel Act, which relates to the international travel aspects. There are other aspects of the financing of any rail link which section 42 does not directly affect.

British Rail has had a clear remit, both from the Government and from Parliament, to look at the channel tunnel rail link as a commercial project, and one that will have to be acceptable to Parliament.

Earlier, the hon. Member for Newham, South implied that the Government and British Rail were on a hook because of prejudice, that they did not intend to provide finance for the channel tunnel rail link and had a preference—almost a craving—for private sector capital involvement. The hon. Gentleman was wrong on both counts. He knows that the massive sums involved in providing finance for any channel tunnel rail link—albeit sums which are presently under consideration by a joint venture—require the Goverment's approval and agreement because they are taxpayers' funds. It is not true that the Government are not involved in providing finance for capital investment in a nationalised industry. I assume that the hon. Gentleman was referring to the degree of Government subsidy and the hon. Member for Deptford, is now suggesting that we should ditch section 42 of the Channel Tunnel Act, but I have said that the Goverment are not contemplating that.

There is no blind prejudice in favour of private capital. If private capital has a role to play, that is fine, but the hon. Gentleman recognises, as I do, that private capital has a much higher implicit cost in terms of the return that it has to earn. That means that the involvement of private capital tends to make a project even more difficult to justify. The private sector can contribute to property development, which nationalised industries are not particularly good at,

nor is it their job, and to the management of particular projects. There is certainly no prejudice on my part or on the part of the Government.

Mr. Spearing: Surely the Minister is saying that by virtue of the need for a public organisation to achieve a return of 8 per cent. or for private capital to have an even higher return there is a hurdle that the Government have to jump or a hook on which they have to impale themselves? Will he confirm that if he applied the criteria which applied to the Victoria line when it was built under the authority of Ernest Marples, those considerations would not apply?

Mr. Freeman: The hon. Gentleman is right in his analysis. I have no idea what rates of return private sector capital requires in this or other projects. We set an 8 per cent. real rate of return for commercial projects for nationalised industries. I recognise that the involvement of private sector capital can make the attainment of that more difficult in some cases. As I have said, however, private sector capital can make other contributions. The 8 per cent. real rate of return changes with current financial circumstances and the advice and views of the Treasury. I do not know what rate applied when the Victoria line was built.

The hon. Member for Peckham (Ms. Harman) asked the Government, and me specifically, to be the guardian of the national interest. I cannot shuffle off that responsibility because the Department of Transport's job is to approve investment proposals put to us by British Rail. Any channel tunnel rail link is likely to involve substantial sums of public sector capital and must therefore involve our careful consideration of the alternatives and our being persuaded that the chosen route is the right one.

My hon. Friend the Member for Gravesham (Mr. Arnold) rightly drew attention to the importance of the environmental impact of any route—the King's Cross route or the Stratford route to east London. British Rail and Eurorail are undertaking a full environmental impact assessment for the rail link along the lines of the European directive. Any proposal which comes to us for final consideration will have to go through that process.

The Government cannot accept the view that major infrastructure projects do not go hand in hand with a sensible commercial approach. After all, the channel tunnel is a commercial project and is much the better for it. The project has captured public interest in a powerful way, and in concept and scale is the leading transport project for the United Kingdom and France, if not the world. Even so, it needs to be kept in perspective. It will not be the only link with the continent. For years we have had ferries, hovercraft, hydrofoils and aircraft linking and integrating Britain with Europe, and those alternatives will certainly continue. The tunnel will be a substantial and important addition to the existing links. Above all, it will be a tremendous competitive spur.

With regard to freight, the House should bear in mind that the capacity of the tunnel will be sufficient to handle only 6 per cent. by volume of total United Kingdom trade in 1993, including oil. In 1988, Liverpool handled 7 per cent. by volume of total United Kingdom trade, Southampton 11 per cent. and Tees and Hartlepool 13 per cent.

I am aware that Eurotunnel would like us to look at an analysis of dry bulk unitised trade between the United Kingdom and Europe. The tunnel's share of that United Kingdom trade would be between 14 and 20 per cent. I hope that that puts the tunnel into perspective in relation to some of our other great ports. If the tunnel were opened today it would rank as the 12th or 13th largest port in the United Kingdom in terms of volume of freight handled.

Probably the most important aspect of the tunnel is its role in joining the United Kingdom's rail network to the mainland of Europe. That will enable British Rail for the first time to compete with the airlines on price, speed and comfort. No one doubts that international rail travel has a bright commercial future. British Rail is already in the process of investing on a commercial basis more than £1 billion to provide comprehensive passenger and freight services on the day the Channel tunnel opens in 1993. I am grateful to my hon. Friend the Member for Mid-Kent for reminding us that we should not lose sight of plans which are already in place and those that we hope to see in place to ensure that we have the rail network to service the tunnel when it opens.

By any standards, this is a massive investment programme and it is fully geared to maximising for the railways the tremendous opportunities offered by the tunnel. Last December, with the approval of the Government, British Rail signed a contract worth some £350 million with SNCF for the purchase of 18 high-speed trains. The trains will be operated by British Rail and will run between London and Paris and London and Brussels.

Today I can announce that the Government have approved British Rail plans to build an international passenger terminal at Waterloo station and a maintenance depot in west London. The hon. Member for Vauxhall (Miss Hoey) cannot be present in the Chamber. I hope that Lambeth council will adopt an objective and fair approach to the planning applications for Waterloo station because that service has to be open and running in three years when the tunnel opens. If the hon. Member for Vauxhall were here I do not think that she would be able to defend further the argument that we should close down our plans for Waterloo and move to Stratford. The time scales for the two projects are wholly different.

The investments on the passenger side are worth about £175 million. I can also announce that we have just approved investment of about £80 million on electric freight locomotives and on electrification of the line between Tonbridge and Redhill. That forms part of British Rail's core investments of a further £175 million in channel tunnel freight. The Government have now approved the great majority of British Rail's investment plans for 1993.

Mr. Prescott: The new investment that the Minister has announced will be welcomed by the House, especially the investment in freight trains. Europe wants to see the harmonisation of our high-speed rail system so that trains can leave the tunnel and travel on the French and Belgian systems. Will the new freight trains be able to do that?

Mr. Freeman: I am sorry that I cannot answer the hon. Gentleman's question because I have not briefed myself on the matter. I will write to the hon. Gentleman. I understand the significance of his question.

My hon. Friend the Member for Sevenoaks (Mr. Wolfson) asked us to take a longer term-view—what he called freight vision. While I am sure that he will welcome the announcements that I have made today about improving the existing freight system through new

[Mr. Freeman]

equipment and electrification, he rightly asks us to look 20 or 30 years ahead. No large business undertaking can react short-term to pressures in the next two or three years. British Rail has to take a serious, studied, careful look at the development of freight traffic, and I hope that it will take an optimistic and forward-looking view about the share of such traffic that it can gain. I should not support a limited vision on that. In any proposals which come before me, I shall want to look carefully at whether British Rail has looked forward a decade or two, and I hope that it will rise to the challenges.

Beyond 1993, traffic will undoubtely grow. No one seriously argues with British Rail's view that, sooner or later, extra capacity will be needed between London and the tunnel. There also seems to be general agreement that a new line is the best means of providing that capacity. Against this background, British Rail published its preferred route in March 1989. As the House knows, the cost of environmental improvements to British Rail's proposed new line—in particular, the cost of tunnelling under London—affected the viability of the new rail link proposal.

Latterly, British Rail has been pursuing with Eurorail —the Trafalgar-House-BICC consortium—the possibility of establishing a joint venture company whereby the private sector would play a major role in both the financing and the commercial operation of British Rail's internationai rail services, including the construction and operation of a new channel rail link. British Rail and Eurorail have now submitted to the Government certain proposals for carrying forward the joint venture and the Government will be responding to a complicated package of suggested amendments as soon as we are able.

The hon. Member for Deptford asked me whether we would make a statement before Whitsun. I cannot commit my right hon. Friend the Secretary of State for Transport or the Government, but I can tell her that this debate is both helpful and timely. We shall try to reach a decision as quickly as possible because I am aware, as my hon. Friend the Member for Dulwich and the hon. Member for Peckham pointed out, that there is concern about blight on the routes proposed. We know British Rail's preferred route, but the need to remove uncertainty as quickly as possible is very much at the forefront of my mind.

Mr. Prescott: I am extremely grateful to the Minister for giving way to me again because I know that he is pressed for time. In whatever option is put to them is the Government's preference still for the tunnelling rather than the surface option?

Mr. Freeman: I cannot comment on that because we have to evaluate the revised proposals put to us. We have not reached a conclusion and I shall not speculate as to what combination of tunnelling and above-ground track we are likely to favour. The Government are aware of the Eurorail and the Ove Arup outline proposals and the support that some hon. Members, including my hon. Friend the Member for Dulwich, have lent to these alternative approaches. The Stratford routes have attracted support for a number of reasons. Some wish to see an international station at Stratford because of the local advantages that this would bring. Others have outlined what they see as the national advantages of such a scheme, including car parking and the onward movement of traffic, both freight and passenger, to the north and the west. I have listened to those arguments with great care.

A Stratford terminal was on the British Rail shortlist as a possible site and has therefore been carefully evaluated by British Rail. Had British Rail chosen Stratford as its preferred location for the second terminal in London, it would still have approached it from the south, the route from Kent, and not from the east through Essex as envisaged by the promoters of the alternative schemes. The reason for that is to ensure that any benefits of constructing a new line are shared with Waterloo and that it is linked with the increased capacity that would come with the construction of such a line. That would not necessarily happen if at a relatively early stage the line went north and across south-east Essex.

Mr. Rowe: This is of considerable importance because that was the original point that BR made to us many times. It later changed its mind and explicitly said that it did not envisage that being an essential part of the criticism of the other routes into London. Several Conservative Members were present at the meeting when that was said.

Mr. Freeman: I have approached the debate with some caution as I am new to the job and do not want to put my foot in it. I hope that I am not making dogmatic statements. I shall study exactly what was said. I apologise if I have confused or confounded my hon. Friend.

I say to hon. Members who represent constituencies to the north of London, particularly my right hon. Friend the Member for Blackpool, south (Sir P. Blaker), the right hon. Member for Halton (Mr. Oakes), my right hon. Friend the Member for Selby (Mr. Alison) and others, that of course we understand the significance of a rail link for the regions to the north and west of London. It is most important that we take a national view of any proposals put to us. Although it is fair to say that the bulk of passengers who will use the rail link will live in the home counties, greater London and the south-east, I accept the argument that one must consider carefully the implications for the north-west and north-east. I have listened carefully to the case for what are seen as the short-term advantages of using King's Cross, but I do not propose to dwell on the relative advantages and disadvantages of the various routes.

As I have made clear, the Goverment and BR accept entirely that it is BR's responsibility to convince the country that it has examined all the alternatives and reached the right decision. However, there are certain aspects of the alternative proposals to which I should perhaps refer as it may help to clarify the issue for those concerned about it. The first point relates to comparative costs. Everyone must exercise much caution when making comparisons. Those who believe that the costs of the alternatives are higher then the costs of BR's route say, with some logic, that the alternative routes involve building a four-track railway to handle passengers and freight, whereas BR's route is for a two-track passenger railway only.

I will reply in writing to hon. Members whom I have not answered specifically. The hon. Member for Deptford asked for a committee of experts. British Rail is

responsible for putting forward a preferred route and the Department of Transport and Parliament are responsible for evaluating it.

The contribution that I can make in the forthcoming weeks and months is to listen, as I have to this debate, and to visit the proposed sites. I look forward to visiting Waterloo, King's Cross and Stratford. I will ensure that BR and the Government explain and clarify any proposals extremely carefully, including alternative costs. To the best of my ability, I will ensure that a decision is taken expeditiously to avoid blight and doubt.

Ms. Harman *rose*——

Mr. Freeman: I am sorry, but I have run out of time.

Several hon. Members have said that that blight and uncertainty have affected their constituencies. I look forward to further debates and discussions on this important subject.

2.13 pm

Mr. Graham Allen (Nottingham, North): I welcome the Minister to his new job and also his first announcement that the chairman of British Rail will meet those proposing the alternative routes. I hope that he will meet them with an open mind, and I congratulate the Minister on moving so quickly to do something so constructive. If he is successful in getting BR to consider the alternatives, the name of Freeman may rank with Brunel in the annals of British railways.

I had hoped to move the second motion on the Order Paper about the need for a democratic revolution in the United Kingdom. However, this debate has proved a classic case study of the need for many changes in the way in which we make our decisions and in the democratic processes in this country. One of the most important historic decisions that this nation could face—how we link with our continental partners—has been typified by bodge, cock-up and half-baked proposals. There has not been a serious, democratic, planned effort through the House, through another place—which should be in a far more representative form—through the contributions of elected regional assemblies or through a system in which everyone could make a decision through a freedom of information Act——

Madam Deputy Speaker (Miss Betty Boothroyd): Order. I know that the hon. Gentleman has been in the Chamber all morning, but I must remind him that he is speaking to the first motion, which is about the channel tunnel rail link.

Mr. Allen: That is why I am now speaking on behalf of my constituency and all those in the east midlands who have profound anxieties—which I hope the Minister will take on board—not merely about the current proposal, but about the alternatives.

I have some sympathy with the Stratford proposal because it appears to make geographic and railway sense in a way that the current proposal does not. My concern, which applies to both schemes, is that the east midlands, and Nottingham in particular, could be isolated. That certainly would be the case if the midlands main line was not electrified. There has been electrification on the continent, railway building in France, the building of two new north-south lines in Germany and Spain is changing its gauge. They are all gearing up for 1992 and a single market.

Those whom I represent, and those in my region generally, are fearful that we shall be left behind, with the line going up either the east coast or the west coast. One of the major engines of the British economy—the east midlands—will be left to flounder and to fend for itself in a competitive new area—*[Interruption.]* It appears that other hon. Members are still waiting to contribute to the debate.

The responsibility is not merely to my constituency, my region, south London or the constituencies of other hon. Members who have spoken this morning; it is to the whole nation. How can we all benefit from the opportunities that the channel tunnel and the rail links can offer? While supporting Stratford, we must make it clear that Stratford itself is no better an alternative than King's Cross on its own. The essential feature is that Stratford must be linked to King's Cross-St. Pancras. Without that essential link, there will be great concern among hon. Members, constituencies and regions about the efficacy of the proposal, just as there are doubts about the current proposal.

My great fear, which has not been allayed this morning, is that the proposers of the new scheme may well follow the salami tactics to which the hon. Member for Dulwich (Mr. Bowden) referred in another context. They may go for the easier part of the scheme, which would be the channel tunnel link to Stratford, and then, all of a sudden, say that for commercial reasons they cannot afford the expensive, updated, dedicated link from Stratford to King's Cross-St. Pancras. People in my region would be left high and dry with connections possible from Stratford up the east coast and even across to the west coast. That would be a devastating blow.

Will the Minister take away one thought? Why cannot there be two stations serving London? There could be a Stratford station, which would be London international east, and a King's Cross-St. Pancras station, which would be London international north, with the lines going through of equal status so that through traffic could go to all parts of the region.

We have heard some knocking of British Rail, and it was partly deserved. However, we must direct our criticism not at the current Minister but at some of his predecessors over the past decade, who inhibited British Rail from presenting reasonable options and plans. In imposing investment restraints, the Government left British Rail in an extremely difficult position, and that has led to botched plans that will serve the interests neither of the nation nor of my region.

I welcome alternative proposals that have appeared, and am glad that the representations made by trans-Pennine, Midland Mainline Consortium, the Railway Development Society and many others throughout the land are apparently being echoed in some of the Minister's remarks.

I began my speech by remarking that there may be hallowed future references to the name of Freeman along with that of Brunel. I was only half-joking. We have a new Minister and a new British Rail chairman, and there is a possibility that progress will be made. Certainly there is a feeling among the public that the matter should be re-examined and a new settlement reached, so that we may

[Mr. Allen]

have a railway system of which we can all be proud, and which taps into the continent in the same way that our foreign competitors have done.

I wish the Minister well in his new job. His is nothing less than an historic role, and I hope that he will seize the opportunities before him.

2.21 pm

Mr. Norman Miscampbell (Blackpool, North): I welcome the opportunity presented by the motion of my hon. Friend the Member for Dulwich (Mr. Bowden), for right hon. and hon. Members representing constituencies in the north of England to air some of the concerns that we have about a project which pre-eminently seems to affect the south-east. In reality, it will affect us all.

Anxieties have already been expressed by my right hon. Friend the Member for Blackpool, South (Sir P. Blaker), and by the right hon. Member for Halton (Mr. Oakes) and the hon. Member for Nottingham, North (Mr. Allen) that the link should benefit the north just as much as anywhere else. I also appreciate the arguments made by right hon. and hon. Members representing constituencies in southern England. After all, if such a link were to be routed through my constituency, I would have the same passionate and vehement interest in obtaining detailed information about the villages affected. Inevitably, those of us representing northern constituencies can deal with the matter only with a very large brush.

Those who look after our interests include the Channel Tunnel Group, which comprises the most powerful and influential bodies in the north-west. They include north-west local authorities; Rail Forum; Greater Manchester Economic Development Limited; Central Manchester, Merseyside and Trafford Park development corporations; English Estates; chambers of commerce in the north-west of England, and the Confederation of British Industry in the north-west. Those voices wanting to be heard in the debate are not insignificant—and it is not an insignificant issue.

Time is of the essence, and there are also questions of convenience and money. They can all be summed up in one plea that the north-west makes—"Please, the time has now come to stick to the present proposals for King's Cross." I know perfectly well how time will be consumed if we change our minds again—I am not a member of the Court of Referees for nothing. I give my hon. Friend the Minister an assurance that the Court of Referees will deal with subsequent matters, a new Bill, or new proposals—if it has to do so—rather more expeditiously than he fears. However, he is right to say that it will take time.

If the hon. Member for Peckham (Ms. Harman) were in her place I would say to her that if she comes before us next year for locus standi—I cannot anticipate events and I shall not comment on any decisions already made—we shall view with great sympathy those people who have problems because a line is being driven through their constituency. Nevertheless, time is of the essence and any change is likely to cause more delay.

Mr. David Tredinnick (Bosworth): I have listened to my hon. and learned Friend with great interest and, speaking from the perspective of my Leicestershire constituency, it seems that far too much consideration is being given to landscaping and the link going round villages in Kent. Those resources should be devoted to better terminals in the midlands and in the north for the tunnel rail link. That is of great concern to my constituents.

Mr. Miscampbell: I do not altogether agree with my hon. Friend. We live in a lovely island and we have managed to make a good mess of it in some areas. I am in favour of ensuring that we do not make any more mess. I am an old inflationist—there is no question about that. I think that a few extra millions to ensure that we preserve Kent looking nice and reasonable will be money well spent and that people who follow us will be pleased that we had the courage and the guts to do it.

Obviously arguments are raging in Kent, in the constituencies that the line might pass through, and all those arguments will be opened up again. Time will tell. If that happens we may find that we are being left behind. We have manufacturing interests, not only in the north-west, but throughout northern England and they must be accommodated. If they are not, those regions will be marginalised. I cannot go into detail because there is not time, but on behalf of hon. Members representing northern constituencies I want to voice our constant concern that we should be looked after and our interests should be borne in mind, because they are also the interests of Great Britain.

Convenience is another issue. It is no use saying to my constituents or to people in Liverpool or Manchester that there will be a train going down to Stratford. Traditionally, they have gone to Euston or, if they come from the north-east, to King's Cross and they will still have to use those stations under these proposals. It became clear, although we did not go into details in the Court of Referees, that the complex of Euston, which is adjacent to King's Cross, has the capacity for such things as travelators, and the easy communications between the two stations mean that it is simple to change from one to the other.

In reality the vast King's Cross development, and Euston, which is nearby, means that we are discussing two stations which can easily be joined. Therefore, for convenience, and because the stations are connected with Heathrow and with 60 per cent. of the underground lines, we should stick with King's Cross.

British Rail included in the King's Cross Railways Bill in November 1989 powers to improve the Hampstead link. That would be another link with the general rail network.

Naturally, people in Kent who have problems because of the link are intensely interested, but in the north we have our interests. We want people to pay more attention to them. For example, as several hon. Members have mentioned, there is the electrification of the rail lines in the north of England. We want to know of British Rail's plans for electrification between Manchester and my constituency. What are its plans for a depot in the north and where does it propose to site it? How will it be tied in to the lines coming through from King's Cross—we hope—or from wherever, to join up with continental railways? Such a development is essential and we must have it.

We do not want to be marginalised and left on the periphery. However, many people in the north of England believe that that is what will happen. I refer not just to Conservative party members but to Labour party members. Many ordinary folk in the north of England believe that London thinks that it knows best, but——

It being half-past Two o'clock, the debate stood adjourned.

Orders of the Day

SEXUAL OFFENCES BILL

Order read for resuming adjourned debate on Question proposed [11 May], That the Bill be now read the Third time.

Hon. Members: Object.

Madam Deputy Speaker (Miss Betty Boothroyd): Debate to be resumed what day? No day named.

ROAD TRAFFIC REGULATION (SPEED LIMITS) BILL

Order for Second Reading read.

Madam Deputy Speaker: Not moved.

CHLOROFLUOROCARBONS (CONTROL) BILL *[LORDS]*

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 8 June.

Secondary Education (Maidstone)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Nicholas Baker.]*

2.30 pm

Miss Ann Widdecombe (Maidstone): I am grateful for the opportunity to raise such an important subject. When the proposed reorganisation of schools in Kent, particularly in Maidstone, comes before the Minister, my constituents will wish certain criteria to be paramount. They are the maintenance of grammar school places and the size of the schools concerned.

Another matter must also be closely examined. I raise it with specific reference to Kent and Maidstone, but it could affect other authorities that my find themselves in the same position. It relates to the financial mechanism that authorities have to use when they engage in a large-scale reorganisation.

Kent county council decided this week not to go ahead with the proposed closure of Oakwood grammar school or with the reorganisation of other schools in Maidstone until the autumn, when it is to institute a proper review. It will be the third review of Maidstone's secondary education in three years. Two years ago, there was a proposal to close Senacre, Maplesden Noakes and Astor of Hever schools in my constituency. There was a great deal of uncertainty which did them no good. While they were under threat, parents were reluctant to make them their first choice and to send their children to those schools. The threat was removed in the face of an immense outcry by the people of Maidstone who did not want those high schools to be closed.

One of the reasons given for the proposed closures was that school rolls in the area were falling. To some of us that seemed peculiar, in view of the immense amount of development in the south-east—the growth of housing estates and the pressure on the area that is concomitant with the building of the channel tunnel and the rail link. It was difficult to understand how school rolls could be falling. We have been told that now there are more children in the primary schools and that in three or four years' time they will filter through into the secondary schools.

The recent closure proposals, which have not been abandoned but whose consideration has merely been deferred, have brought in their train, once again, uncertainty and blight. The proposals stem from the wholly admirable Kent county council decision to move from selection at 13 to selection at 11. Kent county council has a wide variety of schools—high schools, comprehensives and grammar schools, including those based on the 11-plus system, the 13-transfer system or the Thamesside system, the latter being the least satisfactory.

I am delighted that Kent county council has decided that, in due course, Maidstone will move to selection at 11. But what will happen to the grammar schools? If there is selection at 11, children of 11 and 12 will seek grammar school places. There are only two ways to cope with that extra demand: either the grammar schools must expand to absorb those children, or the authority must cut down on the number of forms of entry.

Many of my constituents and I have been alarmed by the fact that the Kent county council has proposed in recent months to close one of our four major grammar schools—Oakwood boys grammar. When the primary

[Miss Ann Widdecombe]

school population is rising and more children will need grammar school places and when, because of a complete change in the system, more grammar school places will be needed anyway, what is the sense in closing a grammar school? The consistent answer has been that the county council can see no sense in closing a grammar school, but it proposed to do so—and may yet propose to do so—because the financial regulations governing secondary education are such that the council does not feel able to keep the school open for three or four years if rolls are falling.

There are smaller schools than Oakwood grammar in the county. When I asked why, if Oakwood could not be kept open, smaller schools could be, I was assured that the only reason was that transfer at 11 was occurring more quickly in those areas and, therefore, the length of time a school would have to be financially unviable was much shorter. Kent county council expressed its problems in this way:

"Formula funding is based largely on the number of children attending a school. While older children, who pursue more intensive and extensive curriculums, attract more money any school must make sure it attracts sufficient numbers of pupils. If they fail to do this they will lose resources and, if they are unable to stem this flow, could 'wither on the vine'."

Kent county council said that it had a particular problem because of a temporary dip in numbers—that is, it is dealing not with a long-term trend but a short-term difficulty. Although the school roll may be due to pick up in, say, five years' time, because of the shortfall in pupils numbers in the interim, there is a shortfall in resources. Kent county council says categorically that, because of the rules governing formula funding, the local authority cannot top up school budgets to help schools through this problem. The authority has asked whether more flexible approaches to the proplem can be taken without abandoning the principle of formula funding. For example, could not a school that has no transport costs be credited with the opportunity costs of transport, so that that is taken in on the plus side of its revenue? Apparently, the formula funding problem is as bad whether it is a locally managed scheme or not.

Kent county council feels that if it is facing a massive reorganisation, it should be possible to treat the whole thing as one big in and out scheme so that, instead of having to hand back the proceeds to the Treasury when it disposes of buildings, it could say that that money is but a part of the cost of having to provide other buildings, and it could then be assessed only on the net proceeds. The county council has worked out that if it were allowed to do that, it would be able to produce a profit of £4 million in west Kent, which it could use for new buildings——

Mr. Andrew Rowe (Mid-Kent): Does my hon. Friend agree that if the county council's interpretation of the rigidity of the formulas is correct, there is a serious danger that a whole range of schools will opt for direct funding which, if it were to continue, would make running the local education authority very difficult?

Miss Widdecombe: My hon. Friend is absolutely right. He, too, is most concerned about this problem because his constituency covers part of Maidstone and these schools serve his constituents. He is right—Maplesden Noakes school has already applied to opt out, as has Cornwallis school. Those schools will be familiar to my hon. Friend.

Obviously, a pattern could be set but I do not believe that that pattern would be necessary if Kent county council could say finally and firmly, "This is what we want to do. These are the schools that will survive. We shall ensure that there is no reduction whatsoever in the number of grammar school places. We shall ensure that buildings are ready and in place when the changeover to 11 is made so that education does not suffer. This is the number of places that we have to provide for in high schools, and this is the number of high schools that we need."

If Kent could say that finally and firmly and could assure my constituents that there is no question that between now and the time when selection takes place it will indulge in endless reviews based on some immediate ad hoc assessments of where school rolls are falling and where they are not, my constituents could have the stability that they want. If the only way that schools can guarantee stability is to seek to opt out, there is obviously the possibility of increased numbers of applications to opt out. That in turn will make it difficult for the Kent county council to come up with a proper organisation.

Apart from the maintenance of grammar school places, my constituents are also concerned about the size of the schools involved. It was proposed that the Oakwood site would be closed, but that Oakwood school would be amalgamated with Invicta girls school to produce one large mixed grammar school. The proposed size of that school was 1,600 pupils. Surely this Government of all Governments have always believed that small schools have a value as long as they are viable, that individual attention for pupils is valuable and that large impersonal schools do not always best serve the community.

Two years ago, when the proposed high school reorganisation was under way, we were told that some of the schools would have 1,100 pupils, but now we are told that a grammar school of 1,600 pupils is proposed. That flies in the face of what I think both the Government and the county consider ideal. Indeed, the county has said that the ideal school size is 800 pupils. That makes one wonder why it has come up with a proposal for a school twice that size.

Apart from the closure of the grammar school and the fact that the new school would be on a different side of town, my constituents would be deeply unhappy if the number of smaller schools in the area were to decrease and they were left only with a choice of enormous schools where the head cannot possibly know every pupil, where there will be increased discipline problems—that must occur even in the grammar school system if the school is very large—and where the individual development of each child is much harder to maintain.

I should welcome the Minister's comments on what the Department regards as the right size of school at least in general, if not in this context. Does the Minister agree that the Kent county council, whose grammar schools have an excellent reputation, should not come up with a system which results in fewer grammar schools? Is there any possibility of treating the whole reorganisation as an in and out scheme and is there any way that formula funding could be made more flexible to help schools that face a temporary problem? Is it true, as Kent county council has said, that if it wants to keep a school open but there is a temporary problem, it is forbidden to top up? Is there

something that Kent could be doing? If so, my constituents want to know about it, because they would demand that Kent does it.

There has been a massive public outcry against Kent's proposals, particularly this week when the decision was being taken. I can see exactly what will happen. These proposals will be dropped as the review of the high schools was dropped. We shall enter the next academic year with Oakwood thoroughly blighted because nobody will know whether it will survive in the long term. We shall face another period of gross uncertainty in which schools will be named as possibilities for closure. The process will have been going on for years. It must be stopped. Does the Minister agree that it is essential for the good health of education anywhere under whatever system that there should be stability and certainty? Does she further agree that even if that must be jeopardised once because of a major review, it should not be jeopardised four times in a short period?

2.45 pm

The Minister of State, Department of Education and Science (Mrs. Angela Rumbold): I congratulate my hon. Friend the Member for Maidstone (Miss Widdecombe) on securing this Ajournment debate on the reorganisation of secondary schools in Maidstone and the wider area. I share her anxieties about stability, about which she spoke with such clarity and vigour and which she was right to highlight. I fully understand that the upheaval that has been going on in this part of Kent almost continuously in the past few years is not satisfactory for the stability of the schools or the education of children.

My hon. Friend the Member for Mid-Kent (Mr. Rowe) in an intervention noted the possibility of grant-maintained schools causing difficulties for the local education authority in its planning proposals. That may well be so, but grant-maintained schools may provide the stability that my hon. Friend the Member for Maidstone talked about. When considering the possibility of grant-maintained status the Government have always borne in mind the wishes and entitlement of parents to have a choice in education.

My hon. Friend drew attention to the public consultations on several options for the future organisation of schools in her area in general and Mid-Kent in particular. She mentioned that Maidstone grammar school and Maidstone grammar school for girls are unlikely to be changed. However, she said that it was intended to amalgamate Oakwood Park grammar school and Invicta grammar school for girls. I listened carefully to her comments about that and about the possibility of changing the age of entry from 13 to 11. I have noted her points about the uncertainty that that is causing and about the effects of school size and of choice of school for parents.

I shall concentrate first on the way in which the Government look at reorganisation. It is important to describe how proposals come to us for decision. Obviously, we have to look at the proposals sent to us by local authorities strictly on their merits. We take careful account of the circumstances and arguments put forward, both for and against. We listen to the consultations, but we cannot prejudge the issues.

Therefore, I am sure that my hon. Friend will accept that I cannot tell her precisely what our views might be on particular proposals and so it would be difficult for me to give her specific guidance or reassurance about the sizes of schools, the way in which they are organised and whether there is adequate choice in terms of single sex schools or grammar schools. All those issues must come through in the section 12 proposals.

Local education authorities should be looking carefully at their school organisations because the Government are committed to improving quality for education. That was part of the thrust of our Education Reform Act 1988. We are also committed to ensuring that there is better value for money in education and, with all the other demands we have, that we make the best use of the resources that we can afford for education.

We have repeatedly been asking local education authorities to remove surplus places in schools that have been created by falling rolls. When those places are removed it releases money for more productive use, for example in improving the learning environment through larger budgets for repairs and maintenance and for passing on, through local management, to schools.

It is important to say something about my hon. Friend's remarks on size and preference. We do not believe that there is any optimum size for secondary schools. Much depends on local circumstances. Small schools may need relatively more generous support to offset diseconomies of scale, and larger schools have their own challenges. Planning an appropriate school organisation for their areas is a matter for the local education authorities. If the local view is substantially that a school is of a certain size that view will come through clearly in the consultation exercise.

We have always made clear in our circular 3/78 and elsewhere, the importance we attach to giving full weight to parental preferences for particular sizes, types—including the option for either grammar schools or single sex schools. I am sorry that I am not able to give my hon. Friend more guidance on that, but I am sure that she will appreciate the difficulties that I would be in where I to commit myself too firmly at the Dispatch Box.

My hon. Friend mentioned capital receipts and capital in relation to local education authorities when they are making proposals that embrace a large number of schools. She referred, in passing, to what are known as in and out schemes, which allow local education authorities to utilise capital receipts from the sale of facilities for the provision of broadly similar facilities, without having to make the normal 50 per cent. reduction for debt redemption.

We believe that those schemes represent an excellent method of ensuring that resources are used to the maximum advantage. Therefore, it is for each local authority to decide, with its legal advisers and the auditors, where there are particular in and out transactions that come within the terms of the Local Authorities (Capital Finance) Regulations 1990. No approval or consent from the Department of the Environment is required. I think that my hon. Friend knows that, providing those conditions are met, it seems possible for that scheme to operate. I hope that she will welcome that message and take it back to her authority.

I was extremely interested in what my hon. Friend said about the application of local management schemes for schools in Kent. She said that it seems that Kent feels that there are no ways in which assistance can be given to small schools. That is not quite the case, because the Government have always recognised that there are extra

[Mrs. Angela Rumbold]

costs associated with small schools. I talk not only of primary schools—three quarters of all schools in this country fall into that category—but of a number of secondary schools.

We have given the local education authority quite wide latitude over including factors in its local management of schools formulae to protect the curriculum in small schools. A number of local authorities have taken that up. Many factors to achieve that have been designed by local authorities, some of which could be contacted by Kent for assistance in designing those factors. For example, schools can be allocated lump sums, or there can be per capita enhancement for schools below a threshold size. So long as those factors do not amount to a falling rolls factor—in other words they do not interfere with the amount of money per pupil going into a school—the local authority can submit proposals to the Government and we shall be happy to consider them.

Kent's scheme provides some curriculum protection for primary and middle schools. But I understand that it provides no curriculum protection for secondary schools. That is a matter for the Kent education authority if it wishes to seek a variation in its scheme to lower that point, and we shall consider such an approach.

Mr. Rowe: If, for example, a school wishes to improve its heating system to make savings in future, can money be provided under that flexible arrangement? If such improvements involve running costs more than capital sums, would that be a possibility?

Mrs. Rumbold: There has been some misapprehension concerning Kent. I have spoken to other hon. Members representing Kent constituencies about small schools.

The question raised by my hon. Friend the Member for Mid-Kent must be considered as part of the total component factors for allocating resources. If an appreciable need is felt by the governing body of a small secondary school that the school should be classified and there should be some compensating factor, it can produce a proposal which we shall consider carefully. I know that that is not a direct answer to my hon. Friend's question, but it opens the door for the authority to approach us.

Obviously, it is right and proper that Kent should review its secondary school provision against that background. The authority is concerned to provide value for money. It is known to be a good authority which takes care to ensure that many of its resources go back to the schools, the children and those responsible for teaching them. Obviously, it is important for Kent to find a way to provide a school system that implements our education reforms and benefits children and parents in the area. But it is entirely for the authority to determine what is the most appropriate organisation to achieve those objectives. It cannot do that in a vacuum. We have made it quite clear that we attach great importance to public consultation and we also have to follow the statutory procedures laid down in sections 12 and 13 of the Education Act 1980. They require that if a local education authority wishes to establish, close or change the size or character of a school, it has to publish proposals explaining its intentions. Following publication there has to be a two-month period in which interested parties can submit objections.

If objections are made, if we give appropriate notice to the local education authority or if the school concerned is a voluntary school, the proposals fall to us to decide. Of course, we shall treat them strictly on their merits. However, through the forum of today's debate, I urge the authority to take great care in its consultations and proposals to take note of the widely held feelings that my hon. Friend the Member for Maidstone has outlined and the disruption that such proposals inevitably cause when parents feel insecure about the future of a school. I wish the authority well and I hope that the schools settle into a sensible plan of organisation.

Question put and agreed to.

Adjourned accordingly at one minute to Three o'clock.

Written Answers to Questions

Tuesday 8 May 1990

NATIONAL FINANCE

Economic Development

Mr. Redmond: To ask the Chancellor of the Exchequer if he will list by year for the last five years, the economic development that has been made available in South Yorkshire by *(a)* the EEC and *(b)* by central Government.

Mr. Norman Lamont: The question as drafted calls for a major exercise of economic impact assessment which could only be provided at disproportionate cost. The hon. Member may have a more specific query in mind, in which case he may wish to rephrase the question.

Privatisation

Mr. Viggers: To ask the Chancellor of the Exchequer if he will list, in a manner consistent with the reply to the hon. Member for Gordon (Mr. Bruce) of 31 March 1988, *Official Report*, columns *604-6*, for each privatisation measure since 1987, the Government's merchant bank advisers, brokers, reporting accountants and solicitors and details of any advertising agency involved; and whether any form of competitive tendering was undertaken in each case.

Mr. Lilley: The Government's merchant bank advisers, brokers and solicitors in each privatisation 1987 are listed below. Reporting accountants and advertising agencies employed in the sales were usually joint appointments with the company, and are also listed. In addition, a number of sales of subsidiaries were carried out by nationalised industries. Details of the advisers for these sales are not held centrally.

In each of the privatisations the appointment of merchant bank advisers, brokers and advertising agencies was subject to competition.

The appointment of reporting accounts was subject to competition in all except two of the cases listed. In the case of Short Brothers the company's auditors were appointed without obtaining alternative tenders, to take advantage of their existing knowledge as this was expected to give rise to worthwhile savings in terms of time and costs. In the case of the Skills Training Agency, Deloitte, Haskins and Sells were appointed on a single tender basis, following the appointment of Deloitte Corporate Finance as merchant bank advisers. In each case a competitive rate was negotiated.

The appointment of solicitors was subject to competition in all cases except Rover, where Slaughter and May were appointed jointly with Barings Brothers.

Company	*Date of sale*	*Government Merchant Bank Adviser*	*Government Broker*	*Reporting Accountant*	*Advertising Agency*	*Solicitors*
				(Joint appointment unless otherwise stated)		
Professional and Executive recruitment	1988	Lloyds	—	Coopers and Lybrand	—	Field, Fisher Martineau
Rover Group	1988	Barings Brothers	—	—	—	Slaughter and May
British Steel	1988	Samuel Montagu	Rowe and Pitman	Coopers and Lybrand	Saatchi and Saatchi	Norton Rose
General Practice Finance Corporation	1988	Hambros	—	Peat, Marwick McLintock	—	McKenna and Company
Harland and Woolff	1989	Lazards	—	—	—	Lovell White Durrant
Short Brothers	1989	Kleinwort Benson	—	Deloitte Haskins and Sells	—	Norton Rose
Water Companies	1989	Schroders	Rowe and Pitman	Touche Ross[1]	Collett Dickenson Pearce	Clifford Chance
Skills Training Agency	1990	Deloitte Corporate Finance	—	Deloitte Haskins and Sells	—	Field, Fisher Waterhouse

Tax Share (Northern Ireland)

Mr. Flannery: To ask the Chancellor of the Exchequer if he will publish the formula used to calculate Northern Ireland's attributed share of United Kingdom taxes.

Mr. Lilley: The ways in which certain taxes are collected means that, for Northern Ireland, a share of the revenue yield must be attributed by applying a set formula. These are set out in Statutory Instruments 1975/1313, 1977/1879, 1983/1599 and 1988/1667, made under section 15 of the Northern Ireland Constitution Act 1973.

Oil Taxation

Mr. Chris Smith: To ask the Chancellor of the Exchequer what estimates were used by the Inland Revenue in concluding in paragraph 9 of a press release of 20 March, entitled "Oil Taxation", that the longer-term revenue effects of the taxation charges discussed in the press release are expected to be broadly revenue-neutral overall.

Mr. Lilley: Costings of this sort, involving many projections well into the future, are inevitably extremely uncertain. Estimates of abandonment expenditure are

based on surveys of industry intentions. The revenue effects of the measures referred to in this part of the press release also depend on a wide range of other assumptions, such as about oil prices and production levels and about other expenditure.

Mr. Chris Smith: To ask the Chancellor of the Exchequer if he will estimate the longer-term annual revenue effects of the measures proposed in *(a)* clause 52 and clause 53, *(b)* clause 54, *(c)* clause 55 and clause 56, *(d)* clause 96 and *(e)* clause 97 of the Finance Bill.

Mr. Lilley: I have nothing to add to the aggregate estimates in the annex to chapter 4 of the Financial Statement and Budget Report 1990-91 and, as far as clauses 55 and 56 are concerned, in the 22 January 1990 Inland Revenue press release entitled, "North Sea Oil—Restriction of Capital Losses".

United States (Foreign Investment)

Mr. Oppenheim: To ask the Chancellor of the Exchequer what are the latest available figures for (1) annual and (2) total direct foreign investment in the United States by *(a)* Great Britain, *(b)* Japan, *(c)* the Netherlands, *(d)* West Germany and *(e)* France.

Mr. Norman Lamont *[holding answer 1 May 1990]:* Information is published by the Central Statistical Office on United Kingdom outward foreign direct investment by United Kingdom companies in the United States. Figures are also published by the United States Department of Commerce on inward foreign direct investment into the United States by a number of countries. Because of differences in coverage, country attribution, accounting practices and methods of compilation, figures for United Kingdom direct investment in the United States from these two sources will not correspond. The latest available information from both sources is as follows:

United Kingdom information

United Kingdom direct investment in the United States	*Net outflow 1988*	*Book value of investment end-1987*
£ million	9,854	30,635
(equivalent to $ million)	(17,536)	(57,808)

Source: CSO Business Bulletin Overseas Direct Investment (28/90).

United States information

Direct investment in the United States by:	*Net inflow 1988*	*Net investment position end-1988*
	United States $ million	*United States $ million*
United Kingdom	18,774	101,909
Japan	17,838	53,354
Netherlands	4,766	48,991
West Germany	2,306	23,845
France	962	11,364

Source: United States Department of Commerce: Survey of Current Business.

European Monetary Union

Mr. Shore: To ask the Chancellor of the Exchequer, following the meeting of the 12 Finance Ministers in Galway on 31 March and 1 April, what proposals have been made for the timetable of introducing phase 2 and phase 3 of European monetary union.

Mr. Major *[holding answer 3 May 1990]:* No such proposals have been made. It was agreed at the special meeting of the European Council on 28 April that the preparations for an intergovernmental conference on economic and monetary union which will begin in December this year should be intensified with the objective of finishing the work of that conference in time to permit ratification of the results before the end of 1992. It is too early to say how feasible such a target will be.

THE ARTS

British Museum (Research)

Mr. Dalyell: To ask the Minister for the Arts what responsibilities he has in respect of the level and type of academic research carried out by the British Museum (Natural History); and if he will make a statement.

Mr. Luce: The day-to-day running of the Natural History museum, and decisions on the museum's research programme, are matters for the director and trustees of the museum.

I understand, however, that the Natural History museum fully intends to continue to undertake a wide range of academic research work, but that it plans to concentrate research effort primarily into important scientific programmes relevant to contemporary needs and issues such as the environment and human health.

CIVIL SERVICE

Administration Trainees

Mr. John Garrett: To ask the Minister for the Civil Service in 1989 what percentages of successful applicants for the Civil Service administration trainee direct entry scheme were *(a)* educated at Oxford and Cambridge, *(b)* arts graduates and *(c)* attended fee-paying schools.

Mr. Luce: Of the 65 candidates recommended for appointment as administration trainees/higher executive officers (development), 55 per cent. were educated at either Oxford or Cambridge and 56 per cent. were arts graduates. The identity of schools attended by candidates is not recorded for statistical or other purposes.

TRANSPORT

British Rail

Mr. Pawsey: To ask the Secretary of State for Transport if he will obtain for his Departmental library a copy of the Consumers Association's report on British Rail services dated March 1990; and if he will make a statement.

Mr. Atkins: My right hon. Friend received a copy of the Consumers Association's report on 1 March. He will be meeting representatives of the Consumers Association on 24 May to discuss the article.

Driving Tests

Mr. David Marshall: To ask the Secretary of State for Transport which driving test centres had *(a)* the 10 highest percentage pass rates and *(b)* the 10 lowest percentage pass rates per annum for each of the last five years; and how many people these figures represent.

Mr. Atkins: It is not the Department's policy to publish comparative pass rates for test centres.

The average percentage pass rates for the Driving Standards Agency regions for the last five years for which figures are available were:

	1985	*1986*	*1987*	*1987-88*	*1988-89*
North Eastern (Newcastle)	47	49	51	55	54
North Eastern (Leeds)	46	46	48	48	51
North Western	50	50	52	54	54
West Midland	48	47	49	48	49
Eastern (Nottingham)	50	50	51	51	52
Eastern (Cambridge)	47	48	50	51	53
South Wales	49	50	50	51	53
Western	51	51	52	52	54
South Eastern	49	48	49	50	51
Scotland	50	50	53	53	54
Metropolitan	47	47	48	50	50
National average	49	49	50	51	52

Noise Pollution

Sir Dudley Smith: To ask the Secretary of State for Transport if he will review procedures for dealing with complaints from those whose personal environment has been badly affected by noise from new motorways.

Mr. Atkins: I am satisfied with the procedures for dealing with complaints from those affected by noise from new motorways and that the Department handles these complaints sympathetically.

Motorways

Mr. Gerald Bowden: To ask the Secretary of State for Transport (1) if he will outline his Department's policy on the provision of ribbed edgelines on motorways;

(2) what regional differences of policy exist in his Department on the provision of ribbed edgelines on motorways to reduce the number of accidents on motorway hard shoulders;

(3) what plans he has to introduce ribbed edgelines onto all motorways in the United Kingdom as standard carriageway markings.

Mr. Atkins: The Department has encouraged the use of ribbed edgemarkings on motorways since 1987 following experience earlier on. The extent of installation in each region is influenced by the need for replacement and maintenance of existing lining systems. We are shortly to offer advice to English regional offices which should encourage further installation of ribbed edgemarkings on motorways and appropriate all-purpose dual carriageway trunk roads.

It is our intention to include these markings in our consultation document on the traffic signs regulations and general directions, due to be circulated in the early autumn.

Mr. Gerald Bowden: To ask the Secretary of State for Transport what assessment he has made of the success of experimental schemes to fit ribbed edgelines on motorways in reducing the number of accidents on motorway hard shoulders.

Mr. Atkins: The Transport and Road Research Laboratory is encouraged by the results of earlier experience and trials conducted so far. On the basis of the available evidence it is not possible to establish the likely balance of costs and benefits across the network as a whole. Conclusive research would take many years to yield results. Operationally these lines appear to offer benefits in terms of enhancing visibility and driver awareness of the edge of the carriageway. Both these factors help to reduce the risk of accidents.

Driving Offences

Mr. Flynn: To ask the Secretary of State for Transport if he proposes to create any new categories of driving offences.

Mr. Atkins: Our proposals for the reform of road traffic law are set out in the White Paper, "The Road User and the Law" (Cm. 576). These include the creation of a new offence of

"causing death by careless driving while unfit through drink or drugs"

and the reformulation of the reckless driving offences. Legislation to implement these proposals will be introduced at the earliest opportunity.

Helicopters

Mr. Day: To ask the Secretary of State for Transport if his approval was required for the exemption given to the helicopter companies operating over the North sea from the new rules against excessive fatigue for pilots.

Mr. McLoughlin: The statutory responsibility for the safety regulation of United Kingdom civil aviation rests with the Civil Aviation Authority (CAA). I understand that of the 540 pilots employed on offshore helicopter operations on 1 May 1990, the date of the new requirements, 10 were in excess of the new limit of 800 hours flying time in any 12-month period. Of these, the highest had completed 835 hours and was inside the old limit of 900 hours maximum.

In order to avoid grounding these pilots for approximately three months, the authority has issued

exemptions valid until the end of August 1990 when all 10 will be within the new reduced maximum 12-monthly flying hours limit.

Channel Tunnel

Mr. Gerald Bowden: To ask the Secretary of State for Transport what discussions he has had with British Rail and the developers of the King's Cross site about the choice of the London terminal for the channel tunnel rail link.

Mr. Freeman: The choice of preferred location for the second London terminal for channel tunnel rail services was made by British Rail. My approval to British Rail's investment plans for the station will be required before they can proceed. The terms of the agreement with the developers and other land owners are a matter for British Rail; but this Department has had discussions with British Rail and the developers on the implications for the road and public transport networks in the King's Cross area.

Traffic Forecasts

Ms. Ruddock: To ask the Secretary of State for Transport if he will give a geographical breakdown of the traffic forecasts which have produced the average estimates for 2025 of 83 per cent. to 142 per cent. increase in road traffic.

Mr. Atkins: The national road traffic forecasts 1989 (NRTF) apply to Great Britain as a whole. Local forecasts, consistent with the NRTF, are made where necessary when particular problems and improvements are considered. These forecasts take into account local differences and can be lower or higher than the national forecast.

London Underground

Ms. Ruddock: To ask the Secretary of State for Transport if he will make a statement on the closure of the Circle line at Liverpool Street station on Wednesday 2 May.

Mr. Freeman: London Underground Ltd (LUL) tell me that Liverpool Street Underground Station was closed and evacuated on Wednesday 2 May betwen 09.45 and 10·20 whilst the London fire brigade attended following a report of smoke. The current was discharged to allow the firemen on to the track. The cause of the smoke was found to be burning paper, probably ignited by a train "arcing". The fire brigade extinguished the burning paper, the "all clear" was given and the station was reopened.

I understand that LUL is currently carrying out a programme of improved cleaning measures, in particular, to remove litter from the track. It is also looking of eliminating or minimising arcing of trains.

Ms. Ruddock: To ask the Secretary of State for Transport how many fires have been reported on London underground in each of the last 12 months; for how many the fire brigade was in attendance; and how many required evacuation of the premises.

Mr. Freeman: London Underground Ltd. (LUL) tells me that the latest 12-month period for which details of fires are available is April 1989 to March 1990. The record consists of four-week periods rather than calendar months. The figures are as follows:

Period	*No. of Fires Reported*
[1]29.4.89	464
[1]27.5.89	584
[1]24.6.89	456
[1]22.7.89	436
[1]19.8.89	385
[1]16.9.89	398
[1]14.10.89	370
[1]11.11.89	276
[1]9.12.89	393
[1]6.1.90	259
[1]3.2.90	303
[1]3.3.90	339
[1]31.3.90	424

[1] Four weeks ending

The London fire brigade was in attendance at all fires. LUL do not keep records of evacuations of stations as a result of fires, though in 540 cases the train service either did not stop at the station or was suspended, which suggests that the station was evacuated.

It was not necessary for LUL to report all fires to the Secretary of State. Those which had to be reported fell into the categories at Schedule 1, Sections 6(d), 6(e), 7(e) and 7(f) of the Railway (Notice of Accidents) Order 1986. This was set out in the answer to the hon. Member on 23 March 1990, *Official Report*, c.*774-75*.

Supply Index

Mr. Devlin: To ask the Secretary of State for Transport if he will make a statement about his Department's decision not to participate in the Government supply index.

Mr. Atkins: The Department makes use of GSI by sharing facilities with DOE. The driver and vehicle licensing agency in Swansea has its own subscription.

Heavy Goods Vehicles (First Aid Kits)

Mr. Burns: To ask the Secretary of State for Transport if his Department proposes to introduce legislation to compel heavy goods vehicles to carry first aid kits; and if he will make a statement.

Mr. Atkins *[holding answer 3 May 1990]:* Knowing the right thing to do when serious injury occurs can make the difference between life and death. I welcome the steps taken by responsible employers and by individuals themselves to spread this knowledge. Carrying a first aid kit is something that many road users sensibly already do, but it is no substitute for human common sense and knowledge and I do not propose to make it compulsory.

Nuclear Waste (Transportation)

Dr. Thomas: To ask the Secretary of State for Transport what information he has concerning the draft code on nuclear waste transboundary transport drawn up by the experts panel of the International Atomic Energy Agency; how the United Kingdom was represented on the experts panel; and how the report will affect current safety regulations for nuclear materials transport in the United Kingdom.

Mr. Trippier: I have been asked to reply.

An official of the Department of the Environment attended the meeting of the expert panel which drew up the

draft code of practice. Current safety regulations for the transport of all radioactive materials in the United Kingdom comply with the recommendations of the International Atomic Energy Agency (IAEA). Any proposed changes to these recommendations resulting from the adoption of the code of practice will need to be agreed by the IAEA before they are embodied into United Kingdom law.

NORTHERN IRELAND

Rural Regeneration

Mr. McGrady: To ask the Secretary of State for Northern Ireland what work has been undertaken by the inter-departmental committee on rural re-generation under the chairmanship of the permanent secretary in the Department of Agriculture; and when it will report its findings, proposals and recommendations.

Mr. Peter Bottomley: The inter-departmental committee on rural development has been in operation since January 1990. It continues to work to its general remit of preparing advice for Ministers on how best to carry forward action to tackle the social and economic problems in the most deprived rural areas.

Discussions have taken place with district councils, the rural action project and the promoters of rural development projects. Following a recommendation from the committee it was agreed to fund the rural action project for a further year to 31 March 1991.

The committee will report to Ministers as soon as possible commensurate with a comprehensive review and positive recommendations.

Natural Gas

Mr. Beggs: To ask the Secretary of State for Northern Ireland (1) what is the estimated cost of providing the necessary infrastructure in Northern Ireland to ensure maximum availability of natural gas in the main centres of population in Northern Ireland;

(2) what is the estimated cost of linking Northern Ireland by pipeline to the national gas grid of Great Britain.

Mr. Needham: No information is available on these costs which could only be obtained through detailed and expensive financial and technical studies.

Mr. Beggs: To ask the Secretary of State for Northern Ireland what evidence exists of the likelihood of natural gas reserves in *(a)* Northern Ireland and *(b)* off the coastal areas of Northern Ireland.

Mr. Needham: Small amounts of natural gas have been encountered in hydrocarbon exploration wells in County Fermanagh but work on enhancing the yields to commercial levels was not considered warranted by the prospecting companies as gas shows were so small. Elsewhere in Northern Ireland some geological features exist which control the formation and accumulation of hydrocarbons but to date exploration has not confirmed the presence of any significant traces of natural gas or oil. Exploration is continuing under three prospecting licences for areas in Co. Antrim.

Little is known of the geology of the off-shore area but from what evidence is available the prospectivity of the off-shore area in the vicinity of Rathlin and East Antrim is similar to the adjacent on-shore area.

Mr. Beggs: To ask the Secretary of State for Northern Ireland what is the nearest identified source of natural gas in Great Britain to Northern Ireland.

Mr. Needham: Previous studies of the options for the supply of natural gas from Great Britain to Northern Ireland indicated that the most convenient route would be a supply via the west coast of Scotland. The studies also concluded that such a supply would not provide the basis of a viable gas industry for the Province.

DNA Profiling

Mr. McNamara: To ask the Secretary of State for Northern Ireland whether any scientist at the Northern Ireland forensic science laboratory has published articles in peer-reviewed journals on the subject of DNA profiling.

Mr. Cope: No such articles have been published.

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many samples have been taken from how many persons suspected of *(a)* scheduled offences and *(b)* non-scheduled offences, distinguishing between (i) samples taken with the consent of the suspect and (ii) samples taken without the consent, and further distinguishing between intimate, and non-intimate, excluding mouth samples, and mouth swabs as defined in schedule 14 to the Criminal Justice Act 1988, under the terms of schedule 14 to the Criminal Justice Act 1988, and subsequently under the Police and Criminal Evidence (Northern Ireland) Order 1989, since the commencement of schedule 14 to the Criminal Justice Act 1988.

Mr. Cope: The information requested could be obtained only at disproportionate cost.

Mr. McNamara: To ask the Secretary of State for Northern Ireland whether he will publish in the *Official Report* the administrative guidelines for records of DNA samples taken from persons acquitted or not proceeded against in Northern Ireland.

Mr. Cope: Guidance to the police on the identification, by body samples, swabs and impressions, of persons detained under the general criminal law has already been published in the codes of practice issued under the Police and Criminal Evidence (NI) Order 1989 (copies of which are in the Library of the House). Guidance on the identification, by similar means, of persons detained under emergency legislation will be published shortly.

Second-level Students

Mr. Mallon: To ask the Secretary of State for Northern Ireland how many students in second-level education reached their 19th birthday and completed their courses in each year since 1980.

Dr. Mawhinney: The information is as follows:

School year	*Number of 19-year-old leavers*
1979-80	542
1981-82	615
1983-84	705

School year	Number of 19-year-old leavers
1985-86	789
1986-87	672
1987-88	695

Figures are not available for the school years 1980-81, 1982-83 and 1984-85 and not yet available for 1988-89.

Irish Language Teaching

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many copies of the proposals for the teaching of Irish in Irish-medium schools were sent out by the Northern Ireland Curriculum Council; how many schools were consulted; how many questions there were in the consultative proposals to be answered; weeks each school was given to reply to the consultative proposals; what was the closing date for replies; how many schools replied to the consultative proposals; and if he will make a statement.

Dr. Mawhinney: Copies were sent to all grant-aided schools and to other bodies. A total of 7,800 copies were issued and 165 responses were received, of which 50 were from teachers or schools. The copies were issued on 19 February and schools were asked to reply by 30 March, a total of six weeks. To assist the analysis of comments, the council issued a proforma which contained 25 questions but respondents were at liberty to comment also on other matters.

Extradition

Mr. Maginnis: To ask the Secretary of State for Northern Ireland how many applications relating to terrorist offences have been made for extradition from the Irish Republic to Britain *(a)* between 1972 and 14 November 1985 and *(b)* since 15 November 1985; how many have been refused; how many have been granted; and for how long any outstanding cases have been under consideration.

Mr. Cope *[holding answer 23 March 1990]:* The information is as follows:

Applications submitted (persons)	Persons returned	Extradition refused	Other[1]
1 January 1972 to 14 November 1985			
80	3	38	[2]38
15 November 1985 to date			
32	4	3	[2]26

[1] The category "other" includes cases where warrants were returned or withdrawn for a variety of reasons; or where the person sought was found to be deceased (2 cases) or was subsequently arrested in the United Kingdom (15 cases). There were 19 applications outstanding as at 3 April 1990; since the majority of these persons have not so far been arrested, an account of time spent by each under consideration would not be appropriate.

[2] The figures within each category do not tally because in one pre-15 November 1985 case the individual concerned was returned after that date.

Terrorism

Mr. Maginnis: To ask the Secretary of State for Northern Ireland which organisations were responsible for the 37 terrorist killings which have been carried out in the constituency of Fermanagh and South Tyrone since 15 November 1985; and in how many of these killings *(a)* someone has been convicted for murder by the courts, *(b)* there is a murder charge presently outstanding and *(c)* there has been a failure to charge anyone with murder.

Mr. Cope *[holding answer 23 March 1990]:* Republican terrorist groups are believed to have been responsible for each of the 37 terrorist murders about which the hon. Gentleman has asked. One person has been convicted in respect of two of them; and five persons are awaiting trial charged with two additional murders, as well as related serious offences. Police inquiries still continue in respect of the remaining 33 murders, but to date no-one has been charged.

Energy Consumption

Mr. Dobson: To ask the Secretary of State for Northern Ireland if he will give the target reductions for energy consumption in the buildings occupied by his Department.

Mr. Cope *[holding answer 30 April 1990]:* The target reduction for energy consumption over the period April 1990 to March 1995, on buildings occupied by the Northern Ireland Office and Northern Ireland Departments, is 15 per cent. of the total energy bill for the year 1989-90.

EC Energy Development Programme

Mr. William Ross: To ask the Secretary of State for Northern Ireland what applications for European Community funding under the Valoren energy development programme in respect of lignite mining or peat extraction for fuel use are currently under consideration; and if he will indicate the project name, site location, date and level of European Community funding sought.

Mr. Needham *[holding answer 3 May 1990]:* No such applications are under consideration.

Mr. William Ross: To ask the Secretary of State for Northern Ireland if he will list for each of the last three years those projects which have received European Community funding under the Valoren programme in respect of lignite mining or peat extraction for fuel use, and in each case indicate the project name, site location, date and level of European Community funding.

Mr. Needham *[holding answer 3 May 1990]:* Since the Northern Ireland Valoren programme commenced in May 1986, £23,411·35 of European Community funding has been provided to LEDU in respect of financial assistance paid to two investment projects involving the extraction and processing of peat for fuel.

Name and address of project	*Amount of European funding* £	*Period of claim*
1. Cam Peat Ltd., 84 Ringsend Road, Leck, Limavady	14,260·50	1 May 1986-31 December 1987
	5,238·35	1 January 1988-31 December 1988
Site: Cam, Macosquin, Coleraine		
2. Biofuel Products (NI), The Cutts, Dunmurry, Belfast	3,912·50	1 May 1986-31 December 1987

No lignite mining projects have been assisted under the Valoren Programme.

HOUSE OF COMMONS

Broadcasting

Mr. Wallace: To ask the Lord President of the Council what arrangements have been made to permit the BBC to broadcast a radio programme from a Committee Room of the House; on what terms; and whether he will make a statement.

Sir Geoffrey Howe: Arrangements have been made for a radio programme to be recorded in the Grand Committee Room. The authority for any direct broadcast from the House, other than of Proceedings of the House, is the Select Committee on House of Commons (Services); it is permissible, however, to record a meeting sponsored by an hon. Member, for broadcasting at a later date.

Mr. Wallace: To ask the hon. Member for Berwick-upon-Tweed (Mr. Beith), as representing the House of Commons Commission, whether any House of Commons staff are involved in the arrangements for a BBC programme to be recorded in a Committee Room of the House on 8 May; and whether any reimbursement is being made by the BBC to the Commission for staff or other costs.

Mr. Beith: Staff of the House are available to administer Committee Rooms with regard both to sittings of Committees of the House and private meetings sponsored by hon. Members; in the case of the meeting arranged in the name of the Leader of the House on 8 May no additional costs have been identified and the question of reimbursement does not arise.

Select Committees (Advisers)

Mr. Menzies Campbell: To ask the Lord President of the Council if he will list for the current year by Committee the names, qualifications, experience and remuneration of advisers to Select Committees of the House.

Sir Geoffrey Howe: The appointment of specialist advisers is a matter for the Select Committee concerned. The names of the specialist advisers who assisted Select Committees during the 1988-89 Session of Parliament can be found in the most recent Sessional Return (HC(1989-90)110). During the current Session, the following advisers have also assisted Select Committees:

Defence Committee
Mr. A. Preston

Education, Science and Arts Committee
Mr. J. Fish
Dr. D. B. Thomas
Professor J. M. Ziman

Employment Committee
Professor A. Likierman

Energy Committee
Professor Sir Herman Bondi

Environment Committee
Professor J. N. Bell
Professor R. Y. Cartwright
Mr. D. Gould
Mr. R. B. Macrory
Professor R. Perry
Mr. A. J. Rosenfeld, CB

Foreign Affairs Committee
Dr. J. Barber
Sir Patrick Moberly
Mr. R. Pollock
Dr. A. Pravda
Dr. P. Sabin

Social Services Committee
Dr. B. Castleton
Dr. D. Hunter
Mr. D. Plank
Professor D. Piachaud
Mr. D. Willetts
Professor J. Wing
Mr. G. Wistow
Miss J. Young

Committee on the Televising of Proceedings of the House
Mr. R. Wright

Trade and Industry Committee
Dr. C. Preston
Dr. B. Rider

Transport Committee
Professor D. Heald
Mr. E. Humphreys
Mr. F. Taylor
Mr. G. Wilkinson

Welsh Affairs Committee
Professor P. J. Cloke
Miss M. Constable
Dr. R. W. Vickerman
Dr. R. William

Advisers currently retained by select commitees have a wide range of experience and qualifications and include retired civil servants and service officers, university academics and consultants.

Specialist advisers are remunerated on a *per diem* basis, plus travelling expenses, on the same scale as that used within the civil service for comparable appointments, which ranges between £38 and £115 per day. Details of individual remuneration are not disclosed. The total cost of specialist advice for each select committee in the financial year 1988-89 can be found in the most recent Sessional Return (HC(1989-90)110).

OVERSEAS DEVELOPMENT

Zimbabwe

Mrs. Gorman: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Her Majesty's Government's bilateral aid to Zimbabwe.

Mrs. Chalker: I refer the hon. Member to the answers given to the hon. Member for Hendon, South (Mr. Marshall) on 24 July 1989 at column *454* and 4 December 1989 at column *9*. Figures for expenditure in 1989 should be available later this month.

Poland

Mr. Pawsey: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his reply to the hon. Member for Rugby and Kenilworth of 26 April, *Official Report*, column *282*, what plans exist to increase the £2·3 million so far provided for Poland under the know-how fund.

Mrs. Chalker: We expect that expenditure under the know-how fund for Poland in 1990-91 will be considerably higher than the £2·3 million spent in 1989-90. It is too soon to predict an exact figure.

Mr. Pawsey: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his reply to the hon. Member for Rugby and Kenilworth of 26 April, *Official Report*, column *282*, what plans exist to increase the size of the know-how fund.

Mrs. Chalker: Much of the £50 million know-how fund for Poland has yet to be committed to specific projects, and there are no plans to increase the size of the overall fund. As already announced, know-how funds have been extended to Hungary, East Germany and Czechoslovakia.

Mr. Pawsey: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his reply to the hon. Member for Rugby and Kenilworth of 26 April, *Official Report*, columns *282-83*, what is his estimate of the number of people who have benefited from the specific training provided for potential local joint venture partners with Poland.

Mrs. Chalker: The initiative under the know-how fund relating to the training of potential local joint venture partners has been introduced only recently and detailed arrangements are being worked out. A number of companies have registered their interest in the initiative in respect of Poland and we are looking carefully at their proposals.

Bilateral Aid

Mr. Battle: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish a table in the *Official Report* correlating for the last five years for which data are available *(a)* United Kingdom bilateral aid to (i) Burma, (ii) China, (iii) India, (iv) Indonesia, (v) Jordan, (vi) Malaysia, (vii) the Philippines, (viii) Sri Lanka, (ix) Thailand, (x) the Yemen Arab Republic in real and cash terms and *(b)* the proportions in each case of this aid tied to trade deals involving United Kingdom companies.

Mrs. Chalker: The answer is as follows:

United Kingdom bilateral aid 1984-1988 at current prices

£ Thousands

	1984	*1985*	*1986*	*1987*	*1988*
Burma	821	983	2,945	4,717	2,222
China	561	1,201	2,190	4,011	28,383
India	146,537	106,466	143,481	78,464	101,045
Indonesia	28,292	33,649	8,898	12,223	17,365
Jordan	6,105	2,332	5,641	4,809	4,091
Malaysia	4,992	7,454	55,494	9,779	10,057
Philippines	3,803	1,840	205	262	1,042
Sri Lanka	26,203	17,316	15,981	18,690	21,718
Thailand	20,036	7,437	4,215	5,358	23,244
Yemen Arab Republic	3,103	3,104	3,775	5,168	6,603

United Kingdom bilateral aid 1984-1988 at constant 1988 prices

£ Thousand

	1984	*1985*	*1986*	*1987*	*1988*
Burma	1,003	1,137	3,291	5,029	2,222
China	686	1,390	2,447	4,276	28,383
India	179,095	123,180	160,344	83,657	101,045
Indonesia	34,578	38,932	9,944	13,032	17,365
Jordan	7,461	2,698	6,304	5,127	4,091
Malaysia	6,101	8,624	62,016	10,426	10,057
Philippines	4,648	2,129	229	279	1,042
Sri Lanka	32,025	20,034	17,859	19,927	21,718
Thailand	24,488	8,605	4,710	5,713	23,244
Yemen Arab Republic	3,792	3,591	4,219	5,510	6,603

Percentage of aid and trade provision to gross bilateral aid 1984-1988

Per cent.

	1984	*1985*	*1986*	*1987*	*1988*
Burma	30·7	31·9	69·0	79·4	29·1
China	—	—	—	27·1	80·8
India	16·7	8·3	6·0	0·1	9·4
Indonesia	20·7	58·6	0·6	8·5	6·6

	1984	1985	1986	1987	1988
Jordan	56·3	—	—	2·7	9·8
Malaysia	1·1	22·3	90·3	59·3	19·3
Philippines	0·8	4·5	—	—	—
Sri Lanka	10·7	2·6	48·8	28·1	20·8
Thailand	1·1	3·1	9·6	4·7	2·5
Yemen Arab Republic	—	—	—	—	18·2

Occupied Territories

Mr. Squire: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will update figures for the occupied territories in his answer of 20 April 1989 to the hon. Member for Coventry, South-East (Mr. Nellist), *Official Report*, columns *241-2*, on Overseas Development West Bank and Gaza Strip; and if he will give a project breakdown between *(a)* the territories and *(b)* projects with Israel.

Mrs. Chalker: Updated details of our assistance to the West Bank and Gaza are as follows:

	£
NGO projects	
Order of St. John	
Outreach programme based on St. John ophthalmic hospital	615,000 (1984-90)
Support for surgery, nurses training, clinical trials	80,000 (1987-88)
Oxfam	
Mennonite central committee land reclamation and water system construction	24,539 (1988)
Bethlehem arab society for the physically handicapped	26,703 (1988-90)
Annahda women's association centre for the mentally handicapped	17,800 (1988)
Oxfam (ex-progressive action for childhood education)	
Early childhood resource centre	63,042 (1986-90)
Quaker Peace and Service	
Middle East placement programme	51,576 (1985-89)
Action around Bethlehem, children with disability	
Water catchment project	23,800 (1987-88)
Solar energy project	31,300 1987-88)
Save the children fund	
Resource centre	85,500 (1988-89)
Physiotherapy training	97,300 (1988-91)
Rafah sewerage project	44,600 (1987)
Revolving loan fund	46,875 (1990)
Drinking water development project	100,000 (1990)
Small scale sewage treatment project	50,000 (1990)
Primary Health care project	25,000 (1990)
Small enterprises project	18,750 (1990)
Co-operation for development	
Small enterprise revolving credit funding programme	813,700 (1987-90)
Women's education and training programme	74,140 (1985-89)
Gaza enterprise training scheme	28,816 (1987-88)
Universities educational fund for Palestinian refugees (UNIPAL)	
English language teaching project	37,000 (1984-89)
War on Want	
Zababdeh early childhood resource centre	58,636 (1988-89)
Abasan biscuit factory project	20,920 (1988)
Baby food production project	17,200 (1989)
Mobile clinic Gaza	8,960 (1989-90)
Appropriate health resources technologies group (AHRTAG)	
Bir Zeit community health unit	62,235 (1988-92)
United Nations association international service (UNAIS)	
Seed propagation/botanist project	20,328 (1990-92)
Food technician project	20,328 (1990-92)
Business administrator	20,328 (1990-92)
Development research project	20,328 (1990-92)
Women's cooperative worker	6,940 (1989)
Medical aid for Palestinians (MAP)	
Al Rajaa centre for special education	20,975 (1989)
Physiotherapy centres	98,736 (1989-90)
Christian aid	
YMCA affected children project	22,670 (1989)
Y care international	
Relief for victims of the uprising, dependants, and training	83,000 (1987-90)
British Red Cross—ICRC	
Provision of tents for emergency housing	38,000 (1988)
World vision of Europe	
Emergency relief to dependants of victims of the uprising	24,000 (1988)

Requests from NGOs for additional funds amounting to over £1 million are under consideration.

	1989-90 £
Training programme	200,000
Book presentation programme	12,000

The sum of £5·5 million is being contributed through the United Nations Relief and Works Agency for Palestinian Refugees in 1990. About £0·7 million was attributable to the United Kingdom in 1989 of the European Community programme for the West Bank and Gaza. In addition £3 million of the Community's contribution to UNRWA was attributable to the United Kingdom.

The United Kingdom does not support any projects either with or in Israel.

PRIME MINISTER

Iraq (Arms Component Exports)

Q26. **Mr. Dalyell:** To ask the Prime Minister what information the Defence Export Services Secretariat had about the export to Iraq of steel equipment for use in weapon construction.

The Prime Minister: In the light of the charges laid against individuals on 25 April, and in the light of the continuing investigations by Customs and Excise, it would be inappropriate to give any further information.

Departmental Savings

Mr. Devlin: To ask the Prime Minister what value for money savings have been achieved by the Cabinet Office in the last year; and how much of this was as a result of advice from the central unit on purchasing.

The Prime Minister: Final figures for 1989-90 are not yet available. Provisional figures prepared for the central unit on purchasing show value for money improvements of £1,510,000 achieved by the Cabinet Office during 1989-90.

It is not possible to attribute particular value for money savings to advice from the CUP. The role of the unit is to provide advice and guidance on best purchasing practice.

Government Supply Index

Mr. Devlin: To ask the Prime Minister if she will make a statement about the Cabinet Office's decision not to participate in the Government supply index.

The Prime Minister: Because the Cabinet Office spends only a comparatively small amount on items covered by the Government supply index, full membership would not represent good value for money for the Department.

Training (Scotland)

Mr. Worthington: To ask the Prime Minister if she will seek to amend the Parliamentary and Health Service Commissioners Act 1987 to include training matters in Scotland among those subject to the ombudsman's scrutiny.

The Prime Minister: I refer the hon. Member to the reply given by my hon. Friend the Minister of State, Scottish Office, on 2 May at column *587*.

Engagements

Mr. Mans: To ask the Prime Minister if she will list her official engagements for Tuesday 8 May.

Mr. Battle: To ask the Prime Minister if she will list her official engagements for Tuesday 8 May.

Mr. Wood: To ask the Prime Minister if she will list her official engagements for Tuesday 8 May.

Mr. Robert G. Hughes: To ask the Prime Minister if she will list her official engagements for Tuesday 8 May.

Mrs. Maureen Hicks: To ask the Prime Minister if she will list her official engagements for Tuesday 8 May.

Mr. Andrew Mitchell: To ask the Prime Minister if she will list her official engagements for Tuesday 8 May.

Mr. John P. Smith: To ask the Prime Minister if she will list her official engagements for Tuesday 8 May.

Mr. Kirkwood: To ask the Prime Minister if she will list her official engagements for Tuesday 8 May.

Mr. Stern: To ask the Prime Minister if she will list her official engagements for Tuesday 8 May.

The Prime Minister: This morning I had meetings with ministerial colleagues and others, including Chancellor Vranitzky of Austria and received a delegation representing the Eisenhower centennial committee led by Vice-President Quayle of the United States of America. In addition to my duties in the House, I shall be having further meetings later today. This evening I hope to have an audience of Her Majesty the Queen.

ENERGY

Power Generation

Mr. Steinberg: To ask the Secretary of State for Energy what is the estimated contribution to power generation in the 1990s of *(a)* wind power, *(b)* tidal power, *(c)* estuary barrages and *(d)* geothermal power.

Mr. Peter Morrison: Renewable energy technologies are at an early stage of development and there is great uncertainty about future projections. No estimates are available for the 1990s. Longer term estimates for 2025 have been published in Energy Paper 55, copies of which are in the Library of the House.

British Coal

Mr. Dobson: To ask the Secretary of State for Energy, pursuant to his intervention of 4 December 1989, *Official Report*, column 41, what was the value of British Coal on 31 March 1990.

Mr. Wakeham: The value of British Coal as at 31 March 1990 will depend on a detailed assessment of the earnings potential of each mine over its remaining life. I expect this work to be completed by late summer. I cannot prejudge in the meantime what this final figure will be. I have, however, satisfied myself that under any likely scenario over half the Corporation's collieries are likely to show a negative cash flow over their remaining lives, and that this will lead to the write-off of at least half the industry's £4 billion fixed assets. On this basis, and taking into account the losses incurred in 1989-90 and earlier years, I have in accordance with section 1(3)(b) of the Coal Industry Act 1990, paid British Coal an interim sum of £3 billion in deficiency grant. This sum was paid on 29 March 1990 and allowed an immediate and corresponding repayment of outstanding debt.

UKAEA

Mr. Arbuthnot: To ask the Secretary of State for Energy whether he will make a statement on the chairmanship of the United Kingdom Atomic Energy Authority.

Mr. Wakeham: I have today appointed Mr. John Maltby as part-time chairman of the United Kingdom Atomic Energy Authority from 1 July 1990 in succession to Mr. John Collier. This appointment is for three years.

Dr. Brian Eyre's appointment as a full-time member of the UKAEA which was due to expire on 31 July 1992 will now expire on 30 April 1995. The UKAEA has appointed Dr. Eyre as chief executive and deputy chairman.

ATTORNEY-GENERAL

Fraud

Mr. Gorst: To ask the Attorney-General what is the practice of the prosecution authorities in cases of fraud involving sums of money in excess of £1 million; what is the Director of Public Prosecution's policy where culprits are over the age of 67 years; what consideration is given to the length of time a crime has remained undetected; and what consideration is being given to the implications for prosecution policy in respect of the War Crimes Bill of these policies.

The Attorney-General: The principles set out in the code for Crown prosecutors promulgated by the Director of Public Prosecutions under section 10 of the Prosecution Offences Act 1985, govern all decisions taken by the Crown prosecution service including those relating to alleged fraud. First, the evidence must be sufficient to afford a realistic prospect of conviction; second, the circumstances must be such that the public interest requires a prosecution.

The factors referred to in the hon. Members question are relevant to assessment of the public interest which can arise only if the evidential criterion is satisfied. The sum involved goes directly to the seriousness of the offence which, together with any aggravating features, for example, persistence or breach of trust, must be balanced against other factors militating against prosecution such as advanced age. So far as time elapsing since the commission of a crime is concerned, the Crown prosecution service is slow to prosecute if the last offence was committed three or more years before the probable date of trial, unless, despite its staleness, an immediate custodial sentence of some length is likely to be imposed. Less regard will be paid to staleness, however, if it is contributed to by the accused himself, the complexity of this case has necessitated lengthy police investigation or the particular characteristics of the offence have themselves contributed to the delay in its coming to light. Generally, the graver the allegation the less significance will be attached to the element of staleness.

If Parliament enacts the War Crimes Bill currently before it, the same principles will apply to the offences made justiciable by that legislation.

Mr. Gorst: To ask the Attorney-General what progress has been made in the investigations into allegations of a £1 million fraud by Mr. Alex Swern and Mr. Laurence Rosen; whether the police have now completed their investigations; when a decision with regard to prosecution will be made by the Director of Public Prosecutions; and if he will make a statement.

The Attorney-General: A report relating to the case to which the hon. Member refers was submitted to the Crown prosecution service on 30 March 1990. Having considered the report and had the benefit of advice from counsel, the Crown prosecution service concluded that the criteria set out in the code for Crown prosecutors were not satisfied. The Metropolitan police were advised that no proceedings should be instituted against either proposed defendant.

PO John Black, RN

Mr. Latham: To ask the Attorney-General when he anticipates that he will be heard by the court on his application for a fresh inquest into the death of Petty Officer John Black, RN in Spain in December 1983; and if he will make a statement.

The Attorney-General: The case is in the warned list for hearing during the current law term, but no date has yet been fixed for the hearing. I will write to my hon. Friend informing him of the hearing date as soon as it is fixed.

Social Security Commissioners

Mr. Flynn: To ask the Attorney-General what is the average delay between a social security commissioner's oral hearing and notification of the decision to the claimant; and how much of this is ascribable to administrative delay.

The Attorney-General: The average time taken between the oral hearing by a commissioner and the despatch of the decision to the parties for the quarter ending March 1990 was 105 days, of which it is estimated that the time taken in processing decisions by administrative staff, including typists, was 50 days.

The Lord Chancellor's Department and the Office of the Social Security Commissioners are actively considering ways of reducing delay in this area.

Lottery Tickets

Mr. Teddy Taylor: To ask the Attorney-General what consideration has been given by the Crown prosecution service to initiating proceedings in relation to the posting of lottery tickets to the United Kingdom from West German state and institutional lottery groups; and if he will make a statement.

The Attorney-General: No such case can be identified within the Crown prosecution service from the information that is given. If the hon. Gentleman will write to me setting out more details about the alleged offence, I will cause further inquiries to be made.

FOREIGN AND COMMONWEALTH AFFAIRS

Poland

Mr. Pawsey: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his reply to the hon. Member for Rugby and Kenilworth of 26 April, *Official Report*, column *282-83*, how many companies have taken advantage of the investment protection and promotion agreement which exists for Poland; and what is the value of such contracts.

Mr. Waldegrave: This information is not held centrally, since companies are not obliged to notify the Government in order to benefit from the existence of an IPPA.

Mr. Pawsey: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his reply to the hon. Member for Rugby and Kenilworth dated 25 April, what plans exist to increase the £150,000 currently made available by the Foreign and Commonwealth Office under the scholarships and awards scheme to enable Polish students to study in Britain.

Mr. Sainsbury: We are looking at ways of increasing the overall provision for students from eastern Europe, including Poland, to study in the United Kingdom under the Foreign and Commonwealth Office scholarships and awards scheme.

Vietnamese Boat People

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs how many Vietnamese boat people refused refugee status by the Hong Kong authorities have been accepted by the UNHCR under its own mandate.

Mr. Maude: The UNHCR has chosen to exercise its mandate on behalf of 106 refugees so far. This is less than 1 per cent. of cases decided by the Hong Kong Immigration Department and the refugee status review board (RSRB).

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will give the reasons why refugee status review boards sit in closed private session when reviewing cases of Vietnamese boat people refused refugee status.

Mr. Maude: The refugee status review board (RSRB) perform an administrative rather than a judicial function. It replaces a function originally performed by the Executive Council which also sits in closed private sessions during its deliberations. Although the refugee status review board make its final decisions in private session, a representative of the UNHCR is allowed to be present when a board interviews an asylum seeker. UNHCR and its operating partner, the agency for volunteer service (AVS), also have the opportunity to make representations on individual cases, before the final decision is taken, at their weekly meeting with the chairman of the board.

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will provide for Vietnamese boat people's legal representatives to be allowed to attend screening interviews and sessions of the refugee status review boards.

Mr. Maude: The purpose of the screening interview is to record and assess the facts relating to an asylum seeker's claim to refugee status. The presence of a legal representative would serve little purpose in this context. The refugee status review board does invite UNHCR legal counsellors to be present during its interviews and a copy of the record is made available for comment.

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will provide for a legal adviser to be assigned to each Vietnamese boat person applying for refugee status before screening.

Mr. Maude: The provision for legal services to asylum seekers is not the responsibility of the Hong Kong Government. Under the statement of understanding agreed between UNHCR and the Hong Kong Government in September 1988, UNHCR accepted responsibility for providing legal advice to asylum seekers at all stages of the screening and review procedures. Legal aid is not available in Hong Kong except in the High Court and the district court.

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will give the figures for the number of cases regarding the refusal of refugee status to Vietnamese boat peope by refugee status review boards that have been decided *(a)* unanimously or *(b)* by a majority.

Mr. Maude: An application for review of a negative decision can be rejected only if all members of the review panel decide that the review should not be allowed. If one member of the panel decides in favour of the asylum seeker, the director of immigration's decision will be overturned. Any decision against the asylum seeker must therefore be unanimous.

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will take steps to ensure that Vietnamese boat people awaiting screening for refugee status receive a written description of the nature and conduct of the process in Vietnamese before interview.

Mr. Maude: Under paragraph 6 of the comprehensive plan of action agreed at the UN conference in Geneva last June, provision of information about screening is the responsibility of UNHCR. They have distributed in all centres an information book describing the status determination procedures.

Refugee Law

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has held with the UNHCR, the Law Society and the Bar Association regarding the possibility of lawyers from outside Hong Kong with expertise in refugee law being allowed to practise in Hong Kong.

Mr. Maude: UNHCR employs lawyers from outside Hong Kong as full-time legal counsellors to monitor the screening procedures. In addition, UNHCR provides individual legal representation at the review stage through its operating partner the agency for voluntary services (AVS). The AVS has, with the approval of the Law Society, been allowed to recruit lawyers from outside Hong Kong for this purpose.

Hong Kong

Mr. Alex Carlile: To ask the Secretary of State for Foreign and Commonwealth Affairs how many Vietnamese boat people have escaped from Hong Kong detention camps; and if he will make a statement.

Mr. Maude *[holding answer 4 May 1990]:* In 1989, 2,033 Vietnamese boat people escaped from the camps. The figure so far this year is 2,254. In most cases, the motive for escaping is to visit relatives in other camps or often simply to walk about Hong Kong, rather than to try to escape from the territory. Most of those who escape are returned to their camps.

Ivory

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the current size of ivory stocks in Hong Kong; and on what date it was assessed.

Mr. Waldegrave *[holding answer 23 April 1990]:* The current size of commercial ivory stocks in Hong Kong was 472 tonnes (to the nearest tonne) as at 21 April 1990.

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his reply of 5 April, *Official Report*, column *765*, if he will state the amount of ivory involved in each of the recent seizures; from whom it was seized; and what was the country of origin of the ivory and the current whereabouts of the ivory together with his proposals for its disposal.

Mr. Waldegrave *[holding answer 23 April 1990]:* The following seizures of ivory were made by the special task force of the Customs and Excise Department in Hong Kong between 1 June 1989 and 22 March 1990:

Quantity (kg)		*Seized from*	*Country of Export*
58·9	raw ivory	Kim Ki Woo	Korea
15	raw ivory (powder)	Au Kin Choi	China
8·5	raw ivory	Tsai Shin Sheng	Taiwan
11·7	worked ivory	Abandoned by Choi Don-soo	Korea
7·55	worked ivory	Lau Ming Hei	Thailand
0·2	worked ivory	Yue Hwa Chinese Product Emporium Ltd.	Japan
2·9	worked ivory	Lam Kin Pui	Taiwan
7·19	raw ivory	Kwong Fat Cheung Ivory and Mahjong	Japan
700	raw ivory	Pei Lei Lai Kai	Singapore
15·5	mammoth ivory	Lee Chor Mui	Japan
2·3	worked ivory	Andrew Stephen Yuen	Thailand
100	worked ivory	Sun Hung Ngai Trading Company	USA
55	worked ivory	Wong Wing Shing	Spain
4	worked ivory	Unclaimed baggage	France
26·3	worked ivory	Art of Sea Ivory Company	China
3·1	worked ivory	Liu Shih Haiao	Taiwan
3·8	worked ivory	Shih Shia Loon	Taiwan
1·3	worked ivory	Fang Tsu Chick	Thailand
2·5	worked ivory	Chang Lin Kuei Chuo	Taiwan
17·5	worked ivory	Left by Transit Passenger	Thailand

The confiscated ivory is kept in the Hong Kong Government stores. The Hong Kong Government have no plans at present to dispose of the confiscated items.

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his reply of 5 April, *Official Report*, column *765*, if he will state *(a)* the period covered from 26 February during which 35 kg of ivory was exported from Hong Kong, *(b)* how much ivory has been exported since that date; and to which countries it was exported.

Mr. Waldegrave *[holding answer 23 April 1990]:* The period covered was from 26 February to 30 March 1990. The Hong Kong CITES management authority has not been notified of any ivory exports since 30 March 1990.

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs what is going to happen to the 116 tonnes of ivory currently held in Hong Kong without CITES documentation.

Mr. Waldegrave *[holding answer 23 April 1990]:* The owners may continue to keep the ivory under possession licence or to dispose of it locally. But export licences will not be issued for any exports.

Mr. Simon Hughes: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to apply isotope analysis to ivory stocks in Hong Kong to ascertain their place of origin.

Mr. Waldegrave *[holding answer 23 April 1990]:* We do not propose to take a view on whether to apply isotope analysis to ivory stocks in Hong Kong until the technique has been properly evaluated. As my hon. Friend, the Parliamentary Under-Secretary of State for the Environment, stated in his reply of 13 November to the hon. Member for Linlithgow (Mr. Dalyell), the proposals concerning this technique were not discussed in any of the formal sessions at the CITES conference in October 1989. But we will study any information which may be forthcoming about these techniques in consultation with our scientific advisers.

Endangered Species

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his reply of 5 April, *Official Report*, column *764*, if he will give details of the items which led to 92 prosecutions being initiated by the Hong Kong authorities.

Mr. Waldegrave *[holding answer 23 April 1990]:* Ninety-two prosecutions were initiated by the Hong Kong authorities in the second half of 1989 as a result of confiscation of the following items:

Item	*Amount*
Monkey	2 hd
Slow Loris	8 hd
Musk Deer	6 pc pod 10·2 g grain
Ivory:	
Raw ivory	769·9 kg
Worked ivory	123·62 kg
Rhino Horn	20 kg
Felidas (cat family):	
(a) Stuffed specimen	1 hd
(b) Live	2 hd
(c) Skins	226 pc
Pangolin:	
(a) Live	2 hd
(b) Scale	0·68 kg
(c) Meat	5·4 kg
(d) Meat and scale	1·4 kg and 20 pc
Cetacean spp Meat	0·4 kg
Owl:	
(a) Dead	1 hd
(b) Live	6 hd
Birds of prey:	
(a) Stuffed specimen	3 hd
(b) Live	2 hd
Parrots	64 hd
Yellow Tortoise	11 hd
Sea turtle:	
(a) Stuffed specimen	13 hd
(b) Egg	40 pc
(c) Shell	1 pc
Lizards:	
(a) Live	1 hd
(b) Skins	8,231 pc
Crocodile Meat	0·79 kg

Item	Amount
Python Skin	15 pc
Giant Salamander	6 hd
Asiatic Bony Tongue	21 tails
Coral	15 pc
Giant Clam	14 pc

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs what criteria are used to determine the location, number and frequency of restaurant inspections in Hong Kong to ensure that no rare and endangered species of animals and plants are offered for sale as food; and what information he has on the number of restaurants in Hong Kong.

Mr. Waldegrave *[holding answer 23 April 1990]:* The criteria used to determine the location, number and frequence of restaurant inspections in Hong Kong, for the purpose of ensuring that no rare and endangered species of animals and plants are offered for sale as food, include known black spots, reports and intelligence from various sources and the type of restaurant and menu served. Random checks are made as a deterrent. There are approximately 7,400 restaurants in Hong Kong.

HOME DEPARTMENT

Immigration

Mr. Butler: To ask the Secretary of State for the Home Department how many overstayers were deported in the latest available year where evidence has been brought forward that they were in stable marriages to British citizens with the right of abode.

Mr. Peter Lloyd: The information requested is not readily available and could be provided only at disproportionate cost.

Mr. Redmond: To ask the Secretary of State for the Home Department what were the results of the police and immigration officers' investigation carried out at weddings being held on 21 April at *(a)* Hackney and *(b)* Walthamstow and (i) how many people were detained, (ii) how many have since been charged and (iii) with what offence.

Mr. Peter Lloyd: In a joint Metropolitan police/immigration service operation on 21 April, eight persons were arrested on suspicion of conspiracy to contravene the Immigration Act 1971. Three persons were arrested at Hackney register office; four in a simultaneous visit to an address in Walthamstow; and one further arrest was made at a separate address later that day.

Three of those arrested were subsequently released without charge and two persons have been given bail to return to the police station on 15 May. Three persons have been charged with conspiracy to contravene the Immigration Act 1971 contrary to section 1(1) of the Criminal Law Act 1977 (as amended)—two remanded in custody, the third released on bail.

Television Licences

Mr. Canavan: To ask the Secretary of State for the Home Department how many representations he has received over the past 12 months about concessionary television licences for retirement pensioners and disabled people.

Mr. Mellor: In the year ending 21 March 1990 we received four petitions and 696 letters calling for reduced price or free television licences for pensioners or disabled people. A total of 385 of the letters were cyclostyled, and clearly sent as part of a local campaign. Of the rest 139 were from hon. Members, and three of the petitions were submitted through them.

Police Houses

Mr. Morgan: To ask the Secretary of State for the Home Department how many police houses are vacant in *(a)* Cardiff and *(b)* South Glamorgan; and what proportion this is of the total police housing stock in *(a)* the city and *(b)* the county.

Mr. Peter Lloyd: This information is not held centrally, but I understand from the South Wales constabulary that there are currently 11 vacant police houses in south Glamorgan which represent 14 per cent. of the total police housing stock in the county. Six of these vacant police houses are in Cardiff and represent 11 per cent. of the total police housing stock in the city.

Strangeways Prison

Mr. Litherland: To ask the Secretary of State for the Home Department if he will make a statement on the future of Strangeways prison, Manchester.

Mr. Waddington: As I said on 3 May in exchanges following the question from my hon. Friend the member for Staffordshire, Moorlands (Mr. Knox), an assessment of the structural damage to the wings at Manchester is being made. When it is completed, we shall review the various options for the prison's future. I can see the attractions, and the importance to the staff, of bringing at least part of the prison back into use as soon as possible.

Mr. Litherland: To ask the Secretary of State for the Home Department if he will take steps to ensure that the costs of policing the Strangeways riot will be met fully by central Government.

Mr. Peter Lloyd: The Greater Manchester police authority has asked for a meeting to discuss the financial implications of policing the Strangeways disturbance. We will listen carefully to its points but any request for special assistance would have to be judged against the normal criteria of exceptional and unforeseen expenditure of a scale that threatens the efficiency of the force.

Mr. Litherland: To ask the Secretary of State for the Home Department if he is satisfied that the governor of Strangeways prison, Manchester was given every facility necessary to quell the riot at that prison.

Mr. Waddington: Considerable support was afforded to the governor of Manchester under contingency arrangements. The available support will be among the matters which Lord Justice Woolf's inquiry will address.

Mr. Meacher: To ask the Secretary of State for the Home Department what consultations took place in the first 24 hours of the riot at Strangeways prison about the use of force.

Mr. Mellor *[holding answer 30 April 1990]:* The Governor of Manchester prison, the acting regional director and the deputy director general of the prison service were in frequent consultation about the tactics to be adopted in dealing with the disturbance.

Detentions (Manchester Airport)

Mr. Tony Lloyd: To ask the Secretary of State for the Home Department if he will give figures for the number of people arriving at Manchester airport over the last three months who have been detained.

Mr. Peter Lloyd: A total of 22 people who arrived at Manchester airport during the first three months of this year were detained for one or more nights.

Deportations

Mr. Tony Lloyd: To ask the Secretary of State for the Home Department if he will give the number of deportations of permanent residents arising out of criminal convictions in England and Wales in the last six months; and if he will give the proportion of those which were not recommended by the courts.

Mr. Peter Lloyd: In the second six months of 1989, a total of 164 persons were removed from the United Kingdom under the deportation process on the recommendation of a court following conviction for a criminal offence (section 3(6) of the Immigration Act 1971). A further 32 were deported on the ground that deportation was conducive to the public good following a criminal conviction (section 3(5)(b)). Separate information is not readily available for those who were settled in the United Kingdom.

Football Licensing Authority

Mr. Pendry: To ask the Secretary of State for the Home Department what steps have been taken towards establishing the Football Licensing Authority.

Mr. John Patten: Responsibility for the establishment of the Football Licensing Authority has been transferred to the Home Office. My right hon. and learned Friend made a commencement order under the Football Spectators Act 1989 on 21 March providing for the Football Licensing Authority to be set up from 1 June 1990.

Mr. Pendry: To ask the Secretary of State for the Home Department when the chairman and members of the Football Licensing Authority will be appointed.

Mr. John Patten: Appointments to the Football Licensing Authority will be made as soon as possible.

Mr. Pendry: To ask the Secretary of State for the Home Department what date has been set for the commencement of operation of the Football Licensing Authority.

Mr. John Patten: The Football Licensing Authority will begin its operation as soon as possible.

Lottery Tickets (Germany)

Mr. Teddy Taylor: To ask the Secretary of State for the Home Department on how many occasions he has raised with the West German authorities the practice of sending lottery tickets from Germany to the United Kingdom in breach of the Lotteries and Amusements Act; what assurances he has had on each occasion; and what action he now proposes in light of the continued posting of such tickets to United Kingdom citizens from West German state and institutional lottery groups.

Mr. John Patten: At our request, the Foreign and Commonwealth Office last year initiated exchanges with authorities in the Federal Republic of West Germany about the postal promotion here of two lotteries based in West Germany, contrary to the Lotteries and Amusements Act 1976, and these exchanges are continuing. Most recently, the director of each lottery has undertaken to draw to the notice of its agents that the mass promotion of the lottery in another country where that is unlawful is contrary to the rules under which the agents operate.

Together with the Foreign and Commonwealth Office, we will consider what other effective action may be taken if the mass postal promotion of these lotteries continues. The promotion here of these and other foreign lotteries is already inhibited by steps which have been taken domestically. Among these is that HM Customs and Excise have impounded, for subsequent destruction, very substantial quantities of promotional material for them.

Mr. Teddy Taylor: To ask the Secretary of State for the Home Department if he will make a statement providing guidance to United Kingdom citizens about the appropriate action to take with lottery tickets sent to them by West German state and institutional lotteries and about the legal position over the sale of such tickets in the United Kingdom.

Mr. John Patten: The promotion or conduct of public foreign lotteries in Great Britain is unlawful under the Lotteries and Amusements Act 1976. It is not an offence under the Act to purchase tickets in such lotteries. But the Act defines a range of activities connected with unlawful lotteries which are themselves unlawful. These activities include the bringing into Great Britain of foreign lottery material; its sale, distribution or advertisement in this country; and the sending or attempted sending out of money or other valuables received in connection with such a lottery. Together, where appropriate, with the Gaming Board for Great Britain, Her Majesty's Customs and Excise and the Foreign and Commonwealth Office, we take action to prevent or curtail the promotion of foreign lotteries contrary to the Act.

We already explain this in reply to correspondence from Members of Parliament and of the public who write to us about the unlawful promotion here, by post, of foreign lotteries, including some based in West Germany.

Immigration (Carriers' Liability) Act 1987

Mr. Maclennan (Caithness and Sutherland): To ask the Secretary of State for the Home Department, pursuant to his answer of 20th April, *Official Report*, column 1030, what were the departure points of those passengers without proper documentation which led to airlines being fined under the carriers' liability legislation since its introduction in March 1987.

Mr. Peter Lloyd: Information before 1 July 1989 is not readily available. In the last six months of that year airline passengers giving rise to charges under the Carriers' Liability Act arrived in the United Kingdom from almost 200 primary ports of embarkation. I will write to the hon. Member enclosing the full list. Listed are the 42 airports from which more than 50 such passengers departed for the United Kingdom.

Bombay
New York
Paris
Jedda
Moscow
Lagos
Nairobi
Colombo
Frankfurt
Cairo
Mogadishu
Tehran
Dubai
Hong Kong
Singapore
Amsterdam
Los Angeles
Lusaka
Istanbul
Delhi
Abu Dhabi
Bangkok
Accra
Dhaka
Zurich
Brussels
Geneva
Toronto
Addis Ababa
Copenhagen
Madras
Larnaca
Bahrain
Warsaw
Rome
Karachi
Budapest
Johannesburg
Stockholm
Riyadh
Manila
Muscat

Mr. Maclennan: To ask the Secretary of State for the Home Department, pursuant to his answer of 20 April, *Official Report*, column 1030, how many passengers whose arrival without proper documentation resulted in fines under the carrier liability legislation claimed refugee status.

Mr. Peter Lloyd: The information requested is not readily available and could be obtained only at disproportionate cost.

Women Prisoners

Mr. Grocott: To ask the Secretary of State for the Home Department what is the average outstanding fine of those women prisoners serving sentences for non-payment of fines.

Mr. Mellor: The amount of fine outstanding is not recorded centrally and could be obtained only at disproportionate cost.

Mr. Grocott: To ask the Secretary of State for the Home Department what are the average weekly earnings of women prisoners.

Mr. Mellor: Inmates' pay schemes and the calculations made of average earnings make no distinction between male and female prisoners. For details of average earnings for all prisoners, I refer the hon. Member to the reply given to a question from the right hon. Member for Morley and Leeds, South (Mr. Rees) on 18 April at column *910*.

Mr. Grocott: To ask the Secretary of State for the Home Department (1) what proportion of women in prison were convicted of crimes involving violence;

(2) if he will list the numbers of women in prison according to the category of their offence.

Mr. Mellor: The readily available information relates to the sentenced population and was published in table 8 of "The Prison Population in 1989", Home Office statistical bulletin 12/90.

Mr. Grocott: To ask the Secretary of State for the Home Department what was the daily average number of women in prison *(a)* in 1980, *(b)* in 1985 and *(c)* in the latest year for which figures are available.

Mr. Mellor: The average number of females in prison service establishments in England and Wales, including those held in police cells, was 1,536 in 1980, 1,540 in 1985 and 1,768 in 1989. This information is published annually in "Prison Statistics England and Wales" (table 1.5 of the latest report (Cm 825)), copies of which are in the Library.

Mr. Grocott: To ask the Secretary of State for the Home Department what is the average weekly cost per inmate of running a women's prison.

Mr. Mellor: The average weekly cost per inmate in a female establishment during 1988-89 (the latest year for which information is available) was £399.

Prisoners (Dependent Children)

Mr. Grocott: To ask the Secretary of State for the Home Department what proportion of *(a)* men and *(b)* women prisoners have dependent children under the age of 16 years.

Mr. Mellor: The information requested is not available.

IBA (Transmission Functions)

Miss Emma Nicholson: To ask the Secretary of State for the Home Department if he will make a statement about the ownership restrictions which are to be placed upon the transmission company which is to take over the Independent Broadcasting Authority's transmission functions.

Mr. Mellor: Our announcement of 4 July last year recognised that the private transmission company which takes over the IBA's transmission operation will have a powerful market position, and that economic as well as technical regulation would be necessary. This will be achieved through the licensing regime of the Telecommunications Act 1984. A working draft of a licence to be issued under the Act for this purpose was circulated during the Broadcasting Bill's Committee stage. The licence will enable regulation to be carried out by the Director General of Telecommunications in order to ensure that the transmission market operates fairly and that transmission standards are maintained.

We also consider that the transmission company should be subject from the outset to certain ownership restrictions in order to promote greater competition in broadcasting and telecommunications. It is intended that the total holdings of Channel 3 and Channel 5 licensees (or the ITV franchise holder before 1993) should not exceed 20 per cent., so as to guard against excessive vertical integration and to ensure that competition for these services is not restricted when the BBC's system enters the market. Because it already has a significant hold over the broadcasting communications market we also propose to limit any BT shareholding to no more than 20 per cent. The necessary provisions will be included in the new company's Telecommunications Act licence. In addition, whilst the BBC's transmission system remains in public hands, it will not be allowed any holding in the private transmission company.

Our long-term aim is to remove the ownership restrictions on BT and the Channel 3 and 5 franchisees when the market allows. We will therefore review the need for either of these restrictions when we consider that circumstances have changed in such a way as to call for the position to be reassessed. If the need for either restriction has not already been reviewed prior to the privatisation of the BBC's transmission system, it will be reviewed at that point.

HOME DEPARTMENT

Criminal Injuries Compensation Scheme

Mr. Cousins: To ask the Secretary of State for the Home Department what was the number of cases awaiting settlement under the criminal injuries compensation scheme as at 31 March 1988, 31 March 1989 and 31 March 1990 or the latest available date identifying the numbers of prisoners and police staff included in those totals; and if he will provide a similar analysis for cases awaiting settlement under the scheme involving residents of the Northern region.

Mr. John Patten *[holding answer 2 May 1990]:* The published figures for cases awaiting settlement under the scheme are 78,000 on 31 March 1988 and 82,000 on 31 March 1989. These figures reflect the difference between he board's cumulative record since 1964 of the number of cases received and settled. On that basis over 100,000 cases would now be outstanding whereas a physical count of cases showed that on 31 March 1990, the number outstanding was about 87,000. I am pleased to be assured by the board that this lower figure accurately reflects the caseload on that date.

The board does not record numbers of applications received from separate categories of applicant, or on a regional basis.

EDUCATION AND SCIENCE

Education Expenditure, Wigan

11. **Mr. Stott:** To ask the Secretary of State for Education and Science what representations he has received regarding expenditure on education in Wigan; and if he will make a statement.

Mr. Alan Howarth: My right hon. Friend has received in the last month two representations about expenditure on education in Wigan.

Schools (Ethnic Composition)

20. **Mr. Tony Banks:** To ask the Secretary of State for Education and Science if he will make a statement about the freedom of parents to withdraw children from schools on the basis of racial mix.

Mr. Macgregor: Under section 6 of the Education Act 1980, parents have the right to express a preference as to the school they wish their child to attend. Such preferences can be expressed at any time. Local education authorities and school governors must comply with a parent's preference if the school concerned has a suitable place available. If there is competition for places, authorities and governors cannot allocate them on racial grounds.

Dr. Reid: To ask the Secretary of State for Education and Science if parents' rights to choose educational establishments on grounds of ethnic composition is to apply to nursery provision; and if he will make a statement.

Mrs. Mahon: To ask the Secretary of State for Education and Science if parents' rights to choose educational establishments on grounds of ethnic composition applies to nursery provision; and if he will make a statement.

Mrs. Rumbold: I refer the hon. Members to the reply that I gave earlier today to the hon. Member for Glasgow, Maryhill (Mrs. Fyfe).

Mr. John D. Taylor: To ask the Secretary of State for Education and Science what percentage of primary school pupils in the constituency of Richmond and Barnes in each of the past five years belong to non-white racial communities.

Mr. Alan Howarth: The information requested is not available centrally but my right hon. Friend announced in circular No. 16/89 that ethnic statistics will be collected by local education authorities from schools from September 1990 and the first aggregated LEA returns will be made to the Department in June 1991.

Local Management of Schools

21. **Mr. Steinberg:** To ask the Secretary of State for Education and Science what further action he proposes to take regarding local management of schools; and if he will make a statement.

Mrs. Rumbold: I refer the hon. Member to the reply that I gave earlier today to my hon. Friend the Member for Nottingham, South (Mr. Brandon-Bravo).

34. **Mr. Beith:** To ask the Secretary of State for Education and Science what representations he has received about local financial management of schools.

Mrs. Rumbold: My right hon. Friend has received a number of representations from local education authorities and others. Many of these welcome the opportunities which delegated budgeting brings to governing bodies and headteachers.

Mr. Flannery: To ask the Secretary of State for Education and Science what proposals he has to introduce flexibility for schemes for the local management of schools.

Mrs. Rumbold: I refer the hon. Member to the reply that I gave earlier today to the hon. Member for Carlisle (Mr. Martlew).

50. **Mr. Robert B. Jones:** To ask the Secretary of State for Education and Science if he will make a statement on the evidence from the pilot schemes which have been in operation for the local management of schools.

Mrs. Rumbold: The evidence from pilot schemes is that governors and headteachers have experienced considerable benefits from delegated budgets and local decision making.

Mr. Allen: To ask the Secretary of State for Education and Science what action he proposes to take regarding local management of schools; and if he will make a statement.

Mr. Lofthouse: To ask the Secretary of State for Education and Science what further action he proposes to take regarding local management of schools; and if he will make a statement.

Mrs. Rumbold: I refer the hon. Members to the reply that I gave earlier today to my hon. Friend the Member for Nottingham, South (Mr. Brandon-Bravo).

Teachers (Public Standing)

23. **Mr. Cyril D. Townsend:** To ask the Secretary of State for Education and Science what discussions he has had recently with the National Union of Teachers concerning the public standing of teachers.

Mrs. Rumbold: This issue has arisen in a number of separate discussions that my right hon. Friend has had with the National Union of Teachers. Its leaders know how much we value the professionalism and hard work being shown by the great majority of teachers and understand our concern that the growing public recognition of this could easily be undermined by action which disrupts children's education and which lowers the standing of the teaching profession.

Further and Higher Education

24. **Mr. Matthew Taylor:** To ask the Secretary of State for Education and Science what percentage of *(a)* English and *(b)* Cornish children go into further and higher education.

Mr. Jackson: Twenty-nine per cent. of all English school leavers go on the full-time courses in further and higher education; whereas 37 per cent. of Cornish school leavers do so. However, 29 per cent. of children in Cornwall choose to stay on in school at 16, as opposed to 33 per cent. in the country as a whole.

Education Standards, London

25. **Mr. Hanley:** To ask the Secretary of State for Education and Science if he will make a statement on the recent transfer of the responsibility for education in London to the individual borough; and what assessment he has made of the likely effect of this transfer on educational standards.

Mrs. Rumbold: The recent transfer of responsibility for education in inner London to the 13 new local education authorities took place satisfactorily on 1 April. The transfer has provided the basis on which to secure improvements in the standards and responsiveness of the education service.

West Sussex Education Committee

26. **Mr. Soames:** To ask the Secretary of State for Education and Science when he next intends to meet the chairman of West Sussex county council education committee.

Mr. Alan Howarth: My right hon. Friend has no plans to do so.

Morale

27. **Mr. Hind:** To ask the Secretary of State for Education and Science if he will make a statement on the morale of teachers in public sector schools.

Mr. Speller: To ask the Secretary of State for Education and Science what steps he will take to improve teachers' morale.

Mr. Knapman: To ask the Secretary of State for Education and Science if he will make a statement about the morale of teachers and pupils in *(a)* grant-maintained schools and *(b)* local authority schools.

Mrs. Rumbold: The interim advisory committee on school teachers' pay and conditions foresees substantial gains in the self-confidence of teachers as the Government's education reforms are successfully introduced. The recommendations of the committee should significantly increase the attractiveness of teaching as a profession. My right hon. Friend announced on 5 April that he had decided to accept all the committee's recommendations, subject to some minor modifications. They will be implemented in full by 1 January 1991.

Teachers' Pay

28. **Mr. Malcolm Bruce:** To ask the Secretary of State for Education and Science if he will make a statement on teachers' pay.

Mrs. Rumbold: My right hon. Friend announced on 5 April that he had decided to accept the recommendations contained in the third report of the interim advisory committee on school teachers' pay and conditions, subject to some minor modifications. They will be implemented in full by 1 January 1991.

58. **Mr. Madel:** To ask the Secretary of State for Education and Science whether he will be making an announcement before 1 August about new arrangements for determining teachers' pay; and if he will make a statement.

Mrs. Rumbold: My right hon. Friend announced his proposals for new permanent pay negotiation machinery in his reply to my hon. Friend the Member for Hertfordshire, West (Mr. Jones) on 26 April 1990 at columns *267-70*.

Education Expenditure, Hammersmith and Fulham

29. **Mr. Soley:** To ask the Secretary of State for Education and Science what representations he has received regarding expenditure on education in Hammersmith and Fulham; and if he will make a statement.

Mr. Alan Howarth: My right hon. Friend has received in the last month or so a small number of representations about expenditure on education in Hammersmith and Fulham.

Education Expenditure, Brent

30. **Mr. Boateng:** To ask the Secretary of State for Education and Science what representations he has regarding expenditure on education in Brent; and if he will make a statement.

Mr. Alan Howarth: My right hon. Friend has received in the last month or so a small number of representations about expenditure on education in Brent.

Pupil Testing

31. **Mr. Turner:** To ask the Secretary of State for Education and Science if he will make a statement on his plans for testing at seven years.

Ms. Mowlam: To ask the Secretary of State for Education and Science if he will make a statement on his plans for testing at seven years.

49. **Sir Hal Miller:** To ask the Secretary of State for Education and Science if he will make a further statement on the testing and assessment of children at the various stages of their study of the national curriculum.

Mrs. Rumbold: I refer the hon. Members to the reply that my right hon. Friend gave to my hon. Friend the Member for Ludlow (Mr. Gill) on 6 March (*Official Report*, column *578*) and to my right hon. Friend's published letter of 9 April to the chairman and chief executive of the School Examinations and Assessment Council.

40. **Mr. Evennett:** To ask the Secretary of State for Education and Science what representations he has received recently about his plans for introducing assessment of pupils undertaking the national curriculum.

Mrs. Rumbold: The Department has received this year a number of representations about the implementation of the national curriculum assessment arrangements, including from headteachers, teachers, parents and other interested individuals and organisations.

Teacher Shortages

33. **Mr. Menzies Campbell:** To ask the Secretary of State for Education and Science what representations he has received regarding teacher shortages in mathematics, science and technology.

Mr. Alan Howarth: My right hon. Friend and I have received a number of representations about teacher shortages in these subjects and more generally. We shall continue to monitor the situation and to take the action necessary to ensure an adequate supply of teachers.

37. **Mr. Ian Taylor:** To ask the Secretary of State for Education and Science what plans he has to meet leaders of the teaching unions to discuss ways of reducing the problem of teacher shortages in the south-east.

Mr. Alan Howarth: My right hon. Friend meets representatives of the various teacher unions from time to time to discuss a wide range of concerns in education. He will be addressing the annual conference of the National Association of Headteachers next month.

41. **Miss Hoey:** To ask the Secretary of State for Education and Science if he will set out his latest estimate of teacher shortages in inner London.

Mrs. Rumbold: The Inner London education authority estimated in March that there were 200 uncovered teacher vacancies in inner London. These posts were being filled by the use of supply teachers and by other short-term measures.

The new inner London education authorities are taking steps to improve teacher supply in inner London. My right hon. Friend is supporting their efforts and will continue to monitor the position.

Education Expenditure, Islington

35. **Mr. Chris Smith:** To ask the Secretary of State for Education and Science what representations he has received regarding expenditure on education in Islington; and if he will make a statement.

Mr. Alan Howarth: I refer the hon. Member to the reply that I gave earlier today to the hon. Member for Islington, North (Mr. Corbyn).

Education Expenditure, Derbyshire

39. **Mr. Harry Barnes:** To ask the Secretary of State for Education and Science what representations he has received regarding expenditure on education in Derbyshire; and if he will make a statement.

Mr. Alan Howarth: I refer the hon. Member to the reply that I gave earlier today to the hon. Member for Bolsover (Mr. Skinner).

Computer Equipment in Schools

42. **Mr. Simon Hughes:** To ask the Secretary of State for Education and Science what representations he has received concerning the adequacy of computer equipment in schools to meet the requirements of the national curriculum.

Mr. Alan Howarth: A number of representations were received both in response to the consultation exercise on the draft orders for technology and subsequently. The Department's education support grant programme makes provision for a substantial increase in the numbers of microcomputers in schools.

Education Expenditure, Lambeth

43. **Mr. Fraser:** To ask the Secretary of State for Education and Science what representations he has received regarding expenditure on education in Lambeth; and if he will make a statement.

Mr. Alan Howarth: My right hon. Friend has received no recent representation about expenditure on education in Lambeth.

Education Expenditure, Southwark

44. **Ms. Harman:** To ask the Secretary of State for Education and Science what representations he has received regarding expenditure on education in Southwark; and if he will make a statement.

Mr. Alan Howarth: My right hon. Friend has received no recent representations about expenditure on education in Southwark.

Drug Abuse

45. **Mr. Gerald Bowden:** To ask the Secretary of State for Education and Science if he will make a statement on the role his Department is taking in the fight against drug abuse by young people.

Mr. Alan Howarth: Under the national curriculum, all maintained schools in England are now required to provide education about drug misuse. In 1990-91 the Department is supporting a £7 million programme of LEA expenditure on preventive health education. This will include education about drugs. The Department has also funded the development of curriculum materials for use in schools, and has issued bulk copies of a fact sheet on the drug "crack" to be used in the light of local circumstances.

Education Expenditure, Haringey

46. **Mr. Bernie Grant:** To ask the Secretary of State for Education and Science what representations he has received regarding expenditure on education in Haringey; and if he will make a statement.

Mr. Alan Howarth: My right hon. Friend has received no recent representations about expenditure on education in Haringey.

Education Expenditure, Rotherham

47. **Mr. Barron:** To ask the Secretary of State for Education and Science what representations he has received regarding expenditure on education in Rotherham; and if he will make a statement.

57. **Mr. Crowther:** To ask the Secretary of State for Education and Science what representations he has received regarding expenditure on education in Rotherham; and if he will make a statement.

Mr. Alan Howarth: My right hon. Friend has received in the last month or so a small number of representations about expenditure on education in Rotherham.

Elton Report

48. **Mr. David Evans:** To ask the Secretary of State for Education and Science what progress is being made in implementing the recommendations contained in the Elton report on school discipline.

Mr. Alan Howarth: I refer my hon. Friend to the reply that my right hon. Friend gave to my hon. Friend the Member for Battersea (Mr. Bowis) on 2 May 1990 at column *572*.

National Curriculum

51. **Mr. Yeo:** To ask the Secretary of State for Education and Science what recent representations he has received regarding the national curriculum.

Mrs. Rumbold: I refer my hon. Friend to the reply that my right hon. Friend gave earlier today to the hon. Member for Hemsworth (Mr. Buckley).

Mr. Ron Davies: To ask the Secretary of State for Education and Science what recent representations he has received regarding the national curriculum; and if he will make a statement.

Mr. MacGregor: I refer the hon. Member to the reply that I gave earlier today to the hon. Member for Hemsworth (Mr. Buckley).

School Allocation Procedures

52. **Mr. Sims:** To ask the Secretary of State for Education and Science whether he has any plans to take steps to change the law in the light of the Greenwich decision for school allocation procedures; and if he will make a statement.

Mrs. Rumbold: My right hon Friend is not at present contemplating a change in the law in the light of the recent judicial decisions in the case R. *v* London Borough of Greenwich, ex parte the Governors of John Ball primary school. The law has been stated, and local education authorities and governors will in future have to take account of it in their school admission policies. The Department will, however, continue to keep the situation under review.

Graduate Tax

53. **Mr. Barry Field:** To ask the Secretary of State for Education and Science when he last met the Committee of Vice-Chancellors and Principals to discuss the committee's suggestion for a graduate tax.

Mr. Jackson: My right hon. Friend most recently discussed support for students' living costs with the Committee of Vice-Chancellors and Principals on 19 February. Discussions with officials are continuing.

Publications

54. **Mr. Conway:** To ask the Secretary of State for Education and Science if he will take steps to stop the publication of works of low educational quality aimed at assisting with GCSE studies.

Mrs. Rumbold: My right hon. Friend does not have, nor does he seek, the power to control the publication of educational material. It is for individual publishers to make their own decisions on what they publish; and for purchasers to decide what materials best meet their needs.

Education Expenditure, Doncaster

55. **Mr. Michael Welsh:** To ask the Secretary of State for Education and Science what representations he has received regarding expenditure on education in Doncaster; and if he will make a statement.

56. **Mr. Redmond:** To ask the Secretary of State for Education and Science what representations he has received regarding expenditure on education in Doncaster; and if he will make a statement.

Mr. Alan Howarth: My right hon. Friend has received no recent representations about expenditure on education in Doncaster.

Student Loans

59. **Mr. Ian Bruce:** To ask the Secretary of State for Education and Science if he will make a statement on the state of preparations for paying loans to university students.

Mr. Jackson: The Education (Student Loans) Act 1990 received Royal Assent on Thursday 26 April. The Student Loans Company is continuing to make good progress with preparations to provide loans to students for autumn 1990, subject to Parliament's approval of the regulations. Arrangements are in hand for publicising the loans and explaining the application procedure.

16 to 19-year-olds (Curriculum)

32. **Mr. Bradley:** To ask the Secretary of State for Education and Science what proposals he has regarding the curriculum for 16 to 19-year-olds.

Mr. Battle: To ask the Secretary of State for Education and Science what proposals he has regarding the curriculum for 16 to 19-year-olds.

Mr. Hinchliffe: To ask the Secretary of State for Education and Science what proposals he has regarding the curriculum for 16 to 19-year-olds.

Mrs. Rumbold: The Government are actively considering improvements to the curriculum for 16 to 19-year-olds. My right hon. Friend commissioned work in November 1989 from the National Curriculum Council (NCC) and the Schools Examinations and Assessment Council (SEAC) on the core skills which should be included in the programmes of study of 16 to 19-year-olds taking A and AS levels. He recently received a report from the NCC, which he is now considering, and will announce his conclusions shortly.

Education Spending, Barnsley

Mr. Allen McKay: To ask the Secretary of State for Education and Science what representations he has received regarding expenditure on education in Barnsley; and if he will make a statement.

Mr. Alan Howarth: My right hon. Friend has received in the last month two representations about expenditure on education in Barnsley.

Polish Students

Mr. Pawsey: To ask the Secretary of State for Education and Science (1) if he will make a statement on the TEMPUS (trans-European mobility scheme for university studies) programme;

(2) what representations Her Majesty's Government have made to the European Community to increase numbers of Polish students studying in western centres of advanced education.

Mr. Jackson: As my hon. Friend the Parliamentary Under-Secretary of State for Employment made clear in the House on 3 May in the debate on the Commission's proposal, the Government welcomes and supports increased opportunities for Polish students to study in the Community under the TEMPUS programme. The United Kingdom has supported the proposed programme since it was originally discussed by the European Council in Strasbourg on 8-9 December 1989 and has worked actively for its adoption.

Mr. Pawsey: To ask the Secretary of State for Education and Science, pursuant to his reply of 27 April, *Official Report*, column *337*, what plans exist to increase further the number of full-time students from Poland taking higher education courses in universities, polytechnics and other publicly funded colleges.

Mr. Jackson: The Government welcome students from Poland, as from any other country, who wish to study in the United Kingdom, but it is for individual universities, polytechnics and colleges to determine how many such students to provide for. The Government are looking at ways of increasing publicly-funded support to enable such students to study here.

Foreign Languages

Mr. Batiste: To ask the Secretary of State for Education and Science how many people in the United Kingdom are estimated to have a workable knowledge of two, three or more than three European Community languages.

Mrs. Rumbold: Of the 656,000 pupils who left school in England in 1987-88, 260,200 had a graded result at GCSE (or O level/CSE) in at least one European Community language other than English. Of these, 216,700 had a graded result in only one such language, 41,800 had graded results in two and 1,700 had graded results in three or more.

Mr. Batiste: To ask the Secretary of State for Education and Science how many teachers of Spanish, French, German and Italian there are in the United Kingdom at the secondary level.

Mr. Alan Howarth: The numbers of modern language teachers in maintained secondary schools in England in March 1988 were as follows:

	Spanish	*French*	*German*	*Other modern languages*
Number of full-time teachers teaching the language	1,800	17,400	6,300	900
Of which, the number for whom this was their main teaching subject	600	11,800	2,800	300

The numbers of teachers of Italian within the figures for "other modern languages" are too small to estimate reliably.

Information on teachers in the rest of the United Kingdom is the responsibility of my right honourable Friends the Secretaries of State for Scotland, Wales and Northern Ireland.

Mr. Batiste: To ask the Secretary of State for Education and Science at what age schoolchildren begin to study a foreign language.

Mrs. Rumbold: Under the national curriculum, all pupils will be required to study a modern language from the age of 11 and will continue such study throughout the five years of compulsory secondary schooling. Primary and middle schools are free to provide foreign language teaching outside the national curriculum to pupils aged under 11, if they have the necessary staffing and other resources to do so.

Mr. Batiste: To ask the Secretary of State for Education and Science how many places there are in universities for students to learn Spanish, French, German and Italian.

Mr. Jackson: Information about the numbers of places available for students to study specific subjects is not held centrally. The data below show the numbers of full and part-time students, both undergraduates and post-graduates of both home and overseas domicile, studying at United Kingdom universities during the academic year 1988-89.

Language	*Number*
French	4,096
German	1,802
Italian	371
Spanish	664

Source:
Universities Statistical Record.

Mr. Batiste: To ask the Secretary of State for Education and Science if he will list the initiatives to promote the study of a foreign language in the United Kingdom.

Mrs. Rumbold: I refer my hon. Friend to the reply that I gave him on 27 March 1990 at column *172*. We set up last August a national curriculum working group for modern foreign languages which is expected to recommend, by July 1990, attainment targets and programmes of study for modern foreign languages based on current best practice, in order to raise standards and to promote a stimulating and worthwhile challenge to pupils of all abilities during their period of compulsory secondary schooling. We aim to start implementing the attainment targets and programmes of study in schools from autumn 1992. I am sending my hon. Friend a copy of the working group's initial advice which was published on 15 March. The national curriculum applies to England and Wales.

The teaching of modern foreign languages in Scotland, Wales and Northern Ireland is the responsibility, respectively, of my right hon. Friends the Secretaries of State for Scotland, for Wales and for Northern Ireland.

Mrs. Dunwoody: To ask the Secretary of State for Education and Science what have been the percentage cuts in the university departments teaching oriental and African languages in the last five years in respect of *(a)* undergraduate and *(b)* postgraduate provision.

Mr. Jackson: Following the 1986 Parker report on Oriental and African language and area studies in universities, the University Grants Committee allocated £1·5 million to strengthen teaching and research in these subjects.

Mrs. Dunwoody: To ask the Secretary of State for Education and Science if he will give the numbers of students in British universities studying oriental and African languages for the years 1986-87, 1987-88, 1988-89 and 1989-90.

Mr. Jackson: The information covers university full-time and part-time students, undergraduates and postgraduates. Information for the academic year beginning in 1989 is not yet available centrally.

Students at universities in Great Britain studying oriental and African languages

Academic year beginning	*Chinese*	*Other/ Oriental/ Asian/African*
1986		
Home	270	389
Overseas	26	124
Total	296	513
1987		
Home	268	505
Overseas	28	176
Total	296	681
1988		
Home	289	561
Overseas	37	183
Total	326	744

Source: Universities Statistical Record.

ECCTIS 2000 Ltd.

Mrs. Dunwoody: To ask the Secretary of State for Education and Science (1) what is the contractual connection between the Department of Education and Science and ECCTIS 2000 Ltd;

(2) if he will make a statement on the practice of his Department to refer inquiries about university courses to the firm ECCTIS 2000 Ltd.

Mr. Jackson: The education counselling and credit transfer information service (ECCTIS) is a database of courses in further and higher education which has been developed by the Department to provide a comprehensive source of computerised information for students and others inquiring about the availability of courses in particular subjects. Following a limited tender exercise, ECCTIS has been managed and operated since 1 January 1990 on behalf of the Department by ECCTIS 2000 Ltd., under a contract which runs until 31 December 1994.

The Department does not itself hold details of all courses available and it is its practice to refer inquirers to ECCTIS where the circumstances of the inquiry suggest that this would be appropriate.

School Closures, Richmond and Barnes

Mr. John D. Taylor: To ask the Secretary of State for Education and Science how many schools were closed in each of the past five years within the constituency of Richmond and Barnes.

Mr. Alan Howarth: Information at constituency level is not available centrally. The number of schools which have closed in each of the last five years in the Richmond local education authority area was as follows:

	Number of schools closed
1985	2
1986	0
1987	0
1988	[1]2
1989	[2]3

[1] Closed for the purpose of amalgamation.
[2] Two schools closed for the purpose of amalgamation.

Conflict Resolution

Ms. Armstrong: To ask the Secretary of State for Education and Science (1) what action his Department is taking to encourage the national curriculum council to examine ways of integrating the teaching of non-violent conflict resolution into specific subject or project ideas;

(2) what measures he is taking to ensure that human rights education takes place throughout the schools system;

(3) what account Her Majesty's inspectors of schools are taking of the recommendation contained in the report "Violence and Conflict Resolution in Schools" concerning the implementation of human rights education.

Mrs. Rumbold: The requirement for a balanced and broad based curriculum which promotes the spiritual, moral, cultural, mental and physical development of pupils, as set out in section 1 of the Education Reform Act, represents an effective framework for the provision of human rights education. HMI will, as a priority, be looking at all pupils' access to the whole curriculum. The National Curriculum council proposes to issue curriculum guidance to schools covering a range of cross-curriculum themes, including citizenship, which contribute to the personal and social education of all pupils.

Ms. Armstrong: To ask the Secretary of State for Education and Science what steps his Department is taking to ensure that teacher training courses in classroom management include aspects relating to problem solving, interpersonal relations, conflict resolution and mediation.

Mr. Alan Howarth: My right hon. Friend has provided that as regards in-service training the management of pupil behaviour has been designated as a national priority area within the local education authority training grants scheme, attracting the higher rate of grant on expenditure of up to £1·7 million in 1990-91. In addition, the revised criteria for the approval of initial teacher training courses which he introduced with effect from 1 January 1990 provide that all such courses should include compulsory and clearly identifiable elements of practical training in the management of pupil behaviour. It is for the course providers to decide on the content of these courses with the objective of achieving good standards of classroom behaviour.

Ms. Armstrong: To ask the Secretary of State for Education and Science (1) when he received the report "Violence and Conflict Resolution in Schools" published by the council for cultural co-operation of the Council of Europe in July 1989, and what response he proposes to make to the recommendation on the teaching of non-violent conflict resolution as part of the curriculum;

(2) what assessment he has made of the contribution to the recommendations of the report "Violence and Conflict Resolution in Schools" by the council of cultural co-operation of the Council of Europe 1989 could make to tackling the problems of aggression, violence and vandalism in schools.

Mr. Alan Howarth: My right hon. Friend received a copy of the report last January. The report has not been forwarded formally to Governments, but is still under study within the Council of Europe. The report will contribute to the continuing debate on this important matter and my right hon. Friend will be interested to see the Council's comments once its work has been completed.

Parental Rights

Mr. Harry Greenway: To ask the Secretary of State for Education and Science what steps have been taken to increase parents' rights to choose a school for their child; and if he will make a statement.

Mrs. Rumbold: This Government have done more than any other to increase parents' chances of getting the school they want for their child. Under the Education Act 1980, parents have the right to express a preference as to the school at which they want their child educated and, unless certain specified reliefs apply, that preference has to be met by the local education authority and governors concerned. The more open enrolment provisions of the Education Reform Act build on this solid foundation and, by taking account of the physical capacity of schools, will give to all parents an even better chance of getting the school that they want for their child.

Student Statistics

Mr. Fatchett: To ask the Secretary of State for Education and Science if he will set out for 1979-80, 1984-85 and 1989-90 or the latest available figures the number of students (i) in secondary education, (ii) entered for *(a)* CSE and *(b)* GCE O levels in (1) drama, (2) music and (3) art, (iii) entered for GCE A levels in each of the above subjects, (iv) receiving individual tuition in a musical instrument and (v) entering (1) drama school, (2) music college and (3) art school.

Mrs. Rumbold: Not all the information is available in the requested form. The numbers of school leavers attempting public examinations in music and art were as follows:

Thousands

	1979-80	*1984-85*	*1987-88*
Music			
A level	2·92	3·27	2·65
GCSE	—	—	10·77
O level (but not GCSE)	14·73	16·49	2·34
CSE (but not GCSE/O level)	10·31	10·22	12·08
All GCSE/O level/CSE	25·04	26·70	25·18
Art			
A level	13·01	13·76	13·29
GCSE	—	—	44·12
O level (but not GCSE)	78·34	81·36	8·24
CSE (but not GCSE/O level)	74·20	59·52	113·68
All GCSE/O level/CSE	152·54	140·88	166·03
All school leavers	750·73	736·21	655·96

Source: School Leavers Survey.

The numbers of students under 20 years of age on their first year of a course in colleges in the public sector were as follows:

	1985-86	*1988-89*
Colleges of Art/Art and Design	9,710	11,318
Colleges of Music	716	998

Source: Further Education Statistical Record.

Note: These figures include full-time and part-time students; they exclude students following similar courses in other public sector and private establishments.

Teacher Vacancies

Mr. Straw: To ask the Secretary of State for Education and Science if he will publish a table of full-time teacher vacancies in maintained nursery, primary and secondary schools for January 1990, broken down by aggregate total, school type and subject area for England.

Mr. MacGregor: The information is not yet available.

Contraception

Ms. Harman: To ask the Secretary of State for Education and Science what research is being undertaken on contraception; and if he will make a statement.

Mr. Jackson: The main agency through which the Government support medical research is the Medical Research Council (MRC), which receives its grant-in-aid from the Department of Education and Science.

The Medical Research Council is funding major research projects into contraception at the following establishments:

(a) MRC establishment

1. MRC reproductive biological unit, Edinburgh

Project title:

(i) Identification and characterisation of gamete specific antigens. Immunological infertility and contraceptive vaccines.

(ii) Clinical evalulation of new methods of contraception and menstrual induction, and new treatments for menstrual disorders and impotencey.

(b) Grant holders in University Departments etc

1. Dr. C. R. Kay, Royal College of General Practitioners, Manchester: Study of oral contraception

2. Profesor M. P. Vessey, Social and community medicine, Oxford university: Joint perspective study of the effects of different methods of contraception

3. Dr. K. McPherson, community medicine and general practice, Oxford university: Investigation of oral contraceptive use in early life and subsequent breast cancer risk

In addition, the Medical Research Council supports the following range of projects which are related to, or include in part, studies of contraception.

(a) MRC establishments

1. Clinical research centre, section of medical statistics, Harrow

Project title

(i) Provision of statistical collaboration and support to clinical research centre (and other) research programmes

2. MRC child psychiatry unit, London

Project title

(i) Childhood experiences as predictors of life events in early adulthood

3. MRC laboratories, Kingston, Jamaica

Project title

(i) Effects of oral contraceptives on haematological and clinical features of sickle cell disease

4. MRC reproductive biology unit, Edinburgh

Project titles

(i) Role of neuropeptides, inhibin and gonadal steroids in the differential secretion of pituitary gonadotrophins

(ii) Lactational amenorrhoea in women. Implications for contraception and family planning

(iii) Application of neuropeptide analogues and steroid antagonists in the regulation of the pituitary gland

(iv) Endocrine, paracrine and autocrine regulation of the ovary, with reference to physiology of the follicle and corpus luteum

(v) Sexuality and wellbeing of women. Relationship to the menstrual cycle, lactation, contraception and disorders thereof

(vi) Prostaglandin biosynthesis in the female reproductive tract. Interactions with steroid hormones and their antagonists.

5. Institute of Cancer Research, London

Project title

(i) Epidemiology and biostatistics in cancer research

(b) Grant holder in University Department

1. Dr. E. Chantler, obstetrics and gynaecology, Manchester university: Spermicides as a local control for HIV type I transmission.

PICKUP

Mr. McAllion: To ask the Secretary of State for Education and Science if he will provide, for the universities located in Scotland, disaggregated PICKUP full-time equivalents by vocational category for the academic years 1985-86 to 1988-89.

Mr. Jackson *[holding answer 23 April 1990]:* Information on PICKUP courses in universities is not available before 1987-88. Figures for 1987-88 and 1988-89 are as follows:

University	*Education*	*Medicine Dentistry and Health*	*Engineering and Technology*	*Agriculture Forestry and Veterinary Science*	*Biological and Physical Sciences*	*Administrative Business and Social Studies*	*Architecture and other professional and vocational subjects*	*Language Literature and other area studies*	*Arts other than languages*	*Total*
					Subject Group 1987-88					
Aberdeen	0	77	2	0	5	7	0	1	4	95
Dundee	0	281	29	90	18	49	0	449	0	917
Edinburgh	10	239	6	1	21	133	1	13	17	442
Glasgow	0	0	0	1	37	21	0	2	23	84
Heriot-Watt	0	0	0	0	53	50	0	0	0	104
St. Andrews	1	59	90	0	35	49	9	57	1	300
Stirling	8	80	36	0	3	5	0	2	0	133
Strathclyde	0	0	39	0	0	55	7	8	0	109
Scotland	19	736	202	91	172	370	17	533	45	2,185
					Subject Group 1988-89					
Aberdeen	0	64	1	5	0	9	0	5	0	84
Dundee	4	262	35	21	62	53	0	163	1	601

University	Education	Medicine Dentistry and Health	Engineering and Technology	Agriculture Forestry and Veterinary Science	Biological and Physical Sciences	Administrative Business and Social Studies	Architecture and other professional and vocational subjects	Language Literature and other area studies	Arts other than languages	Total
Edinburgh	4	81	6	1	14	86	2	91	4	290
Glasgow	6	0	0	0	110	21	2	5	2	146
Heriot-Watt	0	0	0	0	34	66	0	118	0	217
St. Andrews	1	76	78	6	49	111	14	66	0	400
Stirling	0	452	47	0	3	33	0	0	0	535
Strathclyde	0	0	59	0	16	57	2	18	0	152
Scotland	15	936	225	33	288	437	19	465	7	2,425

EMPLOYMENT

Departmental Expenditure

Ms. Short: To ask the Secretary of State for Employment what was the total amount spent for each standard region and for Great Britain as a whole, in both cash and real terms, by his Department, the employment service and the Training Agency, formerly Manpower Services Commission, in each year since 1979-80; and if he will make a statement.

Mr. Eggar: The information requested is not available for standard economic planning regions.

The total amount spent in cash terms by the Department of Employment is available from the appropriation accounts for the relevant year. (Volume 2, class IV for 1979-80, volume 4, class IV for each of the years 1980-81 to 1985-86 and volume 5, class VII for 1986-87 to 1988-89).

Real-terms expenditure can be derived by applying the GDP deflator to the cash total for the year in question.

Vocational Training

Dr. Thomas: To ask the Secretary of State for Employment if he will make a statement on the contribution made to employment in the United Kingdom by the European Communities European centre for the development of vocational training.

Mr. Eggar: The chief purpose of the European centre for the development of vocational training (CEDEFOP) is to support the work of the European Commission and others in promoting training at Community level. It does this through a programme to co-ordinate initiatives, by disseminating research and information and by proposing innovative means of tackling training issues across the Community. It therefore does not have a direct effect on employment in the United Kingdom beyond promoting the benefits of training.

Social Fund

Mr. John Garrett: To ask the Secretary of State for Employment whether there have been any delays by his Department in the allocations of the European social fund; when decisions will be made in these allocations and whether allocations to the non-statutory sector will be equal to their funding from this source in 1989.

Mr. Eggar: The reform of the European Community's structural funds imposes an entirely new procedure for deciding ESF allocations in 1990, with many new tasks falling to Member States. My Departmment has been working with applicants to revise operational programmes according to the requirements set out in the European Commission's community support frameworks, so that the agreement of the Commission can be obtained. I will shortly be making proposals about allocations. As the European Commission is providing the United Kingdom with less money in 1990 than in 1989, no sector can be guaranteed the same allocation as last year.

Mr. Worthington: To ask the Secretary of State for Employment in what month ESF programme funding has been paid out to voluntary organisations in each of the past 10 years.

Mr. Eggar: ESF payments have been made to voluntary organisations during the following months:

1987: July, August, September, October, November and December.
1988: Payments made in every month.
1989: Payments made in every month.
1990: January, February, March, April, to date.

These payments were for activities started in the same year, and for those completed in preceding years.

The same information in respect of earlier years before records were computerised, can only be provided at a disproportionate cost.

Mr. Worthington: To ask the Secretary of State for Employment what conclusions he has drawn about the action of those voluntary organisations which have continued to run training programmes since January 1990 before being told whether they had ESF funding; and if he will make a statement.

Mr. Eggar: My department informs all applicants to the European social fund that because of the European Community procedures for handling applications many applicants may need to start their projects without certainty of any ESF support. This has always been the case, and remains so following the reform of the Community's structural funds.

Mr. Worthington: To ask the Secretary of State for Employment how many training places with Scottish voluntary organisations supported by ESF funding are being provided in the current years.

Mr. Eggar: There have been no decisions announced regarding individual organisations' ESF support for 1990. Therefore I cannot say how many training places will be funded for the Scottish voluntary organisations this year.

Mr. Worthington: To ask the Secretary of State for Employment when (1) he will issue application forms to voluntary organisations for the European social fund programme starting in 1990;

(2) whether he has any proposals for improving the administration of ESF applications from voluntary organisations.

Mr. Eggar: This is the first year of operation of the major reform of the Community's structural funds including the European social fund, and entirely new application procedures are being developed. My Department has been working with the European Commission and applicant organisations to determine these new procedures and hopes to be able to issue project application forms and guidance within the next month. As the new procedures are implemented, they will be reviewed in the light of experience.

Mr. Worthington: To ask the Secretary of State for Employment if ESF money is used by the Government to subsidise benefit payments on the employment training programme.

Mr. Eggar: The ESF supports additional training places on the employment training programme. Of the various types of expenditure eligible for funding a small proportion is claimed for trainee allowances, which are over and above benefit entitlement.

Mr. Worthington: To ask the Secretary of State for Employment what response he intends to make to the resolution sent to him by 40 voluntary member organisations in Scotland protesting about his administration of ESF funding to voluntary organisations.

Mr. Eggar: I will be responding in due course to the resolution sent by the Scottish Council for Voluntary Organisations.

Mr. Worthington: To ask the Secretary of State for Employment when he anticipates he will pay money out to voluntary organisations for ESF programmes which started in January 1990.

Mr. Eggar: It is expected that first payments from the European social fund to projects will be available to all applicants during the summer, as has been the case in previous years prior to the reform of the Community's structural funds. The timing will however depend in large part on when the European Commission gives approval to operational programmes.

Mr. Worthington: To ask the Secretary of State for Employment how much money has been allocated by him to voluntary organisations for the ESF programme starting in January 1990.

Mr. Eggar: No decisions have been taken yet on the amounts of ESF to be allocated to any organisation in 1990.

Mr. Worthington: To ask the Secretary of State for Employment how many voluntary organisations withdrawing from training work have given reasons for their withdrawal; and in how many cases the way the ESF funding is administered by his Department has been mentioned.

Mr. Eggar: I have no means of being able to establish comprehensive information about the numbers of voluntary organisations withdrawing from training work nor the reasons why. Any information which is available can only be extracted at a disproportionate cost and relates only to Government training schemes.

Mr. Worthington: To ask the Secretary of State for Employment if he will make it his policy to guarantee to approve the training programmes of those voluntary organisations who have operated on the assumption that they will receive ESF money for programmes starting in January 1990.

Mr. Eggar: No guarantee of funding can be offered to individual applicants in advance of the approval by the European Commission of operational programmes and decisions about the eligibility of individual projects. No such guarantees have been given in previous years. Once projects are approved, however, expenditure from 1 January 1990 will be eligible for support.

Mr. Worthington: To ask the Secretary of State for Employment how many training places were provided by Scottish voluntary organisations supported by ESF funding in 1989.

Mr. Eggar: In 1989, ESF assistance was approved for Scottish voluntary sector organisations to provide 3,272 training places. I cannot say how many of these places were taken up as the final claims for payment from all these organisations have yet to be received.

Training Projects, Lambeth

Miss Hoey: To ask the Secretary of State for Employment what are *(a)* the total number of trainee places cut for each employment training project in Lambeth, *(b)* the unit allocation per trainee to each employment training project under the new guidelines in Lambeth and *(c)* the unit allocation per trainee paid to each employment training project under their previous contracts and the amount claimed by each project in respect of child care and travel costs in the last financial year.

Mr. Nicholls: Information on employment training in respect of *(a)* is not available. Details of *(b)* and *(c)*, unit allocations and amounts claimed in respect of child care and travel costs, are confidential to the Training Agency and individual ET training managers.

Training

Mr. Worthington: To ask the Secretary of State for Employment when training matters in England and Wales were brought within the ambit of the Parliamentary Commissioner.

Mr. Eggar: Training programmes in England and Wales run by the Government came within the jurisdiction of the Parliamentary Commissioner for Administration when the office was established in 1967.

Mr. Worthington: To ask the Secretary of State for Employment whether he will make it his policy to inform hon. Members of the amount that is being spent on the mainstream and non-mainstream of the employment training budget.

Mr. Nicholls: I refer the hon. Member to the reply given to the hon. Member for Fife, Central (Mr. McLeish) on 3 May 1990 at column 639.

Mr. Worthington: To ask the Secretary of State for Employment whether he will make it his practice to inform hon. Members of how much use is being made of day care funding on the employment training scheme.

Mr. Nicholls: I refer the hon. Member to the reply given to the hon. Member for Fife, Central (Mr. McLeish) on 13 February 1990 at column 204.

Training and Enterprise Councils

Mr. Paice: To ask the Secretary of State for Employment what evidence he has of industry's response, in areas where TECs, are established, to the Government's incentives for financial contributions by companies to TECs.

Mr. Eggar: I have been greatly encouraged by the enthusiastic response that we have had from business leaders to setting up training and enterprise councils. The Government have offered matching funding up to £125,000 in a TEC's first operational year and will provide tax relief on company donations. I am confident that these measures will ensure that TECs are able to attract financial contributions.

Mr. McLeish: To ask the Secretary of State for Employment if he will give, for employment training, output-related funding for training and enterprise councils, the target percentage of positive outcomes for Great Britain and each standard region in 1990-91 set out by the Training Agency.

Mr. Eggar *[holding answer 3 May 1990]:* The target percentage of positive outcomes for those leaving employment training for Great Britain and each training agency region in 1990-91 is shown in the following table.

	Percentage
South-East	50
London	46
South-West	46
West Midlands	43
East Midlands	45
Yorkshire and Humberside	46
North-West	46
Northern	39
Scotland	41
Wales	47
Great Britain	44

Benefit Claimants

Mr. Frank Field: To ask the Secretary of State for Employment what powers unemployment benefit officers have to suspend claimants' unemployment benefit and/or income support once an employment service councellor has raised doubts about the claimant (i) being available, (ii) actively seeking work or, (iii) the claimant is suspected of voluntary unemployment, prior to the decision of an adjudication officer.

Mr. Eggar: Employment service officials have the power to make arrangements for payment only where there is no doubt about entitlement. Where doubts arise, they must refer the matter to an independent adjudication officer for a decision on whether unemployment benefit should be paid. Pending the adjudication officer's decision, it would be wrong to pay benefit if entitlement is in doubt. The only exception concerns cases where doubts arise about the availability for work of claimants already being paid unemployment benefit; regulations provide specifically for payment to continue under those circumstances. Entitlement to income support is a matter for the Department of Social Security.

WALES

National Curriculum (Pupil Testing)

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement on the testing and assessment of children in Wales concerning the national curriculum.

Mr. Wyn Roberts: The Secretary of State for Education and Science and the Secretary of State for Wales wrote to the Chairman of the School Examinations and Assessment Council on 6 March and 9 April setting out the Government's views on the arrangements for assessing pupils at age seven, 11 and 14. Copies of this correspondence are available in the Library of the House.

At age 16, the main instrument of assessment will be the GCSE. Decisions on the arrangements to assess music, art and physical education will be made at a later date.

Private Schools

Mr. Barry Jones: To ask the Secretary of State for Wales what amount was paid in grants by his Department to each of the private schools in Wales in each year since 1979.

Mr. Wyn Roberts: Payments made to independent schools for fee remissions under the assisted places scheme are set out in the following table A. The scheme did not commence until 1981-82. In addition, the Department has paid grant under the direct grant scheme as set out in table B.

Table A
Assisted places scheme: Payment to schools
Financial years 1981-82 to 1989-90

School	*1981-82*	*1982-83*	*1983-84*	*1984-85*	*1985-86*	*1986-87*	*1987-88*	*1988-89*	*1989-90*
Christ College, Brecon	7,986·23	21,443·90	36,063·63	48,289·45	62,116·51	95,473·37	131,470·78	155,404·79	189,033·43
Howell's School, Denbigh	11,011·65	37,883·95	70,107·35	96,156·03	132,971·98	179,033·86	225,465·70	243,740·40	237,474·63
Howell's School, Llandaff	17,774·38	57,094·30	106,799·85	144,940·27	209,858·38	274,274·74	314,274·85	319,099·95	334,290·42
Llandovery College	3,737·60	9,217·81	19,615·84	31,013·22	38,279·65	454,407·00	55,732·49	75,308·91	92,650·75
Monmouth School (for Boys)	18,515·90	52,035·40	92,610·93	134,170·47	181,642·40	233,684·75	307,291·19	277,352·49	323,194·26
Monmouth School (for Girls)	9,644,70	21,677·09	37,072·44	52,598·51	68,760·75	90,225·23	109,297·62	114,422·49	128,010·24
Penrhos College, Colwyn Bay	5,108·80	21,973·10	38,489·50	62,843·75	81,089·97	99,399·15	140,459·21	136,944·07	156,617·49
Rydal School, Colwyn Bay	4,194,13	38,206·67	53,896·86	56,864·75	67,768·55	93,274·00	110,254·91	112,767·80	128,121·05
Lowther College[1]	23,709·08	15,244·92	—	—	—	—	—	—	—
TOTAL	101,742·47	274,777·14	455,156·40	626,876·45	842,488·19	1,519,772·10	1,394,246·75	1,435,040·90	1,589,392·27

[1] Lowther College closed in July 1982.

Table B
Grant to direct grant schools

	£
1979-80	[1]125,000
1980-81	[1]68,000
1981-82	[1]67,000
1982-83	[1]20,000
1983-84	10,000
1984-85	10,000
1985-86	11,000
1986-87	19,000
1987-88	13,000
1988-89	15,000
1989-90	16,000

[1]Included grant to former direct grant schools which subsequently become independent.

The only direct grant school remaining is TS Indefatigable, Anglesey.

Government Training Schemes

Mr. Barry Jones: To ask the Secretary of State for Wales how many young people are currently engaged on Government training schemes in Wales.

Mr. Wyn Roberts: At the end of March 1990 there were 22,665 young people participating in the youth training scheme in Wales.

Mr. Flynn: To ask the Secretary of State for Wales, what was *(a)* the total civilian work force in employment in Wales, *(b)* the number of people employed in more than one job and *(c)* the number on Government-funded work-related training schemes for the years 1979-89.

Mr. David Hunt: The information requested is given in the following table:

Wales

(000's)

	1979	*1980*	*1981*	*1982*	*1983*	*1984*	*1985*	*1986*	*1987*	*1988*	*1989*
Civilian work force in employment in June[1]	1,157	1,125	1,054	1,027	1,014	1,040	1,044	1,055	1,073	1,117	1,200
Persons employed in more than one job[2]	17	—	17	—	19	21	22	28	33	40	45
Persons on work-related government training schemes in June[3]	—	—	—	—	—	10	10	13	18	21	31

[1] Defined as employees in employment, the self-employed and, from September 1983 onwards, participants on work-related government training schemes.
[2] Spring labour force survey estimates produced biennially to 1983, and annually thereafter. These data are subject to large sampling errors and are not directly comparable with published employment estimates.
[3] Included in [1]; not applicable before September 1983.

Job Clubs

Mr. Barry Jones: To ask the Secretary of State for Wales how many job clubs there are in Wales.

Mr. David Hunt: There are currently 62 job clubs in Wales.

Welsh Office Financial Management

Mr. Morgan: To ask the Secretary of State for Wales whether any further payments were made to the contractor responsible for the August 1986 contract to install in his Department a computerised management information system following the £1 million payment referred to in paragraph 3.25 of the National Audit Office report on the Welsh Office: Financial Management.

Mr. David Hunt: A payment was made to the contractor in January 1990 following delivery, installation, testing and acceptance of the finance systems which were the final component of the contract with the Welsh Office.

Mr. Morgan: To ask the Secretary of State for Wales for how long the period of dual running of the manual and computerised financial management information systems persisted prior to the introduction on 1 April of the operational management system; and whether the manual financial information system has now ended.

Mr. David Hunt: The new computerised financial information system was comprehensively tested between November 1989 and March 1990. During this period, its output was compared and reconciled with the partially computerised system which has now been superseded.

Mr. Morgan: To ask the Secretary of State for Wales whether any further contractor was brought in to complete the contract originally awarded in August 1986 to install a computerised management information system into his Department referred to in paragrapn 3.24 of the NAO report, Welsh Office: Financial Management.

Mr. David Hunt: No further contractors were brought in to complete the contract referred to in the question.

Mr. Morgan: To ask the Secretary of State for Wales if he will make a statement concerning the name, address and other details of the contractor submitting the lowest tender to computerise his Department's management information system in August 1986 referred to in paragraph 3.24 of the NAO report, Welsh Office: Financial Management.

Mr. David Hunt: The company concerned was IBM United Kingdom Ltd., whose address is PO Box 41, Portsmouth.

Mr. Morgan: To ask the Secretary of State for Wales what assessment he has made of the cost impact of the delay in the installation of a computerised management information system to his Department.

Mr. David Hunt: The financial consequences of the delay in the installation of a computerised management information system were taken fully into account during negotiations with the contractor and were reflected in the settlement which was agreed with my Department. The details of that settlement are in confidence for commercial reasons.

Welsh Office, Cardiff (Security)

Mr. Morgan: To ask the Secretary of State for Wales (1) when he anticipates completion of the high-security entrance porch to his Department's Crown building at Cathays park, Cardiff;

(2) what is the estimated cost of the new high-security entrance porch to his Department's Crown building at Cathays park, Cardiff.

Mr. David Hunt: The Cabinet Office has advised a number of Government Departments, including the Welsh Office, on the security necessary to protect Government employees and property. It was recommended that the new Cathays park building of the Welsh Office, which is occupied by 2,000 members of staff of the Welsh Office and the Export Credits Guarantee Department, should have installed an electronic access control system. The installation is underway and I am informed that the anticipated cost will be £594,000 plus VAT, which will be met by Property Holdings (DoE).

The hon. Member has suggested in public statements that this security expenditure is being made to protect Ministers from public demonstrations, but I am sure that he will be aware that Welsh Office Ministers are located in the old Cathays park building, not the new one. Normally, such demonstrations as there are take place outside the old building, to which none of this expenditure relates.

I am informed by Property Holdings (DoE) that the completion date of these security works will be July 1990.

Health Service

Mr. Barry Jones: To ask the Secretary of State for Wales (1) what is the name and full title of the new general manager of the Clwyd family health services authority;

(2) if he will list the names of the new family health services authorities in Wales.

Mr. Grist: I refer the hon. Gentleman to the reply given to the hon. Member for Wrexham (Dr. Marek) on 22 January 1990, at column 512. Family health services authorities will come into being later this year following passage of the National Health Service and Community Care Bill currently before the House and will replace the existing network of family practitioner committees.

Mr. Barry Jones: To ask the Secretary of State for Wales (1) what was the salary scale of the administrator of the Clwyd family practitioner committee;

(2) what is the salary scale of the general manager of the Clwyd family health services authority.

Mr. Grist: The current salary scale of the administrator of Clwyd family practitioner committee is as follows:

£22,404
£23,301
£24,233
£25,202
£26,210
£27,258

The flat rate salary of the general manager of Clwyd family practitioner committee is £31,750.

Mr. Barry Jones: To ask the Secretary of State for Wales how many female administrators of family practitioner committees in Wales there were in 1988.

Mr. Grist: One.

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement on the current position in the Clwyd family health services authority of Mrs. Jennifer Jackson, formerly administrator of Clwyd family practitioner committee.

Mr. Grist: This is a matter for the family practitioner committee as the employing authority.

Mr. Barry Jones: To ask the Secretary of State for Wales how many female general managers of family health services authorities there are in Wales.

Mr. Grist: No female general managers were selected during the recent recruitment exercise.

Medical Research

Mr. Win Griffiths: To ask the Secretary of State for Wales what estimate he has made of the effects on medical research in Wales of the proposal to create the post of chief of research and development.

Mr. Grist: The White Paper "Priorities in Medical Research" (Command 902) identified the need for a full review of the arrangements for managing and funding medical research in Wales in parallel with developments in England. This review is currently in progress.

Eye Tests

Mr. Michael: To ask the Secretary of State for Wales (1) how cases of glaucoma were recorded in each of the years 1986, 1987, 1988 and 1989 in Wales;

(2) how many cases of glaucoma diagnosis were recorded in each of the years *(a)* 1986, *(b)* 1987, *(c)* 1988 and *(d)* 1989 in South Glamorgan health authority area.

Mr. Grist: This information is not available centrally.

Mr. Michael: To ask the Secretary of State for Wales (1) how many eye tests were carried out in the six months from *(a)* 1 April 1986, *(b)* 1 April 1987, *(c)* 1 April 1988 and *(d)* 1 April 1989 in South Glamorgan;

(2) how many eye tests were carried out in the six months from *(a)* 1 April 1986, *(b)* 1 April 1987, *(c)* 1 April 1988 and *(d)* 1 April 1989 in Wales.

Mr. Grist: Since April 1989, many sight tests will have been private transactions, and statistical information on these is not available centrally. The Government have commissioned a survey of sight tests to cover the first quarter of 1990. The report on the survey results will be placed in the Library of the House of Commons, some time in the early summer.

The available information, which relates to eye tests paid for by family practitioner committees, is given in the following table:

	South Glamorgan	*Wales*
Six months from 1 April 1986	48,279	310,371
Six months from 1 April 1987	54,071	325,474
Six months from 1 April 1988	52,882	329,925
Six months from 1 April 1989	26,708	170,073

Mr. Michael: To ask the Secretary of State for Wales how many referrals were made to ophthalmic surgeons in *(a)* 1986, *(b)* 1987, *(c)* 1988 and *(d)* 1989 in (i) South Glamorgan health authority and (ii) Wales.

Mr. Grist: The available information, which relates to new out-patient attendances at ophthalmic clinics is given in the following table. This information is collected on a quarterly basis.

	South Glamorgan	Wales
Year ending:		
1986	7,907	39,235
1987	8,493	39,213
1988	8,286	42,838
Quarter ending:		
March 1989	2,221	11,596
June 1989	2,182	12,050
September 1989	1,956	11,270

Parliamentary Answers (Cost)

Mr. Michael: To ask the Secretary of State for Wales what was the cost of the reply given to the question by the hon. Member for Pembroke (Mr. Bennett) on 1 May seeking a list of achievements during his period of office as Secretary of State for Wales.

Mr. David Hunt: The cost was £169, including an estimated £44 for printing in *Hansard*.

TRADE AND INDUSTRY

Nuclear Technology

Dr. Thomas: To ask the Secretary of State for Trade and Industry if he will make it his policy to introduce legislation along the lines of the United States Export Administration Regulations, part 778, concerning the special control of nuclear technology.

Mr. Redwood: The Government have no plans to introduce new legislation to control the export of nuclear-related goods and technology. The United Kingdom's obligations under the nuclear non-proliferation treaty are given effect through the Export of Goods (Control) Order 1989 (SI 1989 No. 2376), as amended, under which a licence is required to export sensitive nuclear-related goods and technology. It is not our practice to license exports which give rise to proliferation or other concerns.

Auditors

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry if he will list the information that his Department collects about auditors and audit reports.

Mr. Redwood: My Department obtains copies of the lists of members published by the bodies recognised under section 389 of the Companies Act 1985, supplementing the information as necessary by consulting the body concerned. The Department also maintains a record of auditors who have been individually authorised by the Board of Trade or the Secretary of State. Audit reports delivered to the registrar of companies with company accounts are made available by Companies house for public inspection. In addition, my Department collects information about auditors and audits from a wide variety of sources, including the investigation of complaints, press reports, research studies, and contacts with the profession and users of accounts.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether he will take steps to ensure that the organisations seeking recognition as qualifying bodies under the Companies Act 1989 are required to have student observers on their councils.

Mr. Redwood: No.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether he will announce the date by which any member of the public may object to the granting of supervisory status to any accountancy body.

Mr. Redwood: This will depend on when the supervisory body applies for recognition under part II of the Companies Act 1989, and how long it takes to determine the application, but I would expect the consideration of a body's application to take several months, which should give members of the public ample opportunity to make representations.

Mr. Mitchell: To ask the Secretary of State for Trade and Industry whether he will list the steps he is taking to reduce the influence in auditing policy-making bodies of accountancy firms criticised by the Department of Trade and Industry and the joint disciplinary scheme.

Mr. Redwood: If, as I assume, the hon. Member has in mind the Auditing Practices Committee, I refer him to the answers I gave to his questions on 27 November at columns 92-93, 18 December at columns 22-23, 21 December at columns 392-93, and 10 January at columns 634-35, when I explained that membership of that committee is a matter for the Consultative Committee of Accountancy Bodies.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether he will list the membership of the United Kingdom accountancy bodies incorporated by royal charters.

Mr. Redwood: Details of members are published by the chartered bodies of accountants, from whom up-to-date membership numbers are freely available on application.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether he will create a single independent organisation to regulate both accounting and auditing standards.

Mr. Redwood: No. The Government's attitude to this proposition has not changed since it was debated during the Committee stage of the Companies Bill last year.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether he will list the steps his Department is taking to bridge the expectation gap in auditing.

Mr. Redwood: In so far as the public expects auditors to safeguard their interests, the Government's legislation on the financial services sector (including insurance and banking) has already removed an obstacle which was seen as inhibiting auditors from reporting direct to the various regulatory authorities information relevant to the functions of those authorities. The forthcoming implementation of part II of the Companies Act 1989 will introduce a new regulatory regime for auditors which will help to underpin the quality of auditing.

It is, however, primarily a matter for the auditing profession to consider how to respond to the public's expectations, and my Department welcomes and supports the relevant initiatives which the profession has taken (for example, its guidance on dealing with fraud) and is developing. It is equally incumbent on the public to inform itself of what auditors can and should reasonably expect to accomplish.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry (1) whether he will take steps to ensure that all auditing firms auditing large companies would be required to participate in peer reviews;

(2) whether he will make it his policy to deny supervisory body status to any organisation under the Companies Act 1989 unless it offers arrangements for peer reviews.

Mr. Redwood: Under the Companies Act 1989, the Secretary of State may recognise a supervisory body only if, among other things, the body apears to him to have adequate arrangements and resources for the effective monitoring and enforcement of compliance with its rules. It will be for each supervisory body to set out the precise arrangements and resources through which it proposes to meet this criterion.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether, under the Companies Act 1989, he will refuse to grant supervisory status to any accountancy body which has continued to nominate individuals from the accountancy firms sued by the Government for negligence, criticised by the Department of Trade and Industry and the joint disciplinary scheme on audit policy-making organisations.

Mr. Redwood: No applications for recognition from supervisory bodies have yet been made. When applications are received they will be considered on their merits and in the light of the requirements laid down in part II of the Act, including the requirement that a recognised supervisory body must be able and willing to promote and maintain high standards of integrity in the conduct of company audit work.

Supervisory Bodies

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether he will introduce legislation to require any organisation seeking recognition as a supervisory body to ensure that the membership of its major policy-making committees is elected.

Mr. Redwood: No.

Language Training

Mrs. Dunwoody: To ask the Secretary of State for Trade and Industry what talks have been undertaken with the chambers of commerce and related commercial interests on the training of business men in oriental and African languages.

Mr. Redwood: My right hon. Friend and I believe it is important for business men to be able to communicate in the languages used by their customers. We have therefore encouraged business men to learn appropriate foreign languages, including oriental languages and those spoken in Africa. We would be happy to discuss the subject with representatives of chambers of commerce or other business organisations, if they wished to do so.

Also, my noble Friend the former Secretary of State for Trade and Industry, Lord Young, announced on 2 March 1989, a Japanese language training initiative. Financial support from my Department and the private sector is currently being given to four universities with the aim of doubling the number of graduates who have Japanese language ability allied to a commercially relevant skill.

An important initiative aimed at business men has been the establishment of the network of language-export (LX) centres, which have received pump-priming funding from the Department of Education and Science under the PICKUP programme. LX centres provide language courses tailormade to meet the needs of business men.

Alexander Howden Group

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether he will list the reasons for his decision not to publish the inspector's report on Alexander Howden Group plc which was completed on 26 June 1987.

Mr. Redwood: I have come to no such decision. The question of whether the inspectors' report into the affairs of Alexander Howden Group plc should be published is under consideration following the conclusion of criminal proceedings in relation to that company.

Product Safety

Mr. McFall: To ask the Secretary of State for Trade and Industry what discussions he has had with trading standards officers on product safety.

Mr. Forth: I have met trading standards officers and members of their representative organisations on several occasions at which product safety was one of the issues discussed. Officials of my Department keep in regular contact with trading standards officers.

Accounting Standards Board

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry how the priorities of the Accounting Standards Board will be determined.

Mr. Redwood: This is a matter which the Financial Reporting Council and the proposed Accounting Standards Board will need to consider.

Investment Services

Mr. Allan Stewart: To ask the Secretary of State for Trade and Industry what representations he has made to the European Commission and the Council of Ministers on the EC investment services draft directive; and if he will make a statement.

Mr. Redwood: My Department made a number of representations to the European Commission before its formal proposal for an investment services directive was submitted to the Council, and continues to press the United Kingdom interest in achieving an effective, liberalising directive in subsequent discussions in the Council working group. The directive has not yet been discussed at ministerial level in the Council.

Accounting Standards Board

Mr. Cousins: To ask the Secretary of State for Trade and Industry what steps have been taken to ensure that the Accounting Standards Board is not dominated by the professional associations in accountancy; and whether he proposes to refer this matter to the Office of Fair Trading.

Mr. Cousins: To ask the Secretary of State for Trade and Industry what steps he has taken to ensure that the

employing organisations of members of the Accounting Standards Board do not exercise influence over its proceedings; and whether he proposes to refer this matter to the Office of Fair Trading.

Mr. Redwood: None. These are matters which the Financial Reporting Council and the proposed Accounting Standards Board will not doubt consider. At this stage, therefore, no question of reference to the Director General of Fair Trading arises.

Mr. Cousins: To ask the Secretary of State for Trade and Industry whether he proposes to seek views on the membership of the Accounting Standards Board from *(a)* the Equal Opportunities Commission and *(b)* the Race Relations Commission.

Mr. Redwood: No.

Mr. Cousins: To ask the Secretary of State for Trade and Industry if he will list the criticisms of the firm of the chairman-designate of the Accounting Standards Board by Department of Trade and Industry inspectors.

Mr. Redwood: As far as I am aware, no firm of which the chairman-designate of the Accounting Standards Board was a partner at the time has been criticised in reports of inspectors.

Financial Advice Services

Mr. Michael: To ask the Secretary of State for Trade and Industry how much money was provided in grant aid for money advice services and debt counselling services *(a)* from his own Department and other Government sources and *(b)* from private sector sources in each of the financial years 1983-84 to 1989-90.

Mr. Forth: My Department does not provide funds specifically or directly for money advice and debt counselling services. However, my Department does fund the National Association of Citizens Advice Bureaux (NACAB) and Citizens Advice Scotland (CAS) to enable them to support local bureaux, who provide money advice and debt counselling services. Total grant-in-aid paid by my Department to NACAB and CAS during the last seven years is as follows. I am not able to five figures for private sector funding of money advice, nor am I able to provide figures for other Government Departments.

Year	*NACAB and CAS* £
1983-84	6,041,000
1984-85	7,093,617
1985-86	7,993,445
1986-87	8,604,088
1987-88	8,954,000
1988-89	9,404,962
1989-90	10,044,071

Aircraft Industry

Mr. David Evans: To ask the Secretary of State for Trade and Industry what steps he is taking to ensure that the United Kingdom aircraft industry is in a competitive position in respect of high speed propeller technology.

Mr. Douglas Hogg: I am pleased to announce that the Department has awared a grant of £3·146 million for a major project to research into the problems associated with the design and operation of civil aircraft powered with advanced high-speed propeller (or open rotor) propulsion systems.

In line with current Government policy the project is collaborative; British Aerospace (Commercial Aircraft) Ltd. and Dowty Aerospace Ltd. are the lead companies, with the Aircraft Research Association as a major sub-contractor.

The overall objective of the project is to ensure that United Kingdom firms are ready to embody into new civil aircraft projects these radically different power plants in the event that they become a viable alternative to conventional turbojet engines. The considerably lower fuel consumption (around 20 per cent.-30 per cent. less) of the open rotor could, after allowing for higher initial cost and maintenance costs, save some 5 per cent. to 10 per cent. on aircraft direct operating costs, depending on movements in fuel costs. The reduced fuel consumption could also give environmental benefits from reduced exhaust emissions.

Most of the early work has been done in the United States of America, and has been largely concerned with power plants mounted on the rear fuselage. The present project will consider wing-mounted open rotors which are likely to be chosen for aircraft in the 80-to-100—seat category, a market in which the United Kingdom and Europe have been relatively successful.

Iraq (Arms Component Exports)

Mr. Winnick: To ask the Secretary of State for Trade and Industry if he will make a statement on the progress of inquiries by his Department into contacts between the hon. Member for Bromsgrove and his Department on behalf of Walter Somers Ltd. over export orders for Iraq.

Mr. Ridley: In the light of the criminal charges laid against individuals, and in the light of the continuing investigations by Customs and Excise, it would be inappropriate to give any further information on these matters.

Waste Paper

Mr. Crowther: To ask the Secretary of State for Trade and Industry what assessment he has made of the impact of state-subsidised imports of waste paper from North America on the United Kingdom waste paper market; and if he will make a statement.

Mr. Forth: It is not possible separately to identify the volumes of waste paper imports derived from mandatory collection schemes in North America, whether subsidised or not. However, the following information is available: during 1989, the United Kingdom imported 80,357 tonnes of waste paper; 23,069 tonnes of which came from the United States of America and Canada. In the same year, the United Kingdom exported 479,385 tonnes.

In the period up until the end of March this year, the United Kingdom imported 19,665 tonnes of waste paper (including 8,676 tonnes from the United States of America and Canada) and exported around 114,000 tonnes.

Matrix-Churchill Plant

Mr. Dalyell: To ask the Secretary of State for Trade and Industry what steps he took to satisfy himself that the die-forging plant to be built by Matrix-Churchill would

not be used in producing parts for ballistic missiles or the supergun project Babylon before he issued an export licence.

Mr. Ridley *[holding answer 30 April 1990]:* It has been the practice of successive Governments not to comment on individual licensing matters. Exports for Iran and Iraq are subject to the ministerial guidelines on defence sales announced by my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs in the House on 29 October 1985.

600 Services

Mr. Dalyell: To ask the Secretary of State for Trade and Industry what consideration was given to the site at which, and the purposes for which, the lathes produced by 600 Services of Colchester for al-Hillal were to be used before he issued an export licence.

Mr. Ridley *[holding answer 30 April 1990]:* It has been the practice of successive Governments not to comment on individual licensing matters. Exports for Iran and Iraq are subject to the ministerial guidelines on defence sales announced by my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs in the House on 29 October 1985.

Financial Services Act

Mr. Cousins: To ask the Secretary of State for Trade and Industry which areas have been granted designated territory status under the Financial Services Act 1986; on what dates and after satisfying which criteria; how many firms from each designated territory have now become members of self-regulatory organisations; how many members of each self-regulatory organisations are drawn from areas with designated territory status; and whether self-regulatory organisations have refused membership to any firms from designated territories.

Mr. Redwood *[holding answer 3 May 1990]:* The countries and territories designated by order under section 87 of the Financial Services Act in respect of specified classes of collective investment schemes are: the Isle of Man (12 December 1988); the Bailiwick of Guernsey (30 December 1988); the Bailiwick of Jersey (30 December 1988); Bermuda (19 January 1989). The criteria applied are those set down in section 87(2) of the Act.

The countries and territories designated by order under section 130 of the Act in respect of certain insurance business are: the Bailiwick of Guernsey (5 April 1988); the Isle of Man (5 April 1988); the Commonwealth of Pennsylvania (1 February 1990). The criteria applied are those set down in section 130(4) of the Act.

Questions concerning membership of the self-regulatory organisations are matters for the particular bodies concerned.

Scientific Equipment

Mr. Cousins: To ask the Secretary of State for Trade and Industry what the estimated level of investment in scientific equipment was, both in total and per capita, during the years 1985 to 1989; and what comparable figures he has for other OECD countries.

Mr. Redwood *[holding answer 3 May 1990]:* The information is not available in the form requested.

Deregulation Unit

Mr. Grylls: To ask the Secretary of State for Trade and Industry if he has completed his review of the work of the deregulation unit; and if he will make a statement.

Mr. Ridley *[holding answer 3 May 1990]:* The review foreshadowed in the White Paper on "Releasing Enterprise" (Cm. 512, November 1988) is being completed, but it is too soon to make a statement.

SCOTLAND

Wetlands

Dr. Godman: To ask the Secretary of State for Scotland, pursuant to his answer to the hon. Member for Greenock and Port Glasgow on 18 April, *Official Report*, column 930, how many of the estuarine sites of special scientific interest which have been listed for possible designation under the EC directive on the conservation of wild birds are national nature reserves; shellfish harvesting is controlled through byelaws; which local authorities have made byelaws to control access to the foreshore; and if he will make a statement.

Lord James Douglas-Hamilton: The area of a national nature reserve may not always extend to the whole area of a site of special scientific interest. Of the 11 estuarine sites covered by the EC directive, four contain national nature reserves. The information requested about byelaws is not available.

Dr. Godman: To ask the Secretary of State for Scotland, pursuant to his answer to the hon. Member for Greenock and Port Glasgow on 18 April, *Official Report*, column 930, what proposals he has considered to control or prohibit damaging operations below low-water mark for the purposes of meeting Her Majesty's Government's obligations under the Ramsar convention on the conservation of wetlands of international importance and under the EC directive on the conservation of wild birds; and if he will make a statement.

Lord James Douglas-Hamilton: Damaging operations below the low water mark in any area, whether or not designated under the Ramsar convention or the EC directive on the conservation of wild birds, can be controlled or prohibited through byelaws under section 37 and schedule 12 of the Wildlife and Countryside Act 1981 after designation as a marine nature reserve. It is for the Nature Conservancy Council to propose suitable areas for designation to the Secretary of State under section 36 of the 1981 Act.

Dr. Godman: To ask the Secretary of State for Scotland, pursuant to his answer to the hon. Member for Greenock and Port Glasgow on 18 April, *Official Report*, column 930, what information he has on the mechanical harvesting of inter-tidal organisms, such as cockles, on sites of special scientific interest; and where this harvesting is being undertaken by persons who are owners or occupiers of the sites, what steps he proposes to take in order to fulfil Her Majesty's Government's obligations under the Ramsar convention on the conservation of wetlands of international importance and under the EC directive on the conservation of wild birds; and if he will make a statement.

Lord James Douglas-Hamilton: The Nature Conservancy Council has informed me of mechanical

shellfish harvesting on various inter-tidal areas of the upper Solway flats and marshes site of special scientific interest. I await the council's views and advice once it has considered the recently completed research report on the impact of cockling. At common law, the public have a right to take small shellfish including cockles from the foreshore. Access to the foreshore for mechanical vehicles may be controlled by byelaws and I have encouraged the council to consider how such control might be applied.

Feudal Superiors

Mr. Maclennan: To ask the Secretary of State for Scotland if he intends to legislate to abolish the powers of feudal superiors in Scotland to attach conditions to the use of land.

Lord James Douglas-Hamilton: The Scottish Law Commission is considering land tenure law reform with a view to completion of the reform of feudal tenure. Its report will provide a basis for considering what legislation will be appropriate.

Training

Mr. Worthington: To ask the Secretary of State for Scotland (1) whether he will make it his practice to make information on *(a)* the undertakings given by local enterprise companies about training, *(b)* expenditure per head on YT and ET programmes and *(c)* the amount to be spent in various training agencies in Scottish Enterprise areas, available on request to hon. Members;

(2) what information about training that is currently available he will cease to make available to hon. Members when Scottish Enterprise and Highlands and Islands Enterprise are operational.

Mr. Lang: Final decisions have yet to be taken on the range of information about training programmes which local enterprise companies will be required to collect. When these decisions have been taken I shall write to the hon. Member with a detailed list of information which will be collected centrally. My right hon. and learned Friend will make such information available to hon. Members provided that it is not commercial in confidence or personal information about individual trainees.

Mr. Worthington: To ask the Secretary of State for Scotland whether when the Training Agency has re-negotiated employment training and youth training contracts, he will inform hon. Members of the results of those renegotiations.

Mr. Lang: When the current recontracting exercise has been completed I will be glad to provide general information about the outcome for hon. Members. However details of individual contracts remain commercial in confidence and will not be made available.

Mr. Worthington: To ask the Secretary of State for Scotland whether he will make it his practice to make information on *(a)* the amount of unused capacity on ET and YT schemes, *(b)* the extent to which expenditure on ET and YT schemes in Scotland exceeded budgets and *(c)* the steps taken to investigate complaints about the workings of YT and ET schemes, available on request to hon. Members.

Mr. Lang: Information on the investigation of complaints about employment training and youth training will be made available so far as this does not involve matters which must be considered to be commercial in confidence or personal information about individual traineess.

I do not provide information on matters relevant to the contracts with individual training providers. Information about unfilled places on both employment training and youth training is currently available for Scotland and for each Training Agency area office. Information about expenditure on these programmes is already available for Scotland.

Mr. Worthington: To ask the Secretary of State for Scotland if he will detail the type of information about employment training and youth training schemes which he is *(a)* prepared and *(b)* not prepared to give to hon. Members.

Mr. Lang: I am always ready to supply to hon. Members any reliable information about employment training and youth training schemes which is collected by the Training Agency provided that information is not commercial in confidence or personal information about individual trainees.

Mr. Worthington: To ask the Secretary of State for Scotland whether he will make it his practice to inform an hon. Member of the number of employment training and youth training places being offered by particular firms or organisations.

Mr. Lang: Information about the employment training and youth training places offered by particular placement providers is and will remain commercial in confidence.

Mr. Worthington: To ask the Secretary of State for Scotland whether he will make it his practice to make information on *(a)* the number of places being offered on YT and ET schemes in particular skills, *(b)* the number of places for trainees with special needs being offered on YT and ET and by which organisations and *(c)* the instructions being given to Training Agency staff on the principles by which they negotiate training contracts with training agents and training managers available on request to hon. Members.

Mr. Lang: I am happy to provide hon. Members with details of any general instructions issued to Training Agency staff on the principles by which they negotiate training contracts where such general instructions exist. However, the new flexibilities introduced for youth training and employment training mean that the basis on which training contracts are negotiated will vary from contract to contract as dictated by local circumstances.

I do not provide information on matters relevant to contracts with individual training providers. General information about numbers of people in training by occupational categories and on trainees with special needs is not currently available because the Training Agency is presently modifying the computer systems used to collect training data.

Fast Transport

Mr. Wray: To ask the Secretary of State for Scotland when he last discussed the need for fast passenger and freight transport to the continent from Scotland after 1 January 1993 with representatives of the *(a)* Scottish business community and *(b)* British Rail.

Lord James Douglas-Hamilton: On a number of recent occasions my right hon. and learned Friend the Secretary of State and my hon. Friend the Minister of State have discussed with the Scottish business community the provision of through passenger and freight services to the continent through the channel tunnel, and they have urged all Scottish businesses to make known now, to assist British Rail's planning, the full extent of the services to Europe they expect to require when the tunnel opens.

As part of our regular and useful contacts with British Rail, my right hon. and learned Friend and I discussed links to the channel tunnel and various other topics relating to rail transport when we met the former chairman of British Rail, Sir Robert Reid, and the former general manager of ScotRail, Mr. John Ellis, on 31 October 1989.

A1 (Improvement)

Mr. Kirkwood: To ask the Secretary of State for Scotland if he will make an early announcement of the date of commencement of the construction of the Tower to Dunglass improvement scheme on the A1.

Lord James Douglas-Hamilton: I am pleased to be able to inform the hon. Member that the Scottish Development Department will be issuing tender documents for the scheme later this month. I can assure the hon. Member that we will start this important improvement at the earliest possible date thereafter and I anticipate that the start to construction will be made in late summer.

Foreign Language Training

Mr. Wray: To ask the Secretary of State for Scotland what special financial incentives Her Majesty's Government are giving to Scottish students in order to increase their training in foreign languages.

Mr. Lang: Financial incentives are not offered specifically to encourage students to undertake language courses, but the normal student support arrangements apply to a wide range of language courses and to courses which include a language together with another subject.

In addition, Scottish domiciled students wishing to undertake part of their course abroad, with the associated foreign language training, may participate in the European Community action scheme for the mobility of university students (ERASMUS). This programme provides specialist assistance for that purpose, in addition to the general assistance available under the students' allowances scheme.

Lothian and Greater Glasgow Health Boards

Mr. Wray: To ask the Secretary of State for Scotland if he will make a statement regarding the financial situation of the Lothian and Greater Glasgow health boards.

Mr. Michael Forsyth: Lothian health board has allowed commitments to exceed its income and has been asked to bring forward proposals to bring its expenditure and income into balance. Management consultants are helping the board to assess the scale of the deficit, and are advising on ways to provide their existing services more efficiently. The management team's report and recommendations on these crucial matters is not yet complete and I understand that it is to be presented at the next meeting of the board on 24 May.

Only at that stage will the board be able to assess whether changes to the present pattern of service will be required.

In common with the remaining health boards, Greater Glasgow health board is operating within the budget allocated through the Scottish health authorities revenue equalisation (SHARE) process.

Health Service Funding

Mr. Strang: To ask the Secretary of State for Scotland what was the (i) capital, (ii) revenue and (iii) total allocation made to the health boards in Scotland in each of the last five years and in the last financial year.

Mr. Michael Forsyth *[holding answer 3 May 1990]:* The information is as follows:

1984-85

£ million

Health board	*Capital*	*Revenue*	*Total*
Argyll and Clyde	13·215	91·463	104·678
Ayrshire and Arran	3·374	65·902	69·276
Borders	8·084	19·088	27·172
Dumfries and Galloway	1·923	33·734	35·657
Fife	6·510	62·329	68·839
Forth Valley	7·023	59·960	66·983
Grampian	5·271	113·677	118·948
Greater Glasgow	20·333	346·301	366·634
Highland	7·442	47·849	55·291
Lanarkshire	6·666	104·996	111·662
Lothian	18·099	207·852	225·951
Orkney	0·240	3·475	3·715
Shetland	0·638	4·341	4·979
Tayside	5·781	122·978	128·759
Western Isles	0·759	6·508	7·267
Total	105·358	1,290·453	1,395·811

1985-86

£ million

Health Board	*Capital*	*Revenue*	*Total*
Argyll and Clyde	12·136	96·811	108·947
Ayrshire and Arran	4·011	70·447	74·458
Borders	10·059	20·163	30·222
Dumfries and Galloway	2·382	35·642	38·024
Fife	5·373	67·720	73·093
Forth Valley	11·499	63·634	75·133
Grampian	7·421	120·189	127·610
Greater Glasgow	24·288	360·693	384·981
Highland	7·458	51·552	59·010
Lanarkshire	6·951	111·060	118·011
Lothian	21·655	218·430	240·085
Orkney	0·273	3·674	3·947
Shetland	0·657	4·523	5·180
Tayside	6·719	128·462	135·181
Western Isles	0·871	6·998	7·869
Total	121·753	1,359·998	1,481·751

1986-87

£ million

Health Board Capital	*Revenue*	*Total*	
Argyll and Clyde	8·889	105·779	114·668
Ayrshire and Arran	3·931	77·304	81·235
Borders	5·716	21·815	27·531
Dumfries and Galloway	2·516	37·925	40·441
Fife	3·765	72·509	76·274
Forth Valley	12·466	69·112	81·578
Grampian	6·954	130·395	137·349
Greater Glasgow	18·519	384·189	402·708
Highland	5·804	56·033	61·837
Lanarkshire	5·829	119·060	124·889

Health Board Capital	Revenue	Total	
Lothian	15·973	235·556	251·529
Orkney	0·205	3·961	4·166
Shetland	0·564	4·807	5·371
Tayside	5·819	136·722	142·541
Western Isles	0·505	7·476	7·981
Total	97·455	1,462·643	1,560·098

1987-88

£ million

Health Board	Capital	Revenue	Total
Argyll and Clyde	7·789	112·982	120·771
Ayrshire and Arran	7·323	83·268	90·591
Borders	6·391	24·472	30·863
Dumfries and Galloway	2·035	40·802	42·837
Fife	4·579	77·921	82·500
Forth Valley	10·108	74·587	84·695
Grampian	7·740	143·425	151·165
Greater Glasgow	20·216	410·551	430·767
Highland	6·015	59·791	65·806
Lanarkshire	8·054	129·067	137·121
Lothian	18·776	252·411	271·187
Orkney	0·658	4·443	5·101
Shetland	0·686	5·226	5·912
Tayside	5·101	145·895	150·996
Western Isles	0·484	8·189	8·673
Total	105·955	1,573·030	1,678·985

1988-89

£ million

Health Board	Capital	Revenue	Total
Argyll and Clyde	7·450	125·235	132·685
Ayrshire and Arran	10·900	93·940	104·840
Borders	4·650	27·248	31·898
Dumfries and Galloway	2·235	45·258	47·493
Fife	4·000	87·817	91·817
Forth Valley	9·932	82·157	92·089
Grampian	9·332	161·965	171·297
Greater Glasgow	21·365	456·646	478·011
Highland	4·787	66·494	71·281
Lanarkshire	7·790	144·336	152·126
Lothian	18·600	282·518	301·118
Orkney	1,642	4·934	6·576
Shetland	1·642	6·077	7·719
Tayside	7·184	162·295	169·479
Western Isles	0·865	9·078	9·943
Total	112·374	1,755·998	1,868·372

1989-90

£ million

Health Board	Capital	Revenue	Total
Argyll and Clyde	7·510	132·698	140·208
Ayrshire and Arran	18·074	103·515	121·589
Borders	2·241	30·051	32·292
Dumfries and Galloway	2·251	49·440	51·691
Fife	3·518	95·192	98·710
Forth Valley	7·933	89·628	97·561
Grampian	11·812	172·032	183·844
Greater Glasgow	28·031	478·163	506·194
Highland	3·631	72·575	76·206
Lanarkshire	8·601	152·518	161·119
Lothian	29·819	296·825	326·644
Orkney	1·069	5·562	6·631
Shetland	1·597	6·572	8·169
Tayside	11·980	172·003	183·983
Western Isles	5·332	9·937	15·269
Total	143·399	1,866·711	2,010·110

Mr. Strang: To ask the Secretary of State for Scotland what was the (i) capital, (ii) revenue and (iii) total expenditure on the National Health Service in Scotland in each of the last five years and in the last financial year.

Mr. Michael Forsyth *[holding answer 3 May 1990]:* The information requested is readily available only in financial years and is set out in the following table:

£ million cash	Capital	Revenue	Total
1984-85	118	1,782	1,901
1985-86	132	1,882	2,015
1986-87	116	2,027	2,144
1987-88	120	2,208	2,328
1988-89	131	2,460	2,591
[1]1989-90	189	2,663	2,852

[1] Supply Estimate Provision.

Health Board Expenditure

Mr. Strang: To ask the Secretary of State for Scotland what was the (i) capital, (ii) revenue and (iii) total allocation made to each of the Scottish health boards in each of the last five years and in the last financial year in constant prices.

Mr. Michael Forsyth *[holding answer 3 May 1990]:* The information requested for the years 1984-85 to 1988-89 is set out in the table. Details of expenditure for the year ended 31 March 1990 are not yet available.

1984-85

£ million

Health Board	Capital	Revenue	Total expenditure
Argyll and Clyde	14,251	122,476	136,727
Ayrshire and Arran	3,511	93,278	96,789
Borders	8,209	25,961	34,170
Dumfries and Galloway	2,028	43,952	45,980
Fife	6,170	84,194	90,364
Forth Valley	8,488	77,091	85,579
Grampian	5,371	145,281	150,652
Greater Glasgow	19,176	418,859	438,035
Highland	7,596	62,140	69,736
Lanarkshire	6,680	144,256	150,936
Lothian	16,757	259,340	276,097
Orkney	266	4,969	5,235
Shetland	331	6,130	6,461
Tayside	5,079	151,120	156,199
Western Isles	639	8,864	9,503
Total	104,552	1,647,911	1,752,463

Note: Information obtained from Health Board Annual Accounts.

1985-86

Health Board	Capital	Revenue	Total Expenditure
Argyll and Clyde	11,794	129,570	141,364
Ayrshire and Arran	4,348	99,938	104,286
Borders	10,005	27,942	37,947
Dumfries and Galloway	2,399	46,628	49,027
Fife	4,968	90,634	95,602
Forth Valley	12,665	83,294	95,959
Grampian	7,887	155,405	163,292
Greater Glasgow	23,199	439,391	462,590
Highland	7,136	66,538	73,674
Lanarkshire	7,007	152,553	159,560
Lothian	19,653	274,017	293,670
Orkney	269	5,252	5,521
Shetland	566	6,271	6,837

Health Board	Capital	Revenue	Total Expenditure
Tayside	5,399	158,053	163,452
Western Isles	798	9,587	10,385
Total	118,093	1,745,073	1,863,166

Note: Information obtained from Health Board Annual Accounts.

1986-87

Health Board	Capital	Revenue	Total expenditure
Argyll and Clyde	11,593	143,013	154,606
Ayrshire and Arran	4,992	110,308	115,300
Borders	5,638	30,777	36,415
Dumfries and Galloway	2,562	51,147	53,709
Fife	2,929	101,184	104,113
Forth Valley	13,519	92,049	105,568
Grampian	8,130	169,085	177,215
Greater Glasgow	16,308	471,470	487,778
Highland	5,366	74,090	79,456
Lanarkshire	5,917	167,522	173,439
Lothian	15,244	303,157	318,401
Orkney	189	5,664	5,853
Shetland	458	6,975	7,433
Tayside	5,874	171,565	177,530
Western Isles	454	10,656	11,110
Total	99,173	1,908,753	2,007,926

Note: Information obtained from Health Board Annual Accounts.

1987-88

Health board	Capital	Revenue	Total expenditure
Argyll and Clyde	8,771	155,616	164,387
Ayrshire and Arran	8,692	121,593	130,285
Borders	6,178	34,126	40,304
Dumfries and Galloway	1,866	55,219	57,085
Fife	3,647	108,893	112,540
Forth Valley	10,607	98,872	109,479
Grampian	7,911	184,021	191,932
Greater Glasgow	16,968	499,824	516,792
Highland	6,660	79,846	86,506
Lanarkshire	8,030	178,702	186,732
Lothian	17,710	324,308	342,018
Orkney	676	6,321	6,997
Shetland	629	7,353	7,982
Tayside	4,348	183,110	187,458
Western Isles	453	11,517	11,970
TOTAL	103,146	2,049,321	2,152,467

Note: Information obtained from Health Board annual accounts.

1985-86

£ million

Health Board	Capital	Revenue	Total Expenditure
Argyll and Clyde	6,881	173,351	180,232
Ayrshire and Arran	10,283	134,837	145,120
Borders	3,076	39,640	42,716
Dumfries and Galloway	2,143	61,245	63,388
Fife	3,755	120,383	124,138
Forth Valley	11,376	110,116	121,492
Grampian	11,452	208,343	219,795
Greater Glasgow	24,778	559,196	583,974
Highland	4,914	89,552	94,466
Lanarkshire	7,713	199,522	207,235
Lothian	18,628	362,302	380,930
Orkney	1,441	6,902	8,343
Shetland	1,387	8,439	9,826
Tayside	7,415	204,749	212,164
Western Isles	381	12,642	13,023
Total	115,623	2,291,219	2,406,842

Note: Information obtained from Health Board Annual Accounts.

HEALTH

Consultants

Ms. Walley: To ask the Secretary of State for Health, further to the answer to the hon. Member for Stoke-on-Trent, North, of 25 April, what criteria were not met by each of the nine unsuccessful bids for consultant posts made by north Staffordshire district health authority under the 100 consultants scheme.

Mrs. Virginia Bottomley: The criteria for this scheme were set out in my reply to the hon. Member for Stoke-on-Trent, North on 25 April at columns *216-17.*

We received about 250 bids for the 100 available posts, and a large number of these bids met the criteria, they were assessed within each specialty according to the extent to which they would reduce long waiting lists and times.

In assessing North Staffordshire's need for the limited number of posts available, we took account of the applications for the West Midlands region as a whole and consulted Inter-Authority Comparisons and Consultancy (IACC), which is examining this district's waiting lists as part of the waiting list initiative.

North Staffordshire's bid for a consultant gynaecologist was successful. We were unable to give priority to the district's other bids for the following reasons:

Gastroenterology, Rheumatology, Urology	Few or no in-patients waiting more than one year for treatment.
General surgery, Orthopaedics	IACC is examining waiting lists for these specialties, and advised that the appointment of a new consultant was not a high priority compared with other districts.
Ophthalmology, ENT	Relatively small impact predicted on waiting lists compared with other districts and specialties.
Audiological medicines	Consultant would work in out-patient and Community clinics and hence have no impact on in-patient waiting lists.

Last year north Staffordshire received £92,000 from the sum reserved from the waiting list fund for districts with particular waiting problems. This sum was earmarked for the T&O, ophthalmology, ENT and gynaecology specialties. This enabled an additional 950 patients to be treated from the waiting lists. The district's waiting lists are being examined again this year, and it may qualify for a further allocation from the £12 million set aside for the longest lists.

Mental Health Tribunals

Mr. Atkinson: To ask the Secretary of State for Health what is the average delay between a detained patient's request for a mental health review tribunal under sections of the Mental Health Act, other than section 2, and the holding of the tribunal.

Mr. Dorrell: In relation to tribunals held during the first quarter of 1990, patients subject to restriction orders had waited on average 26·5 weeks for a tribunal hearing while patients not subject to restriction orders had waited an average of 12 weeks. There are a number of factors which influence the length of time taken to mount tribunals. These include the time taken to obtain medical and social services reports, and medical second opinions when the patient or the patient's solicitor considers these would be helpful. Officials have been asked to carry out an urgent review of the methods and procedures involved to identify any scope for improvements.

Helicopters

Mr. Redmond: To ask the Secretary of State for Health, pursuant to his answer to the hon. Member for Livingston (Mr. Cook) of 8 February, *Official Report*, column *764*, if he will list by regional health authority *(a)* how many helicopters are currently in service in the ambulance service and *(b)* what is their annual upkeep cost, including air and maintenance crews.

Mrs. Virginia Bottomley: I refer the hon. Member to the reply that I gave my hon. Friend the Member for Romsey and Waterside (Mr. Colvin) on 23 January at columns *656-57*. No information is available centrally on the annual operating costs of helicopter ambulances in use in the NHS.

Head Lice

Mr. Pawsey: To ask the Secretary of State for Health, pursuant to his reply to the hon. Member for Rugby and Kenilworth of 26 April, *Official Report*, columns *293-94*, (1) what advice is available to local education authorities which would assist them further to reduce the incidence of head lice;

(2) what advice is available to health authorities which would assist them further to reduce the incidence of head lice.

Mr. Dorrell: The Health Education Authority has published guidance including a booklet, "What to do about Head Lice", copies of which have been placed in the Library, which is widely available to both health and local education authorities, as well as to the general public. Pharmaceutical companies also publish information on the use of their products in the treatment and prevention of head lice infestation.

Mr. Pawsey: To ask the Secretary of State for Health, pursuant to his reply to the hon. Member for Rugby and Kenilworth of 26 April, *Official Report*, columns *293-94*, about head lice, if certain geographical areas are more affected than others.

Mr. Dorrell: The table shows the number of infestations with vermin among children aged five to 14 in each of the regional health authorities for 1987-88.

Infestation with vermin: 1987-88
Number examined (thousands):
Number found to be infested (thousands):
Number of infested pupils as a percentage of 5-14 population

England

	Individual examinations	*Individual pupils found to be infested*	*Infested pupils as a percentage of 5-14 population*
England	4,546·3	91·4	1·6
Northern	427·6	6·3	1·7
Yorkshire	586·1	10·8	2·4
Trent	577·3	9·2	1·6
East Anglia	60·9	3·2	1·3
North West Thames	200·1	4·7	1·1
North East Thames	176·8	8·2	1·8
South East Thames	92·2	3·6	0·8
South West Thames	147·6	3·4	1·0
Wessex	81·2	2·4	0·7
Oxford	17·5	1·1	0·3
South Western	303·7	8·1	2·1
West Midlands	812·8	16·4	2·5
Mersey	348·3	3·5	1·1
North Western	714·2	10·5	2·1

Mr. Pawsey: To ask the Secretary of State for Health pursuant to his reply to the hon. Member for Rugby and Kenilworth of 26 April, *Official Report*, columns *293-94*, about head lice, if the incidence of infection is greater among primary or secondary pupils.

Mr. Dorrell: Data on incidence of the conditions listed in the reply of my hon. Friend the Member for Kettering (Mr. Freeman) on 26 April at columns *293-94* is held centrally only for the age group 5-14.

Medicines Control Agency

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Health if he will make a statement on *(a)* the present and *(b)* the expected future relationship between his Department and the medicines control agency; and what staff have been seconded to the agency from his Department.

Mrs. Virginia Bottomley: The Medicines Control Agency (MCA) is an agency within the Department of Health (DH). It took over the functions and staff (medical, pharmaceutical, and administrative) of the former medicines division of DH. A single director was appointed, after advertisement and competition, from outside the civil service. The director is reorganising MCA in pursuit of greater effectiveness and efficiency in decisions about the licensing of medicines. The present priority is to implement and exploit these changes. Further change would be considered in the light of experience of the operation of the new organisation.

Biotechnology

Mr. Ted Garrett: To ask the Secretary of State for Health if he will make a statement on the improvements in health care arising from the developments in biotechnology.

Mrs. Virginia Bottomley: Advances in biotechnology have made available novel or improved treatments for a wide range of diseases. It is now possible to produce a number of therapeutic compounds in large quantities that were hitherto very difficult to obtain. The following list,

which is by no means exhaustive, gives an indication of biotechnology-derived products already on the market; human insulin for the treatment of diabetes; vaccines for hepatitis B; human growth hormone for the treatment of dwarfism; and alpha-interferon for the treatment of, for example, certain leukaemias.

Other improvements in health care include the development of more rapid, sensitive tests for the diagnosis of a wide variety of microbial diseases. Also, there are increasing applications in the area of clinical genetics for the greater precision that is now possible in the detection of those at risk from genetic diseases. In addition, we now have a real prospect of providing treatment for certain of the inherited diseases, although this is still some time away.

RHA Newspapers

Mr. Hinchliffe: To ask the Secretary of State for Health what is the total annual cost of "Health View", the newspaper of the Yorkshire regional health authority.

Mr. Dorrell: This is a matter for the regional health authority. The hon. Member may like to contact Sir Bryan Askew, chairman of Yorkshire regional health authority for further information.

Mr. Hinchliffe: To ask the Secretary of State for Health what guidance is given by his Department to regional health authorities regarding the publication of information sheets or newspapers.

Mr. Dorrell: All health authorities are expected to keep their local populations informed of service achievements, developments and proposals for change. How they do this is a matter for them.

Income Support

Mr. Ashley: To ask the Secretary of State for Health if he will list the benefits for which he is responsible which are provided free for families whose head of the household is receiving income support.

Mrs. Virginia Bottomley: Income support families can obtain the following benefits for which the Department is responsible provided they satisfy any additional qualifying conditions:

Free prescriptions
Free dental treatment
Free sight tests
Full-value vouchers for glasses
All hospital travel costs
Free wigs and fabric supports
Free milk and vitamins
Help from the family fund

Birth Control

Ms. Harman: To ask the Secretary of State for Health if he will review the provision of contraceptive services for teenagers; and if he will make a statement.

Mrs. Virginia Bottomley: The Department asks health authorities, in organising contraceptive services for young people, to consider separate, less formal arrangements than those for older age groups, with staff experienced in dealing with young people and their problems. However, the level of such provision is a matter for individual health authorities to determine in the light of local needs and priorities. A number of health authorities provide services for young people through Brook advisory centres. On 4 April I announced increased central support for Brook of £65,000 per annum.

Ms. Harman: To ask the Secretary of State for Health (1) if he will list the voluntary organisations funded by the Department of Health involved in *(a)* family planning and *(b)* abortion;

(2) if he will specify the amount spent by his Department on voluntary organisations involved in family planning and abortion in each of the last five years.

Mrs. Virginia Bottomley: The Department provides funding towards the headquarters administrative costs of the following voluntary organisations involved in family planning:

Family Planning Association
Brook Advisory Centres
Catholic Marriage Advisory Council
SPOD (The Association to Aid the Sexual and Personal Relationships of People with a Disability)

The amount given in section 64 core grant funding to these organisations in total, in each of the last five years, is as follows:

	£
1986-87	222,250
1987-88	248,500
1988-89	248,500
1989-90	251,000
1990-91	308,200

A further £64,550 has been given in additional grants for one-off projects and capital equipment.

Grants are not provided to voluntary organisations involved in abortions.

Ms. Harman: To ask the Secretary of State for Health if he will make a statement about the availability in the National Health Service of male and female sterilisation for non-medical reasons.

Mrs. Virginia Bottomley: Health Authorities are asked to make both male and female sterilisation operations available as an NHS service both for medical reasons and on family planning grounds, and to ensure that persons with a priority need for the operation are enabled to receive it quickly. The priority which can be given to these operations generally is a matter for clinical judgment and local decision.

Ms. Harman: To ask the Secretary of State for Health if he will mount a public information campaign on availability of family planning services.

Mrs. Virginia Bottomley: Guidance issued by this Department to health authorities stresses the importance of widespread publicity about the availability of family planning services and gives advice on the type of information that should be provided and the various publicity methods that may be used.

The Family Planning Information Service, which receives substantial Government funding through the HEA, produces a series of leaflets, available to the public, about the various methods of contraception. These leaflets also contain information about how to find a family planning doctor or clinic.

In addition, family practitioner committees and general practitioners themselves are required to publish, and make

available to the public, information about whether individual general practitioners provide contraceptive services.

Ms. Harman: To ask the Secretary of State for Health if he will estimate the number of doctors currently in general practice who *(a)* hold and *(b)* do not hold qualifications issued by the joint committee on Contraception.

Mrs. Virginia Bottomley: The information is not held centrally. Advice from the joint committee on contraception indicates that up to 14 March 1990 a total of 27,077 certificates have been issued to doctors in the United Kingdom. However, within this total, no breakdown is readily available for general practitioners.

Ms. Harman: To ask the Secretary of State for Health what information he has on the number of unplanned and regretted pregnancies in each of the last five years.

Mrs. Virginia Bottomley: Information on the number of unplanned and regretted pregnancies is not available.

Ms. Harman: To ask the Secretary of State for Health if he will make a statement about the training provided for general practitioners both initial and in-service on contraception.

Mrs. Virginia Bottomley: All medical students receive instruction in the principles of human reproduction and family planning.

GP trainees are instructed by their trainers at practice family planning clinics and may also attend theoretical and practical family planning courses provided by health authorities to obtain the family planning certificate. Updating courses on contraception are also provided for established principals by health authorities and medical institutions.

Ms. Harman: To ask the Secretary of State for Health if he will make a statement about the help available to women to assist them in avoiding unplanned pregnancies.

Mrs. Virginia Bottomley: Free NHS family planning advice and services are available from specialist clinics and from general practitioners. Some 4 million people make use of these services each year. A wide range of information and help on contraception and planned parenthood is also available from voluntary bodies like the Family Planning Association, Brook advisory centres, the Catholic Marriage Advisory Council and the Association to Aid the Sexual and Personal Relationships of People with a Disability, all of which receive a departmental grant. In addition the Family Planning Information Service, which receives financial support from the Government-funded Health Education Authority, also provides information and material to the public, professionals and media on family planning methods and services and related areas of health care.

Ms. Harman: To ask the Secretary of State for Health if he will make a statement about the change in the availability of family planning clinic services in the last three years.

Mrs. Virginia Bottomley: We are aware that a number of health authorities have made or propose to make reductions in the number of sessions offered by their family planning clinics, often as part of a rationalisation of services to make more effective use of available resources. About two thirds of the 4 million people who make use of the NHS family planning services each year go to their GP. The day to day management of health services such as this is a matter for individual authorities since they can best judge local circumstances and needs. However, guidance issued by this Department makes clear that we expect health authorities to strike a balance between services provided by specialist clinics and those provided by GPs.

Ms. Harman: To ask the Secretary of State for Health if he will state for each regional and district health authority the number of sessions of family planning clinics held in each of the last five years.

Mrs. Virginia Bottomley: The number of sessions held in each regional health authority, in the five years up to 1987-88 is shown in the table. Over the same period the number of people seeing GPs for family planing services increased by 8 per cent. Data for 1987-88 are for the financial year, those for earlier years are for the calendar year.

Figures for district health authorities for the five-year period are not readily available and could be provided only at disproportionate cost.

Family planning clinic services: 1983-1987/88
Number of sessions held at family planning clinics

	1983	*1984*	*1985*	*1986*	*1987-88*
England	200,129	197,127	196,075	195,700	190,935
Northern	10,791	11,113	10,436	10,870	10,667
Yorkshire	12,106	11,998	11,966	11,908	11,952
Trent	15,099	15,286	14,994	14,367	14,019
East Anglia	5,848	5,853	5,674	5,326	5,428
North West Thames	20,200	20,069	20,048	21,064	17,704
North East Thames	20,638	20,363	21,970	22,422	21,962
South East Thames	19,944	19,920	19,024	18,316	17,994
South West Thames	16,452	16,041	15,346	15,385	15,154
Wessex	9,952	10,006	10,500	10,375	10,511
Oxford	8,627	7,704	7,739	7,557	8,357
South Western	11,233	10,541	10,454	10,337	10,036
West Midlands	23,172	22,225	21,338	21,491	21,135
Mersey	10,101	9,965	9,850	9,964	9,857
North Western	15,966	16,043	16,736	16,318	16,159

Sex Education

Ms. Harman: To ask the Secretary of State for Health if he will make a statement about the provision of sex education.

Mrs. Virginia Bottomley: Subject to the requirements of the National Curriculum, governing bodies are responsible for determining their school's policy on the content and organisation of sex education.

In the wider sphere, the Health Education Authority's strategic plan 1990-95, published last November, announced the extension of the authority's work on AIDS public health education to include the maintenance of good sexual health, with the aims of educating the public and promoting a supportive climate of social opinion, and to support workers and agencies concerned with sexual health. The authority's family and child health programme will continue to provide information on pregnancy, parenting and the care of young children generally. Education for schools on family life and personal responsibility is also promoted through the authority's extensive programme for young people.

Sex education is also a central part of the work of the Family Planning Association and Brook advisory centres.

Foetal Monitoring

Mr. Ashley: To ask the Secretary of State for Health (1) for approximately what percentage of births there is electronic foetal monitoring;

(2) how many obstetric units routinely use electronic foetal monitors.

Mrs. Virginia Bottomley: Information on the location of monitors or the extent of their use is not collected centrally, but I understand that research studies show that they are in regular use in virtually all NHS maternity units.

Mr. Ashley: To ask the Secretary of State for Health (1) what research studies there have been into the benefits of electronic foetal monitors; and what conclusions were reached;

(2) what evidence is available as to whether foetal monitoring has affected *(a)* perinatal mortality or *(b)* the percentage of births which require a caesarean section.

Mrs. Virginia Bottomley: I understand that studies have established that electronic foetal monitoring gives a more detailed measurement of foetal heart rate than the intermittent use of foetal stethoscope. Clinical practice on the interpretation of the readings from electronic monitors varies and evidence that they reduce the risk of perinatal mortality is not conclusive. The studies show that the caesarian section rate is up to one third higher where there has been electronic foetal monitoring, but the incidence is lower if there is complementary monitoring by foetal scalp blood sampling.

Midwives

Mr. Ashley: To ask the Secretary of State for Health how many midwives have been employed by the National Health Service; how many births there have been; and what has been the ratio of births to midwives in the last five years.

Mrs. Virginia Bottomley: The requested information is shown in the table.

NHS midwives in post,[1] total births[1] and ratio of births to midwives —England

Year	*Midwives at 30 September[2] whole-time equivalent*	*Total births*	*Number of births per midwife*
1984	22,790	604,000	26·5
1985	23,070	622,730	27·0
1986	23,330	626,950	26·9
1987	23,550	646,550	27·5
1988	23,620	657,550	27·8

Source: Department of Health (SM13) annual census of NHS non-medical manpower and office of population censuses and surveys.

[1] All figures are independently rounded to the nearest ten (10). Unrounded figures are used to calculate ratios.

[2] Includes agency staff and students.

Mr. Ashley: To ask the Secretary of State for Health how many midwife posts are currently vacant in the United Kingdom.

Mrs. Virginia Bottomley: This information is not collected centrally.

Mr. Ashley: To ask the Secretary of State for Health if any action is planned to increase the number of midwives in the National Health Service.

Mrs. Virginia Bottomley: It is the responsibility of individual health authorities to determine the level of midwives required to run local maternity services, both in hospitals and the community. At 30 September 1988, the latest date for which figures are available, the number of midwives (whole time equivalent) employed in the National Health Service was 19,090, an increase of 3,060 (19·1 per cent.) since 1981.

We are continuing to take steps to improve staffing in this vital area. Rates of pay have increased; in 1988, 9 out of 10 staff midwives were graded E or above under the new clinical grading structure and receive average pay increases on assimilation of 23 per cent. Since 1979 their pay has increased by over 50 per cent. in real terms.

We are proposing an increase in the numbers of those undertaking three-year pre-registration training and in the advance diploma in midwifery by distance learning.

Eye Tests

Mr. Kirkwood: To ask the Secretary of State for Health if he will list in the *Official Report* the number of NHS eye tests carried out between 1 April and 30 September 1989.

Mrs. Virginia Bottomley: The number of NHS sight tests paid for by FPCs and health boards between 1 April 1989 and 31 September 1989 was as follows:

	Million
England	3·380
Wales	0·170
Scotland	0·282
Great Britain	3·832

Of these 1·813 million were conducted before 1 April and 2·018 were conducted after 1 April and paid for before the end of September.

Mr. Kirkwood: To ask the Secretary of State for Health if he will release the results of the survey commissioned by his Department into the number of eye tests in the first quarter of 1990 compared with previous years; and what

allowance will be made when analysing the figures for the £1 million advertising campaign encouraging people to have eye tests.

Mrs. Virginia Bottomley: The results of the survey commissioned by the Department into the number of sight tests in the first quarter of 1990 will be available by the early summer. A summary of the findings will be placed in the Library. No special allowance will be made when analysing the figures for the advertising campaign encouraging people to have sight tests, which took place in the summer and autumn of 1989.

Mr. Kirkwood: To ask the Secretary of State for Health (1) if he will give a detailed breakdown of how the saving from the imposition of eye test charges has been reallocated to other areas of primary health care;

(2) if the estimated saving to the National Health Service budget arising from the imposition of eye test charges has been reallocated within primary health care as new additional funds on top of last year's budgetary allocations.

Mrs. Virginia Bottomley: The saving from restricting the National Health Service sight-test to certain priority groups with effect from January 1989 was taken into account in setting budget plans for 1989-90 and subsequent years. Estimated total net expenditure on family practitioner services including administration in 1989-90 was £294 million higher than the total spend in 1988-89, an increase of nearly 7 per cent., and is planned to increase further in subsequent years. In budget planning the total available resources are distributed according to service need; savings in one area are not directly earmarked to specific expenditure in another.

Abortion

Ms. Harman: To ask the Secretary of State for Health if he will make a statement about the availability of abortion services in the National Health Service.

Mrs. Virginia Bottomley: The level of gynaecological provision including abortion, like other provision within the National Health Service, is decided by individual health authorities. The Government believe that such decisions are best taken locally in the light of authorities' first-hand knowledge of local needs and priorities and competing claims on resources.

Ms. Harman: To ask the Secretary of State for Health if he will give the abortion rate for the last year for which figures are available in the United Kingdom and other EEC countries.

Mr. Dorrell: The abortion rate for Great Britain[2] and other EEC countries for the latest year for which figures are available is shown in the table.

Country	*Year*	*Rate (per 1,000 women aged 15 to 44)*
Great Britain	1988	[3]16·0
Denmark	1986	17·7
Germany, Federal Republic	1986	6·4
France	1985	14·5
Greece	1985	[1]0·1
Netherlands	1985	[1]5·1
Italy	1984	[1]18·6
Belgium	[4]	
Irish Republic	[4]	
Luxembourg	n/a	
Portugal	n/a	
Spain	n/a	

Note: n/a = Not available.
[1] Provisional.
[2] The 1967 Abortion Act does not apply to Northern Ireland.
[3] Great Britain data was prepared from OPCS sources and the General Registrar Office, Scotland.
[4] Not applicable.

The hon. Member may also be interested in the research report by Jennifer Gunning on "Human IVF, embryo research, foetal tissue for research and treatment, and abortion, International Information", published in February 1990, which provides additional information and is available in the Library.

Ms. Harman: To ask the Secretary of State for Health what information he has on the causes of late abortion; and if he will make a statement.

Mrs. Virginia Bottomley: In 1988, the latest year for which data are available, there were 22 abortions in England and Wales after 24 weeks gestation. Eighteen of these were carried out on the grounds of suspected serious foetal abnormality whilst the other four were as a result of a serious risk to the pregnant woman should the pregnancy continue having been identified.

Ms. Harman: To ask the Secretary of State for Health how many abortions in the last year were carried out on (i) an in-patient and (ii) and out-patient basis.

Mrs. Virginia Bottomley: In 1988, the latest complete year for which data are available, there were 77,455 abortions carried out where the woman did not stay overnight. A further 105,796 abortions were performed where the duration of stay was one or more nights, (which would include any planned day cases where the woman stayed overnight). There were 547 notifications received on which this information was not recorded.

Porton Down

Mr. Morgan: To ask the Secretary of State for Health, pursuant to his answer to the hon. Member for Salisbury, *Official Report*, 19 April, column *990*, when he expects to announce the name of the successful bidder for the centre for applied microbiology and research, Porton Down, Wiltshire.

Mr. Dorrell: I have nothing to add to the reply my hon. Friend the then Parliamentary Under-Secretary of State gave my hon. Friend the Member for Salisbury (Mr. Key) on 19 April at column *990*.

Hospital Incinerators

Mrs. Mahon: To ask the Secretary of State for Health what criteria he lays down for the temperature at which hospital incinerators operate; and whether any analysis of the output of chlorinated dibenzodioxins (dioxins) and dibenzofurans from such incinerators has been made.

Mr. Dorrell: Hospital clinical waste incinerators are required to conform with British Standard 3316—that is,

to operate at a temperature of 800°C. The monitoring of flue-gas emissions is a matter for individual health authorities.

New, higher standards for the operation of such incinerators will be introduced following the enactment of the Environmental Protection Bill. These will include new operating temperatures and more stringent flue-gas emission controls.

Erythropoetin

Mr. Speller: To ask the Secretary of State for Health, pursuant to his answer to the hon. Member for Newbury, (Sir M. McNair-Wilson), *Official Report*, 9 March, column *902*, whether any decision has yet been reached on licensing of the drug erythropoetin.

Mrs. Virginia Bottomley: I am not yet able to add to the reply that I gave my hon. Friend the Member for Newbury (Sir M. McNair-Wilson) on 9 March at column *902*.

Tinnitus

Mr. French: To ask the Secretary of State for Health if he has any plans to increase the level of funding for research into tinnitus.

Mr. Jackson: I have been asked to reply.

It is for the Medical Research Council (MRC) to decide on the balance of funding for the areas of research within its responsibility. It is currently funding research into tinnitus and, although no major new initiative is planned in this field, the MRC is always willing to consider sound proposals for research which will be considered in competition with other applications.

SOCIAL SECURITY

Local Government Finance

Mr. Maxton: To ask the Secretary of State for Social Security, pursuant to his reply to the hon. Member for Glasgow, Garscadden (Mr. Dewar) on 18 April, *Official Report*, column *890*, how much the average poll tax in Scotland would be in 1990-91 if the rebate scheme was financed by poll tax payers and not central Government; and if he will give the figure for each district and region in Scotland.

Mrs. Gillian Shephard: I regret that it is not possible to answer the hon. Member's question. If the community charge benefit scheme was financed by the authority's charge payers, the community charge level itself would rise and rebates would rise accordingly. This spiral effect should eventually level out but it is not possible to estimate at what point.

Youth Training Scheme

Ms. Short: To ask the Secretary of State for Social Security what regulations govern the assessing of the applicable amount for a youth training trainee for community charge purposes.

Mrs. Gillian Shephard: Many YTS trainees will complete their course before they are 18 and so will not be liable for the personal community charge. Those trainees who are liable to pay the personal community charge may claim community charge benefit. The applicable amount relevant to a claim depends, besides age, upon the claimant's personal circumstances, for example whether or not he or she is married. The applicable amounts are set out in schedule 1 of the Community Charge Benefits (General) Regulations 1989, as uprated by the Social Security Benefits Up-Rating Order 1990.

Retirement Pension

Mr. Barry Field: To ask the Secretary of State for Social Security if there are any proposals to amend the day on which state retirement pensions are paid to the qualifying date rather than the following Monday.

Mrs. Gillian Shephard: There are no proposals to do so. Under current provisions an individual is entitled to a full weeks pension by the seventh day following the date of their claim. Retirement pension is a regular weekly payment and not payable for part weeks.

Income Support

Mr. Ashley: To ask the Secretary of State for Social Security if he will list the benefits for which he is responsible which are provided free for families whose head of the household is receiving income support.

Mrs. Gillian Shephard: Families receiving income support are entitled to maximum help with eligible rent through housing benefit and maximum community charge benefit. They may also get help from the social fund. Such families are also automatically entitled to various other benefits (including exemption from National Health Service charges, free school meals and free welfare milk and vitamins) for which my right hon. Friends in other Departments are responsible.

Mr. Frank Field: To ask the Secretary of State for Social Security what powers Department of Social Security officers have to stop or suspend a claimant's income support if notified by an unemployment benefit office that the claimant is suspected of being voluntarily unemployed, but the adjudication officer's decision is still awaited; and if he will make a statement.

Mrs. Gillian Shephard: Under regulation 22 of the Income Support (General) Regulations 1987, as amended, an unemployed person claiming income support, whose claim for unemployment benefit has not been determined because a question of disqualification arises for being voluntarily unemployed, is entitled to income support at a reduced rate only. The reduction, which is applied to the claimant's personal rate of benefit, ensures that he does not receive the same benefit as someone who clearly satisfied all the conditions, but at the same time he is not left without financial support while the question is investigated.

Mr. Frank Field: To ask the Secretary of State for Social Security what powers Department of Social Security officers have to stop or suspend a claimant's income support if notified by the unemployment benefit office that the claimant's (i) actively seeking work or (ii) availability has been called into question but the adjudication officer's decision is still awaited; and if he will make a statement.

Mrs. Gillian Shephard: Under section 20 of the Social Security Act 1986, as amended, an unemployed person

claiming income support has to be actively seeking employment and available for employment. In specific circumstances he may be treated as fulfilling these conditions. Otherwise, where there is a doubt, normal benefit cannot be paid.

Regulation 8 of the Income Support (General) Regulations 1987, as amended, however, excuses a claimant from these requirements if an adjudication officer is satisfied that he or a member of his family will suffer hardship if income support is not paid. In such a case regulation 22 of the same regulations provides for payment of benefit at a reduced rate.

Mr. Frank Field: To ask the Secretary of State for Social Security, if he will provide information as to the proportion of (i) income support and (ii) unemployment benefit claimants successfully claiming reduced income support under the hardship rules following *(a)* disqualification or *(b)* disallowance of benefit; and if he will make a statement.

Mrs. Gillian Shephard: A claimant disqualified from receipt of unemployment benefit because of voluntary unemployment can receive income support at a reduced rate without needing to show hardship.

From October 1989 to March 1990 there were 1,860 such awards and 733 refusals. These figures are provisional and are subject to amendment.

Family Credit

Mr. Flynn: To ask the Secretary of State for Social Security how many claims and awards of family credit were made in each month since April 1988; and how many claims were outstanding at the end of each month.

Mrs. Gillian Shephard: The information is in the table:

	Claims	*Awards*	*Outstanding*
1988			
April	96,505	40,213	n/a
May	41,721		
June	52,293	36,145	
July	46,100	37,912	63,836
August	46,376	40,249	49,501
September	47,759	24,158	64,888
October	56,373	44,944	57,560
November	57,850	46,234	50,001
December	44,834	35,797	45,672
1989			
January	63,638	42,712	48,701
February	60,318	45,180	45,111
March	68,637	47,184	47,096
April	96,752	43,300	78,214
May	123,038	39,178	120,781
June	107,276	73,778	86,440
July	66,075	50,004	70,116
August	62,397	48,158	57,472
September	80,792	54,498	54,355
October	80,670	50,510	59,084
November	85,530	55,077	61,305
December	70,996	43,694	61,071
1990			
January	78,122	50,225	57,953
February	76,049	51,772	53,052
March	89,088	57,961	52,081
April	77,080	42,794	65,697

Notes:
1. The figures are for the four or five weeks ending on the last Friday of the month.
2. The figures for claims received include those made to renew existing awards and those made more than four weeks before the expiry of an existing award (and therefore invalid).
n/a = Not available.

Departmental Advertising

Mr. Patchett: To ask the Secretary of State for Social Security what are the figures for the spending by his Department on *(a)* newspaper advertising, *(b)* radio advertising, *(c)* television advertising, and *(d)* all other promotional material relating to the community charge proposals (i) since its inception and (ii) in each respective year; what is his latest estimate for the current year; and what is the budget for 1990-91.

Mrs. Gillian Shephard: There has been no newspaper, radio or television advertising of community charge benefit in the 1988-89 or 1989-90 years by the Department.

The costs of promotional material in 1988-89 was £34,817 and in 1989-90 was £75, 682,

There will be a press campaign publicising the importance of claiming community charge benefit starting on 6 May. The total budget for 1990-91 is £750,000.

Assessment

Mr. Blunkett: To ask the Secretary of State for Social Security what are his estimates of the additional costs of assessing individuals separately for *(a)* community charge benefit, *(b)* housing benefit and *(c)* income support.

Mrs. Gillian Shephard: I regret that it is not possible to provide the hon. Member with the information requested. It is a fundamental principle of the income-related benefit system that married and unmarried partners are assessed together. The wide range of assumptions needed to estimate the additional costs of assessing all individuals separately for all the income related benefits means that any estimates would be both arbitrary and uncertain.

Social Fund

Mr. Terry Davies: To ask the Secretary of State for Social Security how many local Department of Social Security offices in the midlands region received an extra allocation for their social fund grant budget in 1989-90.

Mr. Nicholas Scott: Details of local offices that received additional social fund budget allocations in the financial year 1989-90 were placed in the Library.

Government Actuary (Report)

Mr. Flynn: To ask the Secretary of State for Social Security what are the reasons for the delays in the production and publication of the Government Actuary's quinquennial report; when he received the report; and when it will be published.

Mrs. Gillian Shephard: We have not yet received the Government Actuary's report. We are informed by the Government Actuary that the delay has been due to heavy work demands and recruitment difficulties which have now been resolved. However, we understand that the report is now almost completed and that the Government Actuary expects to submit the report within the next few weeks.

Reduced Earnings Allowance

Mr. Frank Field: To ask the Secretary of State for Social Security when he expects to abolish the reduced earnings allowance.

Mr. Scott: The policy intention, as explained in "The Way Ahead", Cm. 917, January 1990 (copies of which are in the Library), is to provide for no new entitlements to reduced earnings allowance from the autumn of 1990.

Industrial Injuries

Mr. Strang: To ask the Secretary of State for Social Security what was the annual expenditure on the industrial injuries scheme in 1987-88, 1988-89 and 1989-90.

Mr. Scott: The information is set out in the table.

Industrial Injuries Benefits[1] out-turn expenditure[2]

	£ million
1987-88	513
1988-89	514
[3]1989-90	535

[1] *Source:* Table 14.1, Cm. 1014, "The Government's Expenditure Plans 1990-91 to 1992-93."
[2] Includes industrial death benefit.
[3] Provisional.

Benefits

Mr. Strang: To ask the Secretary of State for Social Security what was (i) the total number of recipients and (ii) the total sum spent in 1987-88, 1988-89 and 1989-90 on *(a)* disablement benefit, *(b)* reduced earnings allowance, *(c)* retirement allowance, *(d)* constant attendance allowance and *(e)* exceptionally severe disablement allowance.

Mr. Scott: The available information is in the table.

Industrial injuries benefit recipients[1,2]

	April 1988	April 1989
Disablement benefit	189,000	185,000
Reduced earnings allowance	151,000	147,000
Constant attendance allowance	2,000	2,000
Exceptionally severe disablement allowance	700	500

[1] The table shows the numbers of awards of each benefit on 2 April 1988 and 1 April 1989. These figures, and especially those for April 1989, have less than complete coverage, for example, because of late claims.
[2] The corresponding financial year expenditure figures are not available.

Savers (Interest)

Sir Trevor Skeet: To ask the Secretary of State for Social Security what rate of interest is imputed to savers under community charge calculations; and if he will give the statutory basis for this rate.

Mrs. Gillian Shephard: The information required is shown in the table.

The calculation of tariff income from capital is laid down in regulation 35 of the Community Charge Benefit (General) Regulations 1989.

Tariff income assumed from capital - Lower Limit £3,000.00

Capital not more than	Weekly tariff income	Tariff income as annual percentage of capital	Maximum effect of tariff income on CCB	Reduction of CCB as annual percentage of capital
£	£		£ p	
3,000	0	0·0	0·00	0·0
3,250	1	1·6	0·15	0·2
3,500	2	3·0	0·30	0·4
3,750	3	4·2	0·45	0·6
4,000	4	5·2	0·60	0·8
4,250	5	6·1	0·75	0·9
4,500	6	6·9	0·90	1·0
4,750	7	7·7	1·05	1·1
5,000	8	8·3	1·20	1·2
5,250	9	8·9	1·35	1·3
5,500	10	9·5	1·50	1·4
5,750	11	9·9	1·65	1·5
6,000	12	10·4	1·80	1·6
6,250	13	10·8	1·95	1·6
6,500	14	11·2	2·10	1·7
6,750	15	11·6	2·25	1·7
7,000	16	11·9	2·40	1·8
7,250	17	12·2	2·55	1·8
7,500	18	12·5	2·70	1·9
7,750	19	12·7	2·85	1·9
8,000	20	13·0	3·00	2·0
8,250	21	13·2	3·15	2·0
8,500	22	13·5	3·30	2·0
8,750	23	13·7	3·45	2·1
9,000	24	13·9	3·60	2·1
9,250	25	14·1	3·75	2·1
9,500	26	14·2	3·90	2·1
9,750	27	14·4	4·05	2·2
10,000	28	14·6	4·20	2·2
10,250	29	14·7	4·35	2·2
10,500	30	14·9	4·50	2·2
10,750	31	15·0	4·65	2·2
11,000	32	15·1	4·80	2·3
11,250	33	15·3	4·95	2·3
11,500	34	15·4	5·10	2·3
11,750	35	15·5	5·25	2·3
12,000	36	15·6	5·40	2·3
12,250	37	15·7	5·55	2·4
12,500	38	15·8	5·70	2·4
12,750	39	15·9	5·85	2·4
13,000	40	16·0	6·00	2·4
13,250	41	16·1	6·15	2·4
13,500	42	16·2	6·30	2·4
13,750	43	16·3	6·45	2·4
14,000	44	16·3	6·60	2·5
14,250	45	16·4	6·75	2·5
14,500	46	16·5	6·90	2·5
14,750	47	16·6	7·05	2·5
15,000	48	16·6	7·20	2·5
15,250	49	16·7	7·35	2·5
15,500	50	16·8	7·50	2·5
15,750	51	16·8	7·65	2·5
16,000	52	16·9	7·80	2·5

Community Charge

Mr. Blunkett: To ask the Secretary of State for Social Security what are his best estimates of the amount that will be saved in community charge benefit through the operation of the community charge transitional relief scheme.

Mrs. Gillian Shephard *[holding answer 19 March 1990]:* The community charge transitional relief scheme will reduce the total cost of community charge benefit by around £100 million to £2·5 billion on a full year basis and at 1990-91 benefit levels and prices.

AGRICULTURE, FISHERIES AND FOOD

Abattoirs

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what steps he has taken to ensure the independence of veterinary officers charged with safeguarding animal welfare at abattoirs.

Mr. Maclean: Local authorities are responsible for enforcing the legislation to safeguard the welfare of animals at abattoirs. In addition, officers of the State Veterinary Service visit all abattoirs to monitor welfare standards and to give advice.

In so far as veterinary surgeons may have responsibilities in abattoirs, they are subject to the code of professional ethics of the Royal College of Veterinary Surgeons.

New Jobs, Newcastle

Mr. Cousins: To ask the Minister of Agriculture, Fisheries and Food whether the staff presently employed by the agricultural intervention board at Kenton Bar, Newcastle, are included in the 350 new jobs announced for Newcastle; and whether they will be expected to apply competitively for those jobs.

Mr. Curry: The work which is now being carried out at Kenton Bar will remain there and other functions will be transferred to the total of 350 jobs. The existing staff, who are employed on a temporary basis, will be invited to apply for these permanent jobs which will be advertised in the local newspapers in line with civil service rules on open and fair recruitment.

Farmers, Northumberland

Mr. Amos: To ask the Minister of Agriculture, Fisheries and Food what benefit farmers in Northumberland will receive from the recent price fixing agreed by the EEC Agriculture Council of Ministers; and if he will make a statement.

Mr. Curry: The settlement reached in Brussels last month was a very good one for the United Kingdom. In particular, we secured a substantial devaluation of the green pound which will increase sterling support prices for crops by 10·7 per cent., for beef by 8·5 per cent., for milk by 6·8 per cent. and for sheepmeat by 11 per cent.

Pigs

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will list the chemical components of recent contaminated pig feed.

Mr. Gummer: It is not possible to list all the components of the feed concerned. My Department has, of course, investigated those components which might be implicated in recent pig health problems.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food what is his estimate of the number of pigs which had been given feed contaminated with CYNOX 425 which had entered the food chain.

Mr. Gummer: My estimate would be none, on the basis that these pigs were adult sows newly weaned and some adult boars. The sows were between lactations and would only have been slaughtered for welfare reasons. The feedingstuffs company has confirmed that animals slaughtered for welfare purposes have not entered the food chain.

Intervention Board

Mr. Clelland: To ask the Minister of Agriculture, Fisheries and Food what is the total number of posts to be transferred from the intervention board in Reading to Newcastle upon Tyne excluding posts already located in that city.

Mr. Curry: The work of the agency's external trade division, together with some common service support, will be transferred. The additional number of posts involved, excluding the 136 already located at the agency's Kenton Bar office, is expected to be about 220 jobs.

Mr. Clelland: To ask the Minister of Agriculture, Fisheries and Food what site or sites have been identified to accommodate staff transferred from the intervention board in Reading to Newcastle upon Tyne.

Mr. Curry: The intervention board is interested in a new building in the Newcastle business park but is considering a number of other office development sites.

Mineral Water

Mr. Barry Field: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to ensure mineral water is correctly labelled.

Mr. Maclean: European Community rules on the labelling of natural mineral waters are contained in the Natural Mineral Waters Regulations 1985. Recent information that we have received regarding Perrier water has raised a number of questions about the labelling of this particular natural mineral water and whether it complies with the EC rules. I believe that the labelling does not comply with EC requirements and so we have raised the question with the European Commission and await its reply. The Government are firmly committed to the principle that labelling of any product should not be misleading to the consumer.

Whales

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food (1) if he will make a statement on the Government's current policy on the hunting of whales and the Norwegian proposal to recommence the killing of Minke whales;

(2) what approaches he has had from the Norwegian authorities on their proposals to recommence the hunting of Minke whales;

(3) if he will make it his policy to block at the next international whaling conference the proposals by Norway to recommence the hunting of Minke whales; and if he will make a statement;

(4) if he will make a statement on his contacts with the Government of Norway over whaling.

Mr. Gummer: The United Kingdom played a leading role in achieving the current moratorium on commercial whaling agreed by the International Whaling Commission (IWC). In my view there can be no question of the

moratorium being lifted unless and until the scientific advice is that whale stocks can be sustained at healthy levels and there is no likelihood of a species being endangered. I also consider that before there can be any consideration of resumption of commercial whaling, the IWC must develop a new management procedure to guarantee that there would be no repeat of the past history of over-exploitation. The moratorium is to be reviewed at the IWC's annual meeting this summer. If the assessments of the scientific committee, which are to be prepared for this IWC meeting, cannot confirm that the whale stocks are in a satisfactory position we will work hard for the moratorium to be continued.

Norway's recent action has been to request that the agenda of the forthcoming IWC meeting formally includes reconsideration of the protection stock classification of the north east Atlantic minke whale. The stock is already in the programme for a detailed comprehensive assessment at this year's meeting of the scientific committee of the IWC. The current classification means that even if there were no moratorium, this stock should not be exploited. A change in classification requires detailed assessment and evaluation by the scientific committee of the IWC in order for advice to be put to the Commission. This has yet to take place. As with the moratorium, I consider that no changes should be made without clear scientific advice as to the safety of the stock.

The Norwegian government are very aware of our views on whaling. My hon. Friend the Parliamentary Secretary made our position very clear when he met the Norwegian Fisheries Minister earlier this year. In addition we also have frequent contacts at official level under the umbrella of the work of the International Whaling Commission.

ENVIRONMENT

Environment Protection

Ms. Walley: To ask the Secretary of State for the Environment if he will publish details of centrally funded information proposed by his Department or by the Central Office of Information on his Department's behalf in each year since 1983 in respect of environment protection and countryside matters.

Mr. Chris Patten: Since 1983 my Department has funded, either directly or through COI, several hundred items of publicity and information on environmental protection and countryside matters. The main items are as follows:

1983 "Lead in Paint" leaflets; "Lead in Paint" TV fillers; "Asbestos in Housing" leaflet[1]:

1984 "Endangered Plants" leaflet[1].

1985 Bothered by Noise" leaflet[1].

1986 "Conservation and Development" booklet; "Tree Preservation Orders" leaflet[1]; "Endangered Species" (Cites) leaflet[1]; European Year of the Environment leaflet; Two anti-litter TV fillers ("Motorist" and "Domestic"); stand at "International Pollution Abatement Exhibition".

1987 "Wildlife in Danger" (CITES) bookmark[1] and wallchart; "Radon in Houses" leaflet[1]; HMIP introductory leaflet; "Towards a Cleaner North Sea" broadsheet; Unleaded Petrol leaflet; Two anti-litter TV fillers ("Sceptered Isle" and Beaches); publicity material for North Sea conference; "Contaminated Land" leaflet.

1988 "Protecting Britain's Wildlife" leaflet[1]; "Protecting Your Environment" booklet; "Conservation and Business Sponsorship" booklet[1]; "Adjust to Unleaded" booklet[1] and poster; Two TV anti-litter fillers "Lethal Weapon" and "Excuses"); exhibition stand at "Enprotec"; "Campaign for the Countryside" touring exhibition; Radioactive Waste Video.

1989 Unleaded Petrol press and TV advertising; Endangered Species (CITES) display cabinets at Gatwick airport; Environment in Trust packs containing leaflets and broadsheets on "Air Quality", "Cleaner Seas", "Radioactive Waste Management", "The Countryside", "Pollution Control Systems", "One World", and "River Quality"; Clean Technology booklet, North Sea Report leaflets 1 and 2; "Global Climate Change" booklet; Anti-litter TV filler ("Clanger"); publicity and exhibition material for the International Ozone Conference; exhibition stand at CBI conference.

[1] These items have been revised and/or reprinted in later years.

1990 Stand at "Green Show" at NEC in June; "Citizen and the Environment" leaflet.

During the same period my Department has produced several hundred items of information concerning environmental protection and countryside matters in the form of statutory instruments, circulars and priced publications, in addition to the publicity/information items already mentioned. The DOE's HQ Library already produces a comprehensive list of these in its annual list of publications.

Included in the publications category are parliamentary publications (such as Command Papers and House of Commons Papers), pollution papers, waste management papers, methods for the examination of waters and associated materials (MEWAM's), and annual publications such as the "Digest of Environmental Protection and Water Statistics" and the reports of the radioactive waste management advisory committee.

In addition to the regular items mentioned in paragraph 2 above, there are numerous ad hoc publications; an indication of which is given below:

1983 "Manual of Environmental Appraisal", "Disposal Facilities on Land of Low and Intermediate Level Radioactive Waste".

1984 "Independent Review of Disposal of Radioactive Waste at Sea", "Sponsored Research on Radioactive Waste", "Rayner Review on the Nature Conservancy Council", Circulars on "Green Belts", "Water and the Environment", and "Clean Air Acts".

1985 "Conservation on the Harp Seal and Hooded Seal", "Convention of the Conservation of European Wildlife and Natural Habitats", "Farm and Forestry Development in the National Parks", "Asbestos on Contaminated Land", "The Control of Organotins in Antifouling Paints", "The Control and Use of Marine Antifouling Paints", "Lead intakes of Young Children from Dust and Other Sources", "Monitoring of Beach Contamination following incident at BNFL Sellafield, Cumbria in November 1983".

1986 Levels of Radioactivity in the UK from the Accident at Chernobyl", "River Quality in England and Wales 1985", "Conservation and Development: The British Approach", "Protecting the Countryside", "Acidity in UK Fresh Waters", "Air Pollution Control in Great Britain", "UK 2000: Working For A Better Environment", "The Water Environment: The Next Steps".

1987 "Ozone in the UK", "Acid Deposition and its Effects", "Unleaded Petrol: Fuel of the Future", "Air Pollution and You", "Green Belts 1980-1987", "Towards a Cleaner North Sea", "Development involving Agricultural Land", "Rural Enterprise and Development".

1988 "The Effects of Acid Deposition on the Terrestial Environment in the UK", "Air Pollution in Great Britain", "The Effects of the Great Storm", "Protected Trees: A Guide to Preservation Procedures", "Possible impacts of Climate Change on the Natural Environment in the UK".

1989 "Endangered Species of Flora and Fauna", "Dioxins in the Environment", Command Paper on the Greenhouse Effect, "Our Common Future", "Keeping and Use of Radioactive Materials", "Radioactive Waste Management and Radioactivity in the Environment", "Guidance on Safeguarding the Quality of Public Water Supplies".

In addition to all items listed above, there are numerous reports resulting from research funded by the Department but not necessarily published by them; these are also listed in the Library's annual list.

Arrangements are being made for the House of Commons Library to receive future and back copies of the "Annual List of Publications" which is, at present, distributed to university libraries, local authorities, metropolitan councils and private sector companies.

Sites of Special Scientific Interest

Ms. Walley: To ask the Secretary of State for the Environment if he will place in the Library a list of all sites of special scientific interest and areas of outstanding natural beauty, their exact reason for designation and their geographical location.

Mr. Trippier: A list of all areas of outstanding natural beauty, plus a map showing their geographical locations, can be found in the publication "Countryside Commission Annual Report 1988-89" which is already placed in the Library of the House.

This publication does not however, contain the criteria for designation, which is set out under section 87 of the National Parks and Access to the Countryside Act 1949 —also to be found in the Library of the House.

A list of SSSIs in England and Wales by county, was placed in the Library in August 1989. There are currently over 5,000 and it would be impracticable to place the reasons for their individual designation in the Library. The criteria for the designation of biological sites can be found in "Guidelines for Selection of Biological SSSI" which has been placed in the Library of the House.

Hazardous Waste

Mr. Trotter: To ask the Secretary of State for the Environment what have been the annual figures for toxic or hazardous waste arising in each of the last five years in *(a)* Tyne and Wear and *(b)* Cleveland; and in each case how much waste of this nature was disposed of (i) within the county, and by what means and (ii) by sea dumping.

Mr. Trippier: The figures on arisings and disposal of dangerous or difficult waste, which correspond to "special wastes" as defined by the Control of Pollution (Special Waste) Regulations 1980, are provided annually to the Department by waste disposal authorites. For Cleveland and Tyne and Wear these are as follows:

tonnes

	1984-85	*1985-86*	*1986-87*	*1987-88*	*1988-89*
Arisings within the waste disposal area					
Cleveland	119,178	136,310	137,292	239,550	451,600
Tyne and Wear	[2]22,000	n/a	[2]82,701	80,732	62,959
Exports out of the waste disposal area					
Cleveland	11,723	11,310	26,407	57,759	[1]206,100
Tyne and Wear	[2]9,000	n/a	[2]28,409	72,469	48,095
Imports into the waste disposal area					
Cleveland	1,918	3,430	929	12,540	800
Tyne and Wear	[2]6,000	n/a	[2]19,668	12,741	4,905
Disposals within the waste disposal area					
Cleveland	109,373	128,430	111,814	194,331	246,300
Tyne and Wear	[2]19,000	n/a	[2]73,960	21,004	10,769

[1] Includes 147,300 tonnes for sea disposal.
[2] Estimated figures; source HMIP.

Specific figures for disposal by type of facility are not held centrally. Waste disposal under licence at sea is a matter for my right hon. Friend the Minister for Agriculture, Fisheries and Food. However, Cleveland county council informs us that in 1988-89, 147,300 tonnes of waste were exported from the county for sea disposal.

Mr. Devlin: To ask the Secretary of State for the Environment if he will publish a table showing how much toxic and hazardous waste was produced in the north-east region in each of the last five years, how much was disposed of locally, and how much was moved out of the region for disposal.

Mr. Trippier: I refer the hon. Member to the reply that I gave earlier today to the hon. Member for Tynemouth (Mr. Trotter).

The figures on arisings and disposal of dangerous or difficult waste, which correspond to "special wastes" as defined by the Control of Pollution (Special Waste) Regulations 1980, are provided annually to the Department by waste disposal authorities. For the purposes of this question I shall take the North East region to comprise the administrative areas of Cleveland, Durham, Northumberland and Tyne and Wear. The figures are as follows:

	1984-85	*1985-86*	*1986-87*	*1987-88*	*1988-89*
(1) Arisings within the region (tonnes)	169,922	n.a.	270,050	368,293	583,724
(2) Deposits within the waste disposal area (tonnes)	209,367	n.a.	318,779	316,741	401,097
(3) Net export (difference between (1) and (2)) (tonnes)	−39,445	n.a.	−48,729	51,552	182,627

Local Government Finance

Mr. Colvin: To ask the Secretary of State for the Environment if he will publish in the *Official Report* a list of local district councils indicating the multiplier that they are using for standard community charge on second properties.

Mr. Chope: This information is not yet available.

Mr. Blunkett: To ask the Secretary of State for the Environment if he has any plans to end the exemption from charge capping for local authorities with budgets of less than £15 million.

Mr. Chris Patten: I am reviewing the operation of all aspects of the community charge and will make an announcement when decisions have been reached.

Mr. Gould: To ask the Secretary of State for the Environment (1) if he will deposit in the Library, in respect of each charging authority, information on *(a)* the charging authority's demand on the collection fund, *(b)* the appropriation from and to their financial reserves, *(c)* income from specific and supplementary grants, *(d)* income from sales, fees, charges and other income, *(e)* gross revenue expenditure showing (i) capital charges net of capital financing grants, (ii) levies and (iii) unallocated contingencies, *(f)* estimated general and city fund revenue reserves at 1 April, *(g)* aggregate parish precepts and *(h)* other precepts, using the information provided by authorities on forms DAP1 and DAP2, corrected by his Department where necessary;

(2) if he will place in the Library information in respect of each collection fund on *(a)* total demands and precepts, *(b)* revenue support grant, *(c)* payments from NNDR

pool, *(d)* safety net adjustment and special grants, *(e)* other adjustments, *(f)* amount of community charge income and *(g)* the average charge, using the information provided by authorities on forms DAP1 and DAP2, corrected by his Department where necessary;

(3) if he will place in the Library information in respect of each precepting authority on *(a)* aggregate of precepts on the collection funds, *(b)* appropriation from and to financial reserves, *(c)* net revenue expenditure, *(d)* income from specific and supplementary grants, *(e)* income from sales, fees, charges, interest receipts and other non-grant income, *(f)* gross revenue expenditure including (i) capital charges net of capital financing grants, (ii) levies and (iii) unallocated contingencies and *(g)* estimated general and county fund revenue reserves at 1 April, using the information provided by authorities on forms DAP1 and DAP2, corrected by his Department where necessary.

Mr. Chris Patten *[holding answer 1 May 1990]:* I am arranging for copies of the information to be placed in the Library of the House.

Information for some authorities is incomplete because not all authorities were required to complete lines 2 to 10 of the DAP1 and DAP2 returns, and in the event a number elected not to do so. The missing information will not be available until budget returns are received. When those later returns are received the information in these tables may need to be revised.

Mr. Boswell: To ask the Secretary of State for the Environment what proportion of total community charges in England will be raised by *(a)* personal, *(b)* standard and *(c)* collective charges, respectively; and if he will list those English local authorities whose percentage raised by *(b)* and *(c)* jointly diverges up or down from the average by a factor of two or more.

Mr. Chope *[holding answer 3 May 1990]:* This information is not yet available.

Mr. Hardy: To ask the Secretary of State for the Environment if he will list those local authorities which have community charge levels below £300, which have standard spending grants and other direct standard spending grants which exceed £400 per capita.

Mr. Chope *[holding answer 3 May 1990]:* The following authorities have set average community charges below £300 and receive more than £400 per head of relevant population in revenue support grant (net of the area safety net) and special grants (inner London education grant and low rateable value areas grants):

Barking and Dagenham
Bradford
Calderdale
City of London
Isles of Scilly
Kirklees
Lewisham
Tower Hamlets
Wandsworth
Westminster

Mr. Morley: To ask the Secretary of State for the Environment whether he will list in order of highest to lowest the poll tax charges levied by non-metropolitan district councils.

Mr. Chope *[holding answer 4 May 1990]:* I am arranging for this information to be placed in the Library of the House.

Mr. Cousins: To ask the Secretary of State for the Environment if he will publish a table showing 20 per cent. of the poll tax in each local authority.

Mr. Chope *[holding answer 4 May 1990]:* I am arranging for this information to be placed in the Library of the House.

Mr. Harry Barnes: To ask the Secretary of State for the Environment if he will give the reasons for the delay in providing his written answer of 3 May for the hon. Member for Derbyshire, North-East on local government revenue.

Mr. Chope: My right hon. Friend the Secretary of State wrote to the hon. Member on 3 May explaining the position.

Monkton Cokeworks

Mr. Dixon: To ask the Secretary of State for the Environment when he intends to provide a substantive response to the complaints made to him in November 1988 about the activities of Her Majesty's inspectorate of pollution in relation to Monkton cokeworks, Hebburn.

Mr. Trippier: The Department received a letter from the environment services officer of South Tyneside metropolitan borough council on 23 November 1988 expressing the concern of the council's environmental health and control committee about Monkton cokeworks. This received a full and detailed reply on 10 February 1989. If the hon. Member wishes to refer me to further correspondence on this matter I shall be happy to look into it.

Mr. Dixon: To ask the Secretary of State for the Environment why flue gas desulphurisation equipment is not required for battery No. 4, Monkton cokeworks, Hebburn.

Mr. Trippier: The fitting of flue-gas desulphurisation equipment has never been part of Her Majesty's inspectorate of pollution's requirements for pollution control of emissions from coke works, nor does the EEC place any requirement on the United Kingdom to control such emissions. The costs involved are considered to be disproportionate to the environmental improvements which would result from the removal of the relatively small quantities of sulphur dioxide. The height of the chimney at the works is sufficient to prevent adverse local effects from any emissions.

Mr. Dixon: To ask the Secretary of State for the Environment (1) what discussions Her Majesty's inspectorate of pollution had with National Smokeless Fuels about the delay in installing cokeside arrestment equipment at battery No. 4, Monkton cokeworks, Hebburn;

(2) what factors Her Majesty's inspectorate of pollution took into account when deciding not to take legal action against National Smokeless Fuels for non-installation of cokeside arrestment equipment at battery No. 4, Monkton cokeworks, Hebburn.

Mr. Trippier: Her Majesty's inspectorate of pollution engaged in a series of meetings with National Smokeless Fuels to discuss the arrestment of dust associated with discharging coke from the ovens at Monkton cokeworks.

These meetings involved management at all levels within the company culminating in a meeting between the chief inspector and the chairman of British Coal. The installation of cokeside arrestment equipment was agreed in principle following the miners' strike although the actual installation was delayed as a result of proving trials of a prototype system at the coke works at Cwm. The equipment was eventually installed and commissioned in 1989.

Football Pools

Mr. Steinberg: To ask the Secretary of State for the Environment what discussions he proposes to hold on how the extra income from the football pools will be allocated on a divisional basis.

Mr. Moynihan: My officials have had discussions with the Football Trust 1990 and the Pool Promoters Association about the arrangements for the distribution of the extra money that will be available to football as a result of the proposed reduction in pool betting duty announced in the Budget statement. It is the intention that the Football Trust 1990 should distribute the money fairly, having regard to the differing needs and resources available to the clubs in the Football League and Scottish League and to the three national stadia, Wembley, Hampden park and Windsor park. The Football Trust has proved a most effective means of channelling funds to where they are most needed in football.

Waste Management

Mr. Ieuan Wyn Jones: To ask the Secretary of State for the Environment if his Department has received any invitation to contribute to, or participate in, the European summer school on environmental decision making on waste management, at Vrije university in Brussels, on 26 to 29 June.

Mr. Trippier: No such invitation has been received by my Department.

Neighbourhood Notification Schemes

Mr. David Martin: To ask the Secretary of State for the Environment whether he has any plans further to encourage or make compulsory the use by local planning authorities of advance neighbourhood notification schemes; and if he will make a statement.

Mr. Moynihan: No. The Department's advice to local planning authorities on publicity for planning applications is set out in appendix B to circular 22/88, and I have no evidence that those arrangements are not generally working satisfactorily.

Right to Buy, Barnsley

Mr. Patchett: To ask the Secretary of State for the Environment what are the outstanding debt repayments of Barnsley metropolitan borough council in respect of council houses sold under the right-to-buy legislation; and if he will consider freeing the local authority from such debts on its former assets.

Mr. Chope: Authorities generally manage their housing debt on a collective basis, so it is not possible to attribute a specific amount of debt to former council houses sold under the right-to-buy legislation. However, any outstanding debt in Barnsley's housing revenue account will be taken into account in the calculation of the authority's entitlement to housing revenue account subsidy.

County Halls (Sales)

Sir Trevor Skeet: To ask the Secretary of State for the Environment what he estimates the savings on capital account would be if county halls were sold off following the merger of their functions with the district councils.

Mr. Chope: The Government have no plans for such a merger and my right hon. Friend has made no such estimates.

Football Stadiums

Mr. Pendry: To ask the Secretary of State for the Environment when planning policy guidelines to local authorities in respect of applications by football clubs for relocation of their stadiums will be issued.

Mr. Moynihan: My right hon. Friend is considering planning policy guidance on the considerations relevant to new and redeveloped stadiums for Football League clubs and on other issues. He hopes to issue a draft document for consideration soon.

Uniform Business Rate (Fishermen)

Mr. Morley: To ask the Secretary of State for the Environment whether he intends to treat premises used by commercial fishermen in the same way as those of farmers in terms of the levying of uniform business rate.

Mr. Chope: Under the Local Government Act 1988 (which in this respect broadly restated the equivalent provisions of the General Rate Act 1967), agricultural and market gardening land and buildings which are used for the production of food for consumption are exempt from non-domestic rates. However, premises used for ancillary activities including the processing of food, wholesaling and retailing are not exempt. Similarly, fish farms and certain fishing rights are exempt from non-domestic rates. But premises occupied by commercial fishermen, which are commonly used for the processing of the catch or for purposes connected with servicing the fleet, are not exempt.

Gas Emissions

Mr. Dobson: To ask the Secretary of State for the Environment if he will give constant emission factors for nitrogen oxides for each of the emission sources listed in table 2.6 of the latest "Digest of Environmental Protection and Water Statistics".

Mr. Trippier *[holding answer 1 May 1990]:* Summary of emission factors used to estimate emissions of nitrogen oxides in 1988.

Solid fuels (kg/tonne)

	Coal	Anthracite	Coke	SSF	Petroleum coke
Domestic	1·5	1·5	1·5	1·5	—
Commercial/public service	4·8	—	4·8	4·8	—
Power stations	9·0	—	—	—	—
Refineries	—	—	—	—	4·8
Agriculture	4·8	—	4·8	—	—
Other industry	4·8	—	4·8	4·8	—
Railways	4·8	—	—	—	—

Source: Warren Spring laboratory.

Oils (kg/tonne)

	Burning oil	Fuel oil	Gas oil	Miscellaneous	Naphtha
Domestic	2·1	7·4	4·5	—	—
Commercial/public service	2·1	7·4	4·5	—	—
Power stations	—	10·71	11·37	—	—
Refineries	—	7·4	4·5	7·4	7·4
Agriculture	2·1	7·4	4·5	—	—
Other industry	2·1	7·4	4·5	—	—
Railways	2·1	7·4	50·6	—	—
Shipping	—	6·3	3·2-80	—	—

Source: Warren Spring laboratory.

Gases (kg/million therms)

	LPG	Natural gas	OPG	Town gas	Others[1]
Domestic	5,275	5,275	—	5,275	—
Commercial/public service	—	10,550	—	10,550	—
Power stations	—	26,380	—	—	—
Refineries	10,550	10,550	10,550	—	—
Agriculture	—	10,550	—	—	—
Other industry	10,550	10,550	10,550	10,550	10,550

[1] Others gases includes blast furnace gas, coke oven gas and colliery methane.
Source: Warren Spring laboratory.

Non fuel

	Incineration (kg/tonne of waste)	(kg/tonne production)
Domestic	1·5	—
Agricultural	1·5	—
Industrial	1·0	—
Acid production	—	3-12

Source: Warren Spring laboratory.

Mr. Dobson: To ask the Secretary of State for the Environment if he will give constant emission factors for methane for each of the emission sources listed in table 2.12 of the latest "Digest of Environmental Protection and Water Statistics."

Mr. Trippier *[holding answer 1 May 1990]:* Summary of emission factors used to estimate emissions of carbon dioxide, as carbon, in 1988:

Solid fuels (kg/tonne)

	Coal	Anthracite	Coke	SSF	Petroleum coke
Domestic	676·6	813·4	803·6	774·2	—
Commercial/public service	659·6	—	796·5	766·3	—
Power stations	588·2	—	—	—	—
Refineries	—	—	—	—	800
Agriculture	659·6	—	796·5	—	—
Other industry	659·6/710	—	796·5/820	766·3/790	—
Railways	659·6	—	—	—	—

Oils (kg/tonne)

	Burning oil	DERV	Fuel oil	Gas oil	Miscellaneous	Naptha	Petrol
Domestic	859	—	850	—	—	—	—
Commercial/public service	859	—	850	857	—	—	—
Power stations	—	—	850	857	—	—	—

	Burning oil	DERV	Fuel oil	Gas oil	Miscellaneous	Naptha	Petrol
Refineries	—	—	850	857	800	940	—
Agriculture	859	—	850	857	—	—	—
Other industry	859	—	850	857	—	—	—
Railways	859	—	850	857	—	—	—
Road transport	—	857	—	—	—	—	855
Shipping	—	—	850	857	—	—	—

Gases (kg/million therms)

	LPG	Natural gas/colliery methane	OPG	Town/Coke oven gas	Blast furnace gas
Domestic	1,874,000	1,537,000	—	1,599,000	—
Commercial/public service	—	1,537,000	—	1,599,000	—
Power stations	—	1,537,000	—	—	—
Refineries	1,874,000	1,537,000	1,627,000	1,599,000	—
Agriculture	—	1,537,000	—	—	—
Other Industry	1,874,000	1,537,000	1,627,000	1,599,000	6,274,000

Non-fuel

	Incineration (kg/tonne of waste)	
Domestic	200	—
Agriculture	200	—
Industrial	194	—
Cement	—	[1]137·3
Gas flaring	—	[2]1,537,000
Gas Production	—	[2]1,537,000

Source:
Warren Spring laboratory.
[1]kg/tonne.
[2]kg/million therms.

Mr. Dobson: To ask the Secretary of State for the Environment if he will give figures for sulphur dioxide concentrations recorded by each of his Department's 287 sites and each of Warren Spring Laboratory's seven sites in the latest available year.

Mr. Trippier *[holding answer 1 May 1990]:* Data on the annual average concentration of sulphur dioxide measured at the 287 sites of the EC Directive network for April 1988-March 1989 have been published by Warren Spring Laboratory in Report No. LR 763 entitled "UK Smoke and Sulphur dioxide monitoring networks: summary tables for April 1988-March 1989". A copy has been placed in the Library.

The seven other sites referred to are part of Warren Spring Laboratory's automatic monitoring network. The location of the sites is shown in figure 2.1 of the Digest of Environmental Protection and Water Statistics, No. 12, 1989. Results for a full year are not yet available.

Mr. Dobson: To ask the Secretary of State for the Environment if he will give constant emission factors for carbon dioxide for each of the emission sources listed in table 2·11 of the latest "Digest of Environmental Protection and Water Statistics."

Mr. Trippier *[holding answer 1 May 1990]:* Summary of emission factors used to estimate emissions of methane in 1988:

Solid fuels (kg/tonne)

	Coal	Anthracite	Coke	SSF	Petroleum coke
Domestic	0·125	0·015625	0·015625	0·015625	—
Commercial/public service	0·000875	—	0·000875	0·000875	—
Power stations	0·001875	—	—	—	—
Refineries	—	—	—	—	0·000875
Agriculture	0·000875	—	0·000875	—	—
Other industry	0·000875	—	0·000875	0·000875	—
Railways	0·000875	—	—	—	—

Oils (kg/tonne)

	Burning oil	Fuel oil	Gas oil	Miscellaneous	Naptha
Domestic	0·000875	0·00075	0·000875	—	—
Commercial/public service	0·000875	0·00075	0·000875	—	—
Power stations	—	0·001125	0·000875	—	—
Refineries	—	0·00075	0·000875	0·00075	0·00075
Agriculture	0·000875	0·00075	0·001625	—	—
Other industry	0·000875	0·00075	0·000875	—	—
Railways	0·000875	0·00075	0·165625	—	—
Shipping	—	0·001875	0·001875 -0·1125	—	—

Gases (kg/million therms)

	LPG	Natural gas	OPG	Town gas	Others[1]
Domestic	10·5625	4·3125	—	4·3125	—
Commercial/public service	—	1·9125	—	1·9125	—
Power stations	—	1·9125	—	—	—
Refineries	1·9125	1·9125	1·9125	—	—
Agriculture	—	1·9125	—	—	—
Other industry	1·9125	1·9125	1·9125	1·9125	1·9125

Non-fuel

	Incineration (kg/tonne of waste)	
Domestic	0·009375	—
Agriculture	0·08125	—
Industrial	0·09375	—
Gas leakage	—	1807·25kg/million therms
Landfill	—	—[2]
Cattle	—	—[2]
Other animals	—	—[2]
Flaring and venting	—	—[2]
Coal mines	—	—[2]

[1] Others include blast furnace gas, coke oven gas and colliery methane.
[2] No simple factor.
Source: Warren Spring laboratory.

Mr. Dobson: To ask the Secretary of State for the Environment if he will give constant emission factors for sulphur dioxide for each of the emission sources listed in table 2.3 of the latest "Digest of Environmental Protection and Water Statistics".

Mr. Trippier *[holding answer 1 May 1990]:* Summary of emissions factors used to estimate emissions of sulphur dioxide in 1988:

(kg/tonne)

	Coal	Anthracite	Coke	SSF	Petroleum coke
Solid fuels					
Domestic	19·36	16·00	16·00	16·00	—
Commercial/public service	26·60	—	19·00	19·00	—
Power stations	28·88	—	—	—	—
Refineries	—	—	—	—	19·00
Agriculture	26·60	—	19·00	—	—
Other industry	22·60-28·00	—	19·00	19·00	—
Railways	26·60	—	—	—	—

(kg/tonne)

	Burning oil	DERV	Fuel oil	Gas oil	Miscellaneous	Naphtha	Petrol
Oils							
Domestic	0·20-0·62	—	38·904	5·0	—	—	—
Commercial/public service	0·62	—	38·904	5·0	—	—	—
Power stations	0·62	—	54·800	5·0	—	—	—
Refineries	0·62	—	38·904	5·0	38·904	38·904	—
Agriculture	0·62	—	38·904	5·0	—	—	—
Other industry	0·62	—	38·904	5·0	—	—	—
Railways	0·62	—	38·904	5·0	—	—	—
Road Transport	—	3·8	—	—	—	—	0·8
Shipping	0·62	—	38·904	5·0	—	—	—

	(kg/million therms)
Gases	
Coke oven gas	
Other industry	143,000

	(kg/tonne product)
Non-fuel	
Acid production	3·28-13·33

Source: Warren Spring laboratory.

Danish Technology Institutes

Mr. Flynn: To ask the Secretary of State for the Environment if he will make it his policy to invite to a meeting with him *(a)* the cleaner technology centre at Taastrup in Denmark, to discuss environmentally friendly technology and *(b)* the Jutland technological institute, Denmark, to discuss product substitution and design for environmental improvement.

Mr. Trippier *[holding answer 3 May 1990]:* My right hon. Friend has no plans to meet these organisations. The Department of the Environment is, however, keen to participate in the international exchange of information on the subject of low-waste or clean technology as part of its efforts to promote greater awareness of cleaner methods of production in the United Kingdom industry. The Department is hosting a UNEP seminar in September 1990 on "Cleaner Production" and I am pleased that senior officials from the Danish National Agency of Environmental Protection have accepted invitations to attend.

Treasury (Fire Certificate)

Dr. Marek: To ask the Secretary of State for the Environment whether there is a valid fire certificate for the Treasury building in Parliament street.

Mr. Chope *[holding answer 3 May 1990]:* The work required to obtain one has been identified and tenders are being invited for it to be carried out.

Mr. Gordon Blower (Correspondence)

Mr. Steen: To ask the Secretary of State for the Environment when he hopes to reply to the letter written on 29 December by Mr. Gordon Blower of Kingsland, Brownston Street, Modbury, Ivybridge about the property blight resulting from uncertainty regarding the future of the Darenth Park hospital site, Dartford; and if he will make a statement.

Mr. Moynihan *[holding answer 4 May 1990]:* A reply to Mr. Blower's letter of 29 December 1989 was sent by the Department on 2 May 1990. My right hon. Friend is currently awaiting information from the South East Thames regional health authority about their future intentions for the Darenth Park hospital site, but I hope that a decision can be taken soon on the authority's proposals for residential development at the site.

Government Housing

Mr. Morgan: To ask the Secretary of State for the Environment how many Government houses are vacant in *(a)* Cardiff and *(b)* South Glamorgan; and what proportion this is of the total Government housing stock in *(a)* the city and *(b)* the county.

Mr. Chope: There are no vacant houses in Cardiff or South Glamorgan for which my right hon. Friend has responsibility. The hon. Member should inquire direct of other Government Departments in respect of any houses for which they have responsibility.

69 Cowcross Street, EC1

Mr. Chris Smith: To ask the Secretary of State for the Environment what instructions or guidance he has given to the London residuary body in relation to the proposed disposal on the open market of 69 Cowcross street, London EC1.

Mr. Heathcoat-Amory: None, apart from general guidance on property vested in residuary bodies, issued in August 1986.

Glass Recycling

Mr. Crowther: To ask the Secretary of State for the Environment what assistance the Government have given towards the industry target for glass recycling; and what figures he has for the number of bottle banks in operation in *(a)* 1986, *(b)* at the present time and *(c)* estimated for 1995.

Mr. Heathcoat-Amory: The industry's target of 5,000 bottle banks by July 1991 was agreed at a conference organised by the Department of Trade and Industry on 2 July 1986. Following that conference, and with the support of the glass manufacturing industry, my Department and the local authority recycling advisory committee (LARAC) set up a series of regional seminars, held between November 1986 and April 1987, with the aim of increasing the number of bottle banks in local authority areas, and LARAC subsequently produced a booklet entitled "Expanding Glass Recycling". Figures from the British Glass Manufacturers Confederation show that there were 2,842 public bottle bank sites in 1986 and 4,330 at the most recent count. The industry target of 5,000 banks by 1991 should comfortably be reached.

DEFENCE

Mr. Colin Wallace

Mr. Dalyell: To ask the Secretary of State for Defence, pursuant to his answer to the hon. Member for Dumbarton (Mr. McFall) of 23 April, *Official Report*, column *75*, when, and in what form, he expects to make the conclusions of Mr. David Heyhoe's report on Mr. Colin Wallace available to the House.

Mr. Archie Hamilton: My right hon. Friend hopes to make copies of the report's conclusions available shortly to the Select Committee on Defence and in the Library of the House.

Sports

Mr. Hinchliffe: To ask the Secretary of State for Defence what percentage of each rank is currently registered to play each of the sports listed by the combined services sport board.

Mr. Archie Hamilton: All service men and women are eligible to take part in sports recognised by the combined services sport board. Information is not held in the form requested.

Mr. Hinchliffe: To ask the Secretary of State for Defence how many service personnel are currently registered to play each of the sports recognised by the combined services sport board.

Mr. Archie Hamilton: All service men and women are eligible to take part in sports recognised by the combined services sport board. Specific registration is not required by the combined services sport board.

Mr. Hinchliffe: To ask the Secretary of State for Defence what is the total grant aid paid to each of the sports recognised by the combined services sport board for each year since 1987.

Mr. Archie Hamilton: The combined services sport board does not receive any public money and does not give grants in aid. The services themselves receive funds in the form of grants for sports equipment and for recreational travel. Information is not readily available on how this is apportioned between sports.

Mr. Hinchliffe: To ask the Secretary of State for Defence which sports are listed by the combined services sport board for the purpose of receiving grant aid.

Mr. Archie Hamilton: There is no combined services sport board list of recognised games and sports for the purpose of receiving grant aid.

Recruitment

Mr. Hinchliffe: To ask the Secretary of State for Defence if he will list the number of recruits to the armed forces from each of the three ridings of Yorkshire, Lancashire, Cumbria and Cheshire for each year since 1987.

Mr. Archie Hamilton: It is not possible to provide the information in the precise form requested.

For the Royal Navy and the Royal Air Force it is not possible to give figures for the number of recruits who originated from a particular area without checking each recruit's personal file. However, the following figures show the number of non-commissioned recruits enlisted at individual careers information offices in the counties that now make up the three ridings of Yorkshire, Lancashire, Cumbria and Cheshire, following the Local Government Act, 1972. It is possible though that some recruits did not live in the area from where they were recruited.

Careers information office	*1987-88*	*1988-89*	*1989-90*
Royal Navy/Royal Marines			
North, South and West Yorkshire/Humberside			
Barnsley	24	16	[1] —
Hull	103	138	127
Leeds	149	143	133
Sheffield	143	127	132
York	45	45	37
Lancashire/ Greater Manchester/ Merseyside			
Blackburn	88	91	90
Liverpool	184	217	281
Manchester	82	134	152
Preston	54	55	70
St. Helens	102	102	155
Cumbria			
Carlisle	80	74	64
Royal Air Force			
North, South and West Yorkshire			
Bradford	58	38	68
Huddersfield	37	56	62
Leeds	159	127	147
Sheffield	117	116	192
York	55	65	79
Lancashire/ Greater Manchester/ Merseyside			
Blackpool	43	68	76
Liverpool	134	183	283
Manchester	263	252	347
Oldham	56	87	96
Preston	97	135	148
St. Helens	87	69	91
Cumbria			
Carlisle	43	61	43

Note: There are no RN or RAF CIOs in Cheshire (although there are CIOs in neighbouring counties).

[1] Now closed.

It is not possible to give comparable figures for officer applicants to the Royal Navy and Royal Air Force, as these are handled centrally.

The following figures for the Army include officers and soldiers.

County	*1987-88*	*1988-89*	*1989-90*
North Yorkshire	283	293	312
South Yorkshire	450	592	618
West Yorkshire	596	759	791
Lancashire	882	944	525
Greater Manchester	1,107	964	812
Merseyside	710	708	728
Cumbria	190	212	477
Cheshire	483	533	550

Low Flying

Mr. Salmond: To ask the Secretary of State for Defence (1) if he will give details of the type of aircraft involved in a low-flying air defence exercise which flew over Mintlaw academy in the Banff and Buchan parliamentary constituency at 9.42 am, 9.52 am and 9.54 am on Thursday 26 April;

(2) if he will give details of the starting point and destination of the exercise in which the aircraft which flew over Mintlaw academy, in the Banff and Buchan constituency, on Thursday 26 April were involved and the aircraft involved.

Mr. Neubert: It is likely that the aircraft concerned were F-16 aircraft of the Royal Danish Air Force participating in exercise Elder Forest 90 which were tasked to carry out simulated attacks against the RAF radar station at Buchan and continue to Tain range in Ross-shire.

Equipment Co-operation

Mr. Cohen: To ask the Secretary of State for Defence what decisions were reached at the recent meeting between the United Kingdom and France on defence equipment co-operation.

Mr. Alan Clark: My right hon. Friend reviewed a wide range of defence equipment co-operation issues with Mr. Chevenement on 4 May. A copy of the statement issued after the meeting has been placed in the House Library.

Naval Frigates

Mr. Cohen: To ask the Secretary of State for Defence if he will make a statement on the decision by France and the United Kingdom to study the possibility of working together on naval frigate programmes.

Mr. Neubert: The primary role of the Royal Navy's planned replacement for the Type 42 Anti-Air Warfare (AAW) destroyers at the turn of the century will be to deploy a naval support defence missile system (SDMS). We have already announced our intention of joining, subject to the satisfactory conclusion of negotiations, the Franco/Italian family of anti-air missile systems (FAMS) programme to meet the SDMS requirement and these negotiations are underway. We are also holding a series of meetings at official level with our French colleagues to identify the elements of our two ship programmes where further collaboration appears to offer mutual advantage. It is too early to say what the outcome will be.

Nuclear Warheads

Mr. Redmond: To ask the Secretary of State for Defence what is the cost of replacing Tritium in nuclear warheads.

Mr. Alan Clark: For security reasons, and in accordance with the practice of successive Governments, details and costs of procurement of special nuclear materials cannot be disclosed.

RAF Leuchars

Mr. Menzies Campbell: To ask the Secretary of State for Defence[1] if he is continuing to review search and rescue operations at RAF Leuchars;

(2) if he has any proposals for the resumption of 24-hour flying for search and rescue operations at RAF Leuchars.

Mr. Archie Hamilton: I have nothing to add to the answer I gave the hon. Member on 21 February 1990 at column *820*.

Mr. Menzies Campbell: To ask the Secretary of State for Defence how many aircraft are deployed and how many RAF personnel, and of what ranks, are engaged in search and rescue operations at RAF Leuchars.

Mr. Archie Hamilton: I refer the hon. Member to the answer given by my hon. Friend the Member for Kettering (Mr. Freeman) on 14 July 1988 at col. *321*. There are currently two Wessex aircraft at RAF Leuchars available for search and rescue duties.

Mr. Menzies Campbell: To ask the Secretary of State for Defence if he will list by month the number of search and rescue missions flown from RAF Leuchars since 24-hour flying was discontinued and the number flown in the equivalent months in each of the last five years for which information is available.

Mr. Archie Hamilton: The search and rescue service at RAF Leuchars was reduced to daylight hours only from 1 October 1989. The figures therefore cover search and rescue missions flown from RAF Leuchars from 1 October to 30 April in each of the years from 1984-85 to 1989-90 inclusive.

	1984-85	*1985-86*	*1986-87*	*1987-88*	*1988-89*	*1989-90*
October	7	3	8	3	7	13
November	15	7	10	2	6	6
December	4	7	5	4	5	4
January	5	12	2	13	7	6
February	16	8	16	11	17	8
March	8	12	9	20	11	15
April	11	6	11	16	16	14
Total	66	55	61	69	69	66

Mr. Menzies Campbell: To ask the Secretary of State for Defence when he expects to publish the results of his review of search and rescue operations at RAF Leuchars.

Mr. Archie Hamilton: There has been no such review.

Cyprus

Mr. Cartwright: To ask the Secretary of State for Defence whether he intends to carry out any review of the terms and conditions applied to dependent locally entered civilians in Cyprus.

Mr. Neubert: The pay and conditions of service of dependant locally entered civilians (LECs) in Cyprus, are the subject of regular reviews. Revised pay and conditions awards were implemented for this group of staff in early 1989, following the settlement of awards for MOD's Cypriot work force and teachers employed by the Government of the Republic of Cyprus. These reviews have as the basis local "good employer practice" and pay trends in the Cypriot economy.

I can confirm that these arrangements will continue to apply in the future; however, I cannot be specific as to the particular timing of pay and conditions reviews or the resulting awards.

Germany

Mr. Cartwright: To ask the Secretary of State for Defence whether the special review of the terms and conditions applied to dependent locally entered civilians in Germany has been completed; and whether there are any implications for locally entered teachers.

Mr. Neubert: The special review of the terms and conditions of dependent locally entered civilians has been completed. As a result, a number of changes are to be implemented and those affecting the majority of dependant employees will be announced in May.

Locally entered teachers (LETs) will receive a pay increase with effect from 11 May 1990, as will all dependant employees. The review highlighted areas in which improvements to LET conditions could be made

and work is in hand to define new procedures and introduce them at the earliest opportunity. They will be aimed at providing greater security of employment and improving the status of LETs.

Royal Artillery Museum

Mr. Cartwright: To ask the Secretary of State for Defence what are his Department's current plans for the provision of a permanent site for the Royal Artillery museum.

Mr. Archie Hamilton: The Royal Artillery museum is already accommodated in Ministry of Defence property at Woolwich and the Department has no plans to change these arrangements.

Royal Artillery, Woolwich

Mr. Cartwright: To ask the Secretary of State for Defence what consideration he has given to the future of the Royal Artillery garrison at Woolwich; and with what result.

Mr. Archie Hamilton: One disposal which has been in hand for some time is that of Connaught barracks, Woolwich, which is due for completion of contract in July this year. No further major disposals are envisaged at present.

National Sports Centre, Cardiff

Mr. William Ross: To ask the Secretary of State for Defence what investigations were made into the standard of maintenance of the shooting range at the national sports centre, Cardiff, prior to the incident of a bullet passing through the backstop wall in July 1989.

Mr. Archie Hamilton: The Army does not conduct safety inspections at civilian maintained ranges unless specifically requested to do so by the owners. Prior to the incident in July last year, no such request had been received as regards this particular range since its certification in July 1972.

Departmental Housing

Mr. Morgan: To ask the Secretary of State for Defence how many Ministry of Defence houses are vacant in *(a)* Cardiff and *(b)* South Glamorgan; and what proportion this is of the total Ministry of Defence housing stock in *(a)* the city and *(b)* the county.

Mr. Archie Hamilton: As at 31 March 1990, the latest date for which complete figures are available, there were three vacant Ministry of Defence housing properties in Cardiff, amounting to 6·5 per cent. of the total stock; the figures for south Glamorgan as a whole (including Cardiff) are 171 and 19·5 per cent. respectively. The majority of these vacant properties are either undergoing or awaiting major modernisation work, while the remainder have all been allotted to service families who will be moving in shortly.

Training

Mr. Nicholas Bennett: To ask the Secretary of State for Defence how many *(a)* regular, *(b)* territorial and *(c)* cadet forces were training in each United Kingdom land force district in 1987, 1988 and 1989.

Mr. Archie Hamilton: The information requested is not readily available. My noble Friend the Parliamentary Under-Secretary of State for the Armed Forces will write to my hon. Friend.

Ranges (Manorbier and Penally)

Mr. Nicholas Bennett: To ask the Secretary of State for Defence if he will give details of the annual usage of (i) Manorbier range, Pembrokeshire and (ii) Penally range, Pembrokeshire including the types of unit using each range, the numbers, frequency and the main uses for which the ranges are used.

Mr. Archie Hamilton: Manorbier range is used mainly by Royal Artillery units for practice firings of low-level air defence weapons including Javeline and Blowpipe. In 1989, regular and Territorial Army use totalled 11,067 and 11,294 man training days respectively.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence how many *(a)* regular Army personnel and *(b)* civilian personnel are employed (i) full time and (ii) part time at Manorbier and Penally ranges in Pembrokeshire.

Mr. Archie Hamilton: Two regular Army and eight civilian personnel are employed full time at Manorbier ranges and eight civilian personnel are employed at Penally. No part-time staff are employed at either range.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence what is the annual cost of (i) Manorbier range, Pembrokeshire and (ii) Penally range, Pembrokeshire; and if he will break down the annual costs into their main components.

Mr. Archie Hamilton: Manpower costs alone total £98,000 for Manorbier and £69,225 for Penally. Further detail is not readily available in the form requested.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence how many beds are available at (i) Manorbier range, Pembrokeshire and (ii) Penally range, Pembrokeshire for visiting troops.

Mr. Archie Hamilton: There is accommodation for 600 visiting troops at Penally range; there are no beds available for visiting troops at Manorbier range.

Personal Statistics

Mr. Nicholas Bennett: To ask the Secretary of State for Defence what is the number of (i) regular Army personnel, (ii) territorial army personnel and (iii) civilian personnel in *(a)* each United Kingdom land forces district and *(b)* each United Kingdom land forces district headquarters.

Mr. Archie Hamilton: Approximate numbers are:

	Headquarters			Whole district		
	Regular	*TA*	*Civilian*	*Regular*	*TA*	*Civilian*
Scotland	70	30	70	2,800	9,800	2,100
South East	100	40	70	26,300	10,100	9,900
North East	80	30	50	10,600	12,300	3,400
East	60	40	100	7,700	8,000	2,900
London	140	20	120	9,200	11,100	2,100
South West	80	30	120	16,500	4,700	5,600
Wales	30	20	90	1,200	4,900	2,200
Western	50	20	50	4,700	5,800	4,100
North West	60	30	90	1,600	6,900	1,300
Total	670	260	760	80,600	73,600	33,600

Landforce Districts

Mr. Nicholas Bennett: To ask the Secretary of State for Defence what is the annual cost of each United Kingdom landforce district headquarters; and if he will break down the costs into their main components.

Mr. Archie Hamilton: The information is not available in the form requested and could be obtained only at disproportionate cost.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence what is the rank of the senior officer in each United Kingdom landforces district.

Mr. Archie Hamilton: Except for Scotland, Northern Ireland and South-East district which are each commanded by a lieutenant-general, Army districts in the United Kingdom are commanded by officers of major-general rank.

Army Recruits

Mr. Nicholas Bennett: To ask the Secretary of State for Defence if he will give the percentage and number of entrants to the regular army recruited in each United Kingdom landforce district in 1987, 1988 and 1989.

Mr. Archie Hamilton: This information is not available in the precise format requested. The table gives details of entrants to the regular Army (excluding officers), by district, for the last four financial years.

Enlistments to the Army by United Kingdom land force district financial years 1986-87 to 1989-90 for servicemen (including Young Soldiers and Juniors) and servicewomen (WRAC and QARANC)

	Male	*Female*	*Total*	*Percentage*
1986-87				
North East	2,695	212	2,907	16·3
Western	1,311	125	1,436	[illegible]
Eastern	2,314	137	2,451	[illegible]
South East	1,934	104	2,038	11·4
London	814	31	845	4·7
South West	1,459	102	1,561	8·8
North West	2,981	99	3,080	17·3
Scotland	1,881	124	2,005	11·3
Wales	1,031	77	1,108	6·2
Northern Ireland	374	10	384	2·2
Total	16,794	1,021	17,815	100·0
1987-88				
North East	3,156	201	3,357	17·4
Western	1,457	98	1,555	8·0
Eastern	2,594	146	2,740	14·2
South East	1,868	111	1,979	10·2
London	807	37	844	4·4
South West	1,543	80	1,623	8·4
North West	3,299	114	3,413	17·7
Scotland	1,995	103	2,098	10·9
Wales	1,125	84	1,209	6·3
Northern Ireland	491	14	505	2·6
Total	18,335	988	19,323	100·0
1988-89				
North East	3,369	253	3,622	18·5
Western	1,659	125	1,784	9·1
Eastern	2,396	193	2,589	13·2
South East	1,699	125	1,824	9·3
London	720	27	747	3·8
South West	1,525	104	1,629	8·3
North West	3,267	157	3,424	17·5
Scotland	2,084	150	2,234	11·4
Wales	1,125	101	1,226	6·3
Northern Ireland	448	35	483	2·5
Total	18,292	1,270	19,562	100·0
1989-90				
North East	3,593	339	3,932	19·8
Western	1,766	157	1,923	9·7
Eastern	2,438	179	2,617	13·1
South East	1,586	132	1,718	8·6
London	762	40	802	4·0
South West	1,492	124	1,616	8·1
North West	3,031	195	3,226	16·2
Scotland	2,079	168	2,247	11·3
Wales	1,310	123	1,433	7·2
Northern Ireland	366	23	389	2·0
Total	18,423	1,480	19,903	100·0

Army Units, Wales

Mr. Nicholas Bennett: To ask the Secretary of State for Defence how many regular army units are permanently stationed in Wales.

Mr. Archie Hamilton: Though many units visit Wales to train and significant numbers of personnel are employed on numerous duties such as managing training establishments and ranges, there are no formed units permanently stationed there.

Planning Decisions

Mr. Nicholas Bennett: To ask the Secretary of State for Defence on what occasions since 1960 his Department has initiated an application under the planning laws and subsequently claimed Crown immunity to overide an adverse planning decision; and if he will make a statement.

Mr. Alan Clark: None. My Department follows the planning procedures as laid down in the appropriate DOE,

Scottish Office and Welsh Office circulars. Where the local planning authority concerned raises objections to an application for development by my Department, it would be for my right hon. Friend the Secretary of State for Defence to decide whether or not to refer that proposal to the Secretary of State for the Environment, the Secretary of State for Scotland or the Secretary of State for Wales, as appropriate.

Army Costs

Mr. Nicholas Bennett: To ask the Secretary of State for Defence if he will give details of the relative annual costs of *(a)* a regular Army private based in the United Kingdom and *(b)* a Territorial army private.

Mr. Archie Hamilton: Relative full annual costs of a regular Army private based in the United Kingdom and a Territorial Army private are as follows:

	£ per annum
(a) Regular Army private	17,870
(b) TA private	1,471

The cost of a regular private is based on a full year of 365 days whereas the annual cost of a TA private is based on an average number of 20 training days each year.

Radar Installations

Mr. Nicholas Bennett: To ask the Secretary of State for Defence if there are any plans to site additional radar installations in west Wales in addition to the over the horizon radar installation proposed for the former St. David's airfield, Pembrokeshire.

Mr. Alan Clark: There are no current plans for additional radar sites in west Wales, beyond the planned two-year trial of an over the horizon radar at St. David's airfield.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence whether he has any evidence as to whether the operation of over the horizon radar installation proposed for the site of the former St. David's airfield could cause cancer or AIDS to people living in the near vicinity.

Mr. Alan Clark: No.

Faslane

Mr. O'Neill: To ask the Secretary of State for Defence what regulations, guidelines or criteria have been used to assess the safety of the proposed shiplift facility at Faslane; and in what circumstances he envisages the shiplift being used during the trials of the Trident submarines.

Mr. Archie Hamilton: The shiplift at the Clyde submarine base, Faslane is being designed and built to stringent nuclear safety standards, comparable with those in the civil nuclear power industry. The facility will not be approved for use until its safety has been independently assessed. There is no planned usage of the shiplift during submarines' sea trials, but should a defect occur which requires a submarine to be docked, then the shiplift would be one possible option to meet this contingency.

Mr. O'Neill: To ask the Secretary of State for Defence whether he anticipates that the construction of the shiplift at Faslane will be completed *(a)* on schedule and *(b)* without cost increases.

Mr. Archie Hamilton: The shiplift at the Clyde submarine base, Faslane is expected to be ready within the timescale required for Trident and other submarine programmes. It is not our policy to discuss estimated costs of individual projects but there has been some increase because of the need to meet stringent nuclear safety requirements.

Mr. O'Neill: To ask the Secretary of State for Defence whether any changes to the contract with Cementation Construction Ltd. for the construction of the shiplift at Faslane have been negotiated since the signing of the original contract.

Mr. Archie Hamilton: The contractual arrangements with the main contractor for the shiplift are commercially confidential.

Tanks

Mr. O'Neill: To ask the Secretary of Defence what re-assessment has been made in the last 12 months of the number of tanks that will be required to replace the Chieftain tank.

Mr. Alan Clark: I have nothing to add to the answer which I gave the hon. Member on 30 March 1990 at col. *331*.

European Fighter Aircraft

Mr. O'Neill: To ask the Secretary of State for Defence if he will make it his policy to make a statement to the House announcing his decision regarding orders for the European fighter aircraft.

Mr. Alan Clark: I refer the hon. Gentleman to the statement my right hon. Friend the Secretary of State for Defence made earlier today.

Ghurka (Community Charge)

Mr. O'Neill: To ask the Secretary of State for Defence what information he has on the average community charge for Ghurka service personnel stationed in the United Kingdom.

Mr. Archie Hamilton: The average community charge for Ghurka personnel stationed at the four major locations in the United Kingdom is about £364 per annum.

Chieftain Tank

Mr. O'Neill: To ask the Secretary of State for Defence what communications have taken place between his Department and Vickers regarding the economic and industrial consequences of decisions regarding the replacement of the Chieftain tank.

Mr. Alan Clark: None.

Reserves

Mr. O'Neill: To ask the Secretary of State for Defence whether he will be increasing the role of reserves in *(a)* the Army, *(b)* the Royal Navy and *(c)* the Royal Air Force over the next 10 years.

Mr. Archie Hamilton: The role of the reserves is continually reviewed in the light of prevailing conditions, including international developments.

Written Answers to Questions

Wednesday 9 May 1990

NORTHERN IRELAND

Fair Employment

Rev. William McCrea: To ask the Secretary of State for Northern Ireland how much public grant aid Sean Quinn Quarries Ltd., Derrylin has received for each of the years 1986, 1987, 1988 and 1989.

Mr. Needham: Grant aid received by Sean Quinn Ltd. for each of the financial years from April 1985 is as follows:

	£
1985-86	26,795
1986-87	905,480
1987-88	2,475,004
1988-89	1,065,746
1989-90	99,756

Enterprise Ulster

Mr. Kilfedder: To ask the Secretary of State for Northern Ireland what assessment he has made of the adequacy of the accounting procedures of Enterprise Ulster in regard to the supply and use of materials, whether provided by the client or by Enterprise Ulster.

Mr. Needham: All accounting procedures of Enterprise Ulster, including those concerning the supply and use of materials, are subject to the approval of the Department of Economic Development and subsequently to internal and external audit.

I am satisfied that the accounting procedures are adequate and that they are properly audited.

Mr. Kilfedder: To ask the Secretary of State for Northern Ireland how many supervisors and area superintendents are employed by Enterprise Ulster; how they were trained in materials usage and stock control; where the training took place; and how long the courses of training lasted.

Mr. Needham: Enterprise Ulster currently employs nine area superintendents and 101 supervisory grade personnel.

Instruction on materials usage and stock control is given to all new supervisory staff as part of their normal induction programme. These subjects are also included on refresher courses which are attended periodically by supervisory staff and on courses of study undertaken by them.

EC Energy Development Programme

Mr. William Ross: To ask the Secretary of State for Northern Ireland what level of European Community funds was used to assist the creation of peat extraction businesses by the local enterprise development unit.

Mr. Needham *[holding answer 3 May 1990]:* The information is as follows:

	Amount
1987	Nil
1988	Nil
1989	£1,375

TRADE AND INDUSTRY

Removals Industry

Mr. French: To ask the Secretary of State for Trade and Industry what representations he has received recently about the problems of the removals industry.

Mr. Douglas Hogg: I am not aware of any recent representations to this Department about the problems of the removals industry. However, Her Majesty's Customs and Excise have received representations about VAT on removal charges after the completion of the single market.

Departmental Savings

Mr. Devlin: To ask the Secretary of State for Trade and Industry what value for money savings have been achieved by his Department in the last year; and how much of this was as a result of advice from the central unit on purchasing.

Mr. Forth: Figures for last year (FY 1989-90) are not yet available. The saving achieved in FY 1988-89, on a spend of £133·8 million, was £13·92 million, or 10·4 per cent. against the set target of 5 per cent.

In general, it is not possible to attribute particular value for money savings to advice from the central unit on purchasing. The role of the unit is to provide advice and guidance on best purchasing practice; it provides overall support and guidance and encourages value for money across all Departments.

Iraq Contract

Mr. Gordon Brown: To ask the Secretary of State for Trade and Industry what is his latest assessment of the possible military uses of the parts of equipment already sent to Iraq by Sheffield Forgemasters and Walter Somers.

Mr. Ridley *[holding answer 26 April 1990]:* In the light of the criminal charges laid against individuals, and in the light of the continuing investigations by Customs and Excise, it would be inappropriate to give any further information on these matters.

NATIONAL FINANCE

European Monetary Union

96. **Mr. Nicholas Bennett:** To ask the Chancellor of the Exchequer if he will make a statement on recent European Community discussions on Delors stages 2 and 3.

Mr. Lilley: The possible development of economic and monetary union beyond stage 1 of EMU and the arrangements for the forthcoming inter-governmental conference were last discussed at the informal meeting of the European Community's Economic and Finance Council on 31 March and the special meeting of the European Council on 28 April which were reported to the House on 3 April at column 523 and on 1 May at column 902.

Lone-parent Families (Income Support)

Mr. Hanley: To ask the Chancellor of the Exchequer what assistance the Inland Revenue gives to the Department of Social Security to help trace absent parents who are not paying maintenance for lone-parent families in receipt of income support.

Mr. Lilley: Section 59 of the Social Security Act 1986 permits the Inland Revenue to provide information to the Department of Social Security and the Department of Health and Social Services for Northern Ireland, in connection with the operation of the benefit Acts, without breaching their confidentiality obligations. At present the information provided is confined to the details required to account for class 1 national insurance contributions, which the Inland Revenue collects on behalf of the DSS, and details of those known to be self-employed to assist DSS in collecting class 2 national insurance contributions.

I have now asked the Inland Revenue to extend the disclosures made under its authority to include the addresses of absent parents and, where appropriate, the names and addresses of their employers, in cases where the absent parent is liable under the Social Security Act 1986 to maintain lone-parent families receiving income support.

ESOP Trusts

Mr. Hanley: To ask the Chancellor of the Exchequer if the Inland Revenue will establish a clearance procedure under which it will advise whether or not a particular trust is a qualifying ESOP trust.

Mr. Lilley: My right hon. Friend the Chancellor of the Exchequer proposed in his Budget statement a new relief from capital gains tax for those selling shares to qualifying employee share ownership trusts, as defined by schedule 5 to the Finance Act 1989. Since owners of shares may want to know if a trust is a qualifying trust before a sale of shares takes place, I have authorised the introduction of an arrangement under which the Inland Revenue will be willing to examine executed employee share ownership trust deeds and inform the trustees whether in their view the trust meets the qualifying conditions of schedule 5. The trustees will then be able to inform any potential vendors concerned as to the status of the trust itself.

Taxation

Mr. Nicholas Bennett: To ask the Chancellor of the Exchequer what additional weekly, monthly and yearly income tax payments a married man on average earnings with two children would pay if tax rates were at the levels in place on 3 May 1979.

Mr. Lilley *[holding answer 8 May 1990]:* The information is as follows:

Increase in tax liability at average earnings[1] in 1990-91 if tax rates and thresholds applicable on 3 May 1979 were to be indexed for inflation and re-introduced

	£ per week	£ per month	£ per year
Married man	20·00	86·50	1,037·80

[1] Average earnings are for full time adult males in all occupations in 1990-91; £303·80 per week; in line with the assumptions in paragraph 3.02 of the 1989 Autumn Statement.

Mr. Nicholas Bennett: To ask the Chancellor of the Exchequer what estimate he has as to the amount of extra tax a married man with two children earning *(a)* £25,000 a year and *(b)* £30,000 a year would pay if income tax rates were increased to 50p in the pound and national insurance to 9 per cent.

Mr. Lilley *[holding answer 8 May 1990]:* If the higher rate of income tax were raised from 40 per cent. to 50 per cent. and the upper earnings limit for class 1 national insurance contributions were abolished so that 9 per cent. was paid on all earnings above the lower earnings limit, the extra payments by a married man in 1990-91 would be:

Earnings £ per annum	*Increase in tax and national insurance contribution liability £ per annum*
25,000	612·00
30,000	1,519·50

The calculations assume the married man has no other forms of income and no reliefs or allowances other than the personal and married couple's allowances.

Staff Qualifications

Mr. John Garrett: To ask the Chancellor of the Exchequer if he will publish, in the *Official Report*, the numbers and percentages of his staff in grades 1 to 7 who have *(a)* arts, *(b)* science and *(c)* technical degrees, *(d)* who are qualified accountants, *(e)* have post-graduate qualifications in management and *(f)* who were educated in (i) local authority and (ii) private schools.

Mr. Ryder *[holding answer 2 May 1990]:* The information which is available at non-disproportionate cost, *(a)*, *(b)* and *(d)*, is as follows:

Grade	*Arts[1] degrees*	*Science[1,2] degrees*	*Qualified accountants*
0-1A	4 (100)[3]	—	—
2	9 (82)	1 (9)	1 (9)
3	23 (82)	1 (4)	—
4	2 (50)	—	—
5	48 (64)	13 (17)	1 (1)
6	8 (21)	5 (13)	4 (10)
7	94 (35)	48 (18)	18 (7)

[1] First degree subjects leading to the award of BA(Arts) or BSc(Science).

[2] Includes some "technical" degrees eg engineering.

[3] Staff numbers precede the percentages which are shown in brackets.

Cannabis

Mr. Ieuan Wyn Jones: To ask the Chancellor of the Exchequer what volume of cannabis has been recovered each year since 1979 by the Customs authorities: what was the estimated value of the cannabis at current prices for each year; and what were the pattern of locations where these drugs were secured.

Mr. Ryder *[holding answer 4 May 1990]:* Following is the information:

January-December	*Total seized in kg*	*Street value in £ million*
1979	11,670	34·04
1980	25,610	71·20
1981	24,188	67·55

January-December	Total seized in kg	Street value in £ million
1982	16,424	44·58
1983	19,335	54·18
1984	26,186	73·52
1985	20,905	58·99
1986	22,381	65·81
1987	16,292	47·44
1988	44,018	127·34
[1]1989	50,715	166·75

[1] Provisional.

Values are expressed in current prices based on geographical averages calculated by the national drugs intelligence unit.

Information on the pattern of locations involved is not readily available and could be obtained only at disproportionate cost.

Arms Exports

Mr. Dalyell: To ask the Chancellor of the Exchequer if Her Majesty's Customs and Excise will now reopen investigations into Aero Technologies in respect of illegal arms exports to middle eastern countries.

Mr. Ryder *[holding answer 4 May 1990]:* If any information comes into the possession of Customs and Excise which might warrant an investigation the Commissioners would give that appropriate consideration.

RPI

Mr. Ian Stewart: To ask the Chancellor of the Exchequer what will be the increase in the retail price index due to the increase in local government expenditure not funded from the Exchequer or the business rate.

Mr. Ryder *[holding answer 8 May 1990]:* The average community charge set by local authorities in Great Britain is around £350, a rise of over 30 per cent. on domestic rates in 1989-90. This is expected to add just under 1½ per cent. to the level of the RPI from April and, correspondingly, about one percentage point to the annual rate of inflation.

Civil Service Recruitment

Mr. Dalyell: To ask the Chancellor of the Exchequer if he will make a statement on civil service vacancies and recruitment.

Mr. Ryder *[holding answer 8 May 1990]:* My right hon. Friend keeps all aspects of the staffing of the civil service under review. Statistical information about the civil service, including recruitment, can be found in successive editions of "Civil Service Statistics"; and information about that recruitment which is carried out by the Civil Service Commission can be found in its annual reports.

Pools Betting Duty

Mr. Pendry: To ask the Chancellor of the Exchequer (1) on what dates payment of the funds made available to football through the reduction in the football pools betting duty from 42·5 per cent. to 40 per cent. will commence and cease;

(2) from what date the reduction in the football pools betting duty from 42·5 per cent. to 40 per cent. will apply.

Mr. Ryder *[holding answer 8 May 1990]:* Negotiations involving the Football Trust, the Pools Promoters Association and football authorities have reached an advanced stage. My right hon. Friend the Chancellor hopes to be able to make an announcement to the House shortly.

Lottery Tickets (Germany)

Mr. Teddy Taylor: To ask the Chancellor of the Exchequer what advice he has given to the Amex, Visa and Diners credit card groups and to joint stock banks about their facilities being used for the transmission of funds in response to posted invitations from West German state and institutional lottery groups.

Mr. Ryder *[holding answer 8 May 1990]:* None.

PRIME MINISTER

Dalai Lama

Sir David Steel: To ask the Prime Minister what criteria were used in deciding whether she should meet the Dalai Lama.

The Prime Minister: The Dalai Lama is a distinguished spiritual leader, who is welcome to visit the United Kingdom at any time. But he is also regarded by many of his followers as the leader of a government in exile, which is not recognised by any Government, and with which successive British Governments have had no dealings. I believe that a meeting with him would therefore be open to misinterpretation.

TRANSPORT

Noise Pollution

Sir Dudley Smith: To ask the Secretary of State for Transport if he will establish different criteria in the measurement and analysis of noise created as the result of the opening of new motorways.

Mr. Atkins: I am satisfied that the existing criteria for measuring and analysing noise are satisfactory. However, I am aware from many representations that I have received that noise from new or widened motorways can be a problem, and my Department is seeking constantly to ensure that noise from road surfaces is kept to a minimum.

Rail Electrification

Mr. Martyn Jones: To ask the Secretary of State for Transport what representations he has received about the use of EEC money for the electrification of the north Wales coast rail line.

Mr. Freeman: We have received a number of representations. This matter was discussed in an Adjournment debate on 3 May.

Sporting Events (Charter Trains)

Ms. Walley: To ask the Secretary of State for Transport what discussions he has had with British Rail in respect of the provision of charter trains to national football and sporting events at Wembley in the interest of public safety.

Mr. Freeman: None. British Rail has a well-established procedure for providing and policing trains to national football and sporting events at Wembley.

Driver-only Trains

Mr. Spearing: To ask the Secretary of State for Transport what consultations have taken place between officials or members of the British Railways Board and the railway inspectorate respectively concerning the introduction of driver-only passenger trains on Southern Region services.

Mr. Freeman: There has been full consultation between British Rail and the railway inspectorate about the introduction of driver-only operation generally. The inspectorate's views have been taken into account in BR's criteria for driver-only operation.

Departmental Savings

Mr. Devlin: To ask the Secretary of State for Transport what value for money savings have been achieved by his Department in the last year; and how much of this was as a result of advice from the central unit on purchasing.

Mr. Atkins: The value for money savings made on procurement in 1989-90 are approximately £90 million. The Department takes advice from the central unit on purchasing and it is not possible to apportion savings arising from improved purchasing practices in DTp and those arising from CUP.

Slow Vehicles

Mr. David Nicholson: To ask the Secretary of State for Transport if he will encourage, either by legislation or non-legislation means, drivers of vehicles which are either slow by their nature or are slow by virtue of the load they are carrying, periodically to draw to the side of the road to permit other vehicles safely to pass them.

Mr. Atkins: Advice to that effect is contained in paragraph 45 of the highway code.

Pilotage Exemption Certificates

Mr. Barry Field: To ask the Secretary of State for Transport when he expects to publish the report of the public inquiry into pilotage exemption certificates.

Mr. McLoughlin: My right hon. Friend the Secretary of State has today published the inspector's report on the public inquiry held into charges for the use of pilotage exemption certificates at Portsmouth and has announced his decision. A copy of the decision letter and of the report has today been sent direct to my hon. Friend.

HEALTH

Prescription Charges

Mr. French: To ask the Secretary of State for Health if he will review the level of prescription charges paid by asthmatics.

Mrs. Virginia Bottomley: No. As the result of the present wide-ranging exemption arrangements over 75 per cent. of all items dispensed in the NHS are provided free. Many patients with asthma benefit from these arrangements. Those who are not exempt but who need a lot of medication can save money by buying prescription pre-payment certificates, or season tickets. These certificates can lead to significant savings for anyone needing more than 14 items in a year or five items in a four-month period.

To extend these arrangements or to reduce the level of the prescription charge for all patients who suffer from asthma or any other medical condition would benefit only those whose resources exceed the qualifying threshold for help on low income grounds and would therefore not make the best use of the resources available to the NHS.

Triazolam

Mr. French: To ask the Secretary of State for Health what representations he has received recently about the side-effects of the drug triazolam.

Mrs. Virginia Bottomley: In the last six months, the Committee on Safety of Medicines has received three reports of adverse reactions which may be associated with triazolam. A report of a suspected adverse reaction does not necessarily mean that there is a causal relationship with the drug. In addition, the Department has received correspondence from a physician on published papers relating to the drug.

Land Sales

Mr. Ralph Howell: To ask the Secretary of State for Health how much land has been sold by each district health authority in England in each year since 1979; and if he will give details of *(a)* the total value in each year and *(b)* the overall value for England.

Mr. Dorrell: The information requested is not held centrally and it could be obtained only at disproportionate cost. Information is held centrally in respect of regional health authorities and the information is shown in the table.

Proceeds from disposal of NHS land

Receipts in £ millions to nearest £0·1 million

Region	*1979-80*	*1980-81*	*1981-82*	*1982-83*	*1983-84*	*1984-85*	*1985-86*	*1986-87*	*1987-88*	*1988-89*
Northern	0·2	0·1	0·8	0·4	0·9	1·4	1·3	6·2	3·9	4·3
Yorkshire	0·8	0·7	1·0	1·8	0·8	1·1	2·0	4·1	5·5	13·2
Trent	0·5	1·6	1·7	1·6	2·3	3·9	4·9	6·3	7·6	13·8
East Anglian	0·3	0·2	0·4	0·7	0·9	8·2	3·5	3·9	3·8	10·4
North West Thames	1·2	1·3	4·4	2·7	6·1	6·7	6·6	24·5	50·3	43·6
North East Thames	1·8	1·4	1·0	1·1	3·8	2·8	6·3	13·2	28·0	51·4
South East Thames	0·3	0·8	1·2	2·2	1·6	2·6	11·1	19·8	25·6	30·3
South West Thames	0·1	3·5	2·0	0·9	2·4	10·5	9·1	30·2	24·5	24·4
Wessex	1·3	0·8	0·4	0·5	1·2	2·0	4·7	10·2	5·7	17·6
Oxford	0·9	1·6	1·2	2·3	1·5	1·8	7·6	2·9	10·6	16·9

Region	1979-80	1980-81	1981-82	1982-83	1983-84	1984-85	1985-86	1986-87	1987-88	1988-89
South Western	1·1	2·0	1·6	0·5	1·0	2·7	5·0	10·9	10·1	16·4
West Midlands	0·6	0·5	1·1	1·2	1·9	2·3	3·9	3·5	5·3	9·2
Mersey	0·3	0·6	0·7	1·6	1·5	1·1	2·4	4·1	6·9	7·2
North Western	0·3	0·3	1·4	0·6	1·0	2·0	2·5	8·4	4·1	8·5
BGs-SHAs	0·3	Nil	0·7	0·06	4·6	0·05	14·3	0·9	12·2	5·0
England	9·9	15·2	19·4	18·0	31·5	49·0	84·9	149·0	204·1	272·2

Special Hospitals

Ms. Richardson: To ask the Secretary of State for Health, pursuant to the answer of 13 March, *Official Report*, column 181, whether the hours women spent in seclusion in Rampton, Broadmoor, and Moss Side special hospitals during the 12 months from December 1988 to December 1989 included night hours; what percentage of women spent no time in seclusion; and what were the maximum number of hours women spent in seclusion.

Mr. Dorrell: The Special Hospitals Services Authority advises me that the information requested is not readily available without extensive examination of individual patient records. This work has been put in hand, and the chairman of the authority will write to the hon. Member.

Electorates

Mr. Simon Coombs: To ask the Secretary of State for Health (1) if he will list the 25 largest parliamentary constituencies by electorate with their electorates; and what is the average constituency electorate on the current register;

(2) if he will list the shire counties, London boroughs and metropolitan boroughs in England in ranking order according to the degree by which their electorates vary from the nationally averaged electorate appropriate to the numbers of parliamentary constituencies within them.

Mr. Dorrell: The 1990 electorate figures have been collected and published by local authority area in OPCS Monitor EL 90/1, copies of which are available in the Library. The data are still being reassembled by parliamentary constituency, and will be published in "Electoral Statistics: 1990" (Series EL No. 17) in July.

General Practitioners (Fund-holding Status)

Sir George Young: To ask the Secretary of State for Health whether it is intended to reimburse the preparatory cash at those general practitioner practices preparing to submit formal applications for fund-holding status from April 1991.

Mr. Kenneth Clarke: Yes. A preparatory allowance of up to £16,000 per practice will be available to practices which have reached agreement with their relevant regional health authority to undertake preparatory work for fund holding. The allowance will be used to reimburse the costs of additional work which practices will need to complete in order to be in a position to take on fund holding status from 1 April 1991. Parliamentary approval to this new scheme is being sought in the main estimate for hospital and community health services, family practitioner services (part) and other services, England (class XIII, vote 1). Pending that approval and the enactment of the National Health Service and Community Care Bill when formal applications for GP practice fund holding status can be made, urgent expenditure estimated at £1,500,000 will be met by repayable advances from the contingencies fund.

Nursery Schools (Cambridgeshire)

Mr. Paice: To ask the Secretary of State for Health if he will list the number of three and four-year-olds attending private and voluntary sector (i) nursery schools and (ii) playgroups in Cambridgeshire together with the percentage of the total number of three and four-year-olds in Cambridgeshire which these represent; and what is the cost of local authority support for each category *(a)* in total and *(b)* per place for the latest year in which figures are available.

Mrs. Virginia Bottomley: The information requested is not available centrally in the form requested.

In January 1989, in Cambridgeshire, 117 children attended non-maintained schools registered with the Department of Education and Science. Private and voluntary nursery schools are registered with the local authorities under the Nurseries and Childminders Regulation Act 1948. Information held centrally relates to numbers of places in day nurseries, playgroups and with childminders. Places in nursery schools are not identified as a separate category. This information is published in "Children's Day Care Facilities". The most recent relates to the year ending 31 March 1988, a copy of which is in the Library. Statistics relating to the rate per 1,000 population are calculated on the total number of children aged under five. The number of children under five attending non-maintained schools in Cambridgeshire represents 2·64 per 1,000 children aged under five.

The cost of local authority social services departments support in total was £19,000 for day nurseries and £13,000 for play groups for the year ending 31 March 1988. These figures expressed as an average for each place in voluntary and private provision was some £30 per place for day nurseries and £2 per place in playgroups. Some of the private and voluntary providers may have received no support.

Mr. Paice: To ask the Secretary of State for Health if he will list *(a)* the number and location of (i) local authority day nurseries and (ii) local authority playgroups in Cambridgeshire together with the number of places available in each location and the percentage of the total number of three and four-year-olds in Cambridgeshire which these places represent *(b)* the total cost of providing and supporting each category *(c)* the average cost per child place in each category in Cambridgeshire and *(d)* the national average cost per child place for each category.

Mrs. Virginia Bottomley: Information is not available centrally as to the location of these facilities. The number of premises and the total number of places for each

authority is published in "Children's Day Care Facilities"; the most recent relates to the year ending 31 March 1988 and a copy is in the Library.

Children under three may attend local authority day nurseries or playgroups. The number of places is shown as a rate per 1,000 of all children under five.

The net current expenditure by Cambridgeshire in the year ended 31 March 1988 was £467,000 on day nurseries and £129,000 on playgroups.

The net current cost expressed as an average cost per child place at 31 March 1988 in each category in Cambridgeshire in the year ended 31 March 1988 was £2.8 thousand per place for day nurseries and £0.2 thousand per place for playgroups.

The equivalent figure for England per child place for each category was for £3,400 per place for day nurseries and £2,400 per place for playgroups.

Pathology Departments (Income-generating Schemes)

Mr. Win Griffiths: To ask the Secretary of State for Health if he will list those National Health Service pathology departments which have established income-generating schemes which share the profits between the National Health Service and the staff; and if he will place in the Library details of all such schemes.

Mr. Dorrell: This information is not available as details of all such schemes are not collected by the Department. Nevertheless, I understand that several NHS pathology departments have established income generation schemes, which they run themselves or as a joint venture with a private company. There should, however, be no question of NHS employees sharing in the profits resulting from income generation activity undertaken as part of the normal duties under their NHS contracts.

AGRICULTURE, FISHERIES AND FOOD

Ethylene Thiourea

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food when he will publish the results of tests which are being carried out on the levels of the fungicide ethylene thiourea in various food products.

Mr. Maclean: On 29 March the food safety directorate of the Department published and placed in the Library of the House the full results of tests on samples of produce previously analysed for ethylene thiourea (ETU) by Parents for Safe Food (PFSF) and Friends of the Earth (FOE). The PFSF/FOE issued their findings in a press release dated 14 February 1989 under the heading "Dangerous Agrochemicals in Supermarket Foods." This gave rise to widespread press coverage with headlines such as "Tomato Ketchup in Cancer Scare."

The Department's tests showed that PFSF/FOE main results grossly overstated the residues of ETU in their samples. We found no detectable ETU residues in bread, compared with PFSF/FOE findings of levels more than 300 times our limit of detection. For tomato ketchup, the PFSF/FOE results overstated actual levels by up to 150 times. For the other products for which duplicate samples were provided, residues were generally either absent or within predicted levels. Low levels of residues were found in dried potato products but presented no risk to health and would be greatly reduced after dilution and reconstitution.

One sample of tomato ketchup was found to have an elevated level of ETU. PFSF/FOE subsequently admitted that this was a sample "spiked" with additional ETU to test the validity of the Department's results. All the Department's tests were done using at least three different analytical techniques to confirm their validity, in contrast to the PFSF/FOE results which were not checked to confirm their validity before they were published.

Departmental Savings

Mr. Devlin: To ask the Minister of Agriculture, Fisheries and Food what value for money savings have been achieved by his Department in the last year; and how much of this was as a result of advice from the central unit on purchasing.

Mr. Maclean: Responsibility for expenditure is largely decentralised to line managers who are in the best position to seek value for money, and there is no comprehensive record of savings achieved. However, information on savings in the field of purchasing in 1988-89 (the latest available period) indicate that departmental action has saved about £6·7 million or 6·9 per cent. of the purchasing spend. The central unit on purchasing provides general guidance on best purchasing practice and it is not possible to attribute specific savings to its advice.

Contaminated Pigfeed

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food (1) where the pigs on farms in Yorkshire and Hampshire discovered to have eaten pigfeed contaminated with Cyanox 425 were slaughtered;

(2) if he will publish the preliminary results of his tests into the issues of pigs contaminated with Cyanox 425.

Mr. Maclean: The Department has been involved in investigations since early this year into a number of cases of Ataxia (hind limb weakness) in breeding pigs. This condition has occurred on over 60 farms, mostly in Yorkshire. Although the condition is not fatal animals suffering from it are often slaughtered for welfare reasons and some 700 animals have been slaughtered in this way, mostly on the farms. Pigs subjected to post-mortem examination exhibited lesions consistent with poisoning by an organophosphorous compound. The common factor between the affected farms was the use of feed from one particular consignment of wheat screenings imported from France. Farmers were warned not to feed suspect material to their animals and the feed supplier withdrew the original material from sale. Samples of the feed were analysed at the central veterinary laboratory. The material was found to be contaminated with Cyanox 425 (widely used in the plastics industry) and Isofenphos, an organophosphorous pesticide which is licensed in France but not in this country. It is believed that the second of these was responsible for the outbreak.

There was no threat to human health. Residues of both these agents in the meat of slaughtered animals were well within internationally recognised safety limits. We believe that none of the animals concerned entered the food chain; but even if they had, the amounts consumed even by an extreme consumer of sows and boarmeat would have been well within the acceptable daily intake prescribed internationally.

I am grateful for the co-operation which has been shown by the feed company and by the manufacturers of

Cyanox 425, and I must pay tribute to the high quality of the work carried out by the veterinary investigation service and the central veterinary laboratory. The Department's officials visited France to investigate the circumstances surrounding this contamination and the Department will be pursuing with the French authorities the question of how it arose.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will list by county the number of farms where pigs have been discovered to have eaten pig feed contaminated with Cyanox 425.

Mr. Maclean: The total number of pig farms which received the suspect feed is 106 in all: 93 located throughout Yorkshire, seven in Humberside, one in Nottinghamshire and five in Durham.

Wool (Guaranteed Price)

Mr. Hague: To ask the Minister of Agriculture, Fisheries and Food if he will announce the guaranteed price for wool for the 1990 clip; and if he will make a statement.

Mr. Gummer: Together with the Secretaries of State for Scotland, Wales and Northern Ireland I have reviewed the state of the wool market and prospects for the 1990 clip.

1989-90 has been a difficult year for the wool industry. There is now a world surplus of wool, and the domestic market has been affected by a decline in consumer spending. This, and other factors, including the withdrawal of China as a major buyer, have had an adverse effect on average market prices which have fallen back sharply from a high point of 145p/kg to as low as 90p/kg, well below the 1989 clip year guranteed price of 129p/kg. For 1990 the prospects remain uncertain.

Ministers have also had to take account of the Government's already announced intention of legislation to end the wool guarantee as soon as parliamentary time is available. I know and understand the wish of the British Wool Marketing Board that this should be done as soon as possible.

It has also been necessary to draw up a new financial agreement to cover the period from 1990. Following discussions with the industry the new financial agreement with the British Wool Marketing Board will last for two years. It will provide a new flexibility to enable the returns to producers to reflect more quickly any substantial recovery in the wool market above the guarantee price.

In the light of the review and taking account of these factors, it has been decided to set the guarantee at 125p/kg for the 1990 clip year—a reduction of 4p/kg on the 1989 guarantee price. At the same time the deficit in the stabilisation fund is being written off as provided for in the existing financial agreement. This relieves producers of a significant burden equivalent to about 18p/kg over two years.

I believe that these various elements constitute a significant step towards actual market prices and provide a sound basis for preparing for the ending of the guarantee. At the same time the new financial agreement enables producers to benefit at an early stage if market prices should recover markedly.

HOUSE OF COMMONS

Franked Pre-paid Envelopes

Mr. John Evans: To ask the Lord President of the Council if he will issue guidance on the use of House of Commons franked pre-paid envelopes within the European Community.

Sir Geoffrey Howe: House of Commons franked or pre-paid envelopes are not valid for use within the European Community. Current arrangements do allow, however, for the cost of official postage to countries within the European Community to be reimbursed by the Fees Office. Discussions are at present taking place to establish a more convenient procedure. Subject to their outcome, relevant guidance will be included in the regulations governing the use of the House emblem, House of Commons stationery and post-paid envelopes, which is issued to Members.

Television (Live Subtitling and Signing)

Mr. Ashley: To ask the Lord President of the Council what arrangements he has made to demonstrate the application of live subtitling and signing to the televised proceedings of the House.

Sir Geoffrey Howe: As part of its continuing review of the experiment, and in response to requests from hon. and right hon. Members as well as from organisations representing the deaf, the Select Committee on Televising of Proceedings of the House has organised separate trials of both the live subtitling and the signing of Prime Ministers's Question Time.

The live subtitling trial will take place in the weeks beginning 14 and 21 May. The subtitling itself will be carried out "as live" and unrehearsed, but for the convenience of the majority of Members who wish to attend Prime Minister's Question Time in the Chamber, it is proposed that only an unedited recording of the subtitled material will be shown on a special monitor set up in the No Lobby. Four separate Prime Minister's Question Times will be subtitled and the tapes will be available for viewing between 4pm and 5pm on each Tuesday and Thursday of the two weeks trial period. Copies of the tapes will also be supplied to organisations representing the deaf in order to give them an opportunity to submit comments to the Select Committee if they wish.

The trial with sign language insets will be conducted on the same basis, but will take place in the weeks beginning 4 and 11 June. The tapes will be shown between 5pm and 6pm on each Tuesday and Thursday of the trial period.

The purpose of these trials is to establish the acceptability to Members from an editorial and aesthetic point of view of the use of these two techniques for assisting the deaf. In the case of live subtitling, it will also be important to test the ability of the system (which involves the use of innovatory technology) to cope with the speed and specialist vocabulary of Question Time.

I should, however, stress that there is as yet no commitment on the part of the broadcasters to adopt these techniques as part of their parliamentary coverage and the Select Committee itself has not reached any conclusions on the subject.

DEFENCE

Exercise Mallet Blow

Mr. Cohen: To ask the Secretary of State for Defence what was the total cost to *(a)* NATO and *(b)* to the United Kingdom of Exercise Mallet Blow.

Mr. Archie Hamilton: I refer the hon. Member to the answer I gave to the hon. Member for Wansbeck (Mr. Thompson) on 30 March 1990 at column *331*.

Faslane Submarine Base

Mr. Cohen: To ask the Secretary of State for Defence what guidance has been issued to his Department's personnel at the nuclear submarine base on whether signing the petition organised by Dumbarton Conservative party to oppose planning permission for the Faslane peace camp would infringe the Queen's regulations.

Mr. Archie Hamilton: Queen's regulations forbid service personnel from taking an active part in the affairs of any political group. There is, however, no restriction on attendance at public meetings provided that service uniform is not worn, service duties are not impeded and no action is taken which would bring the service into disrepute.

The signing of local petitions by service personnel as private citizens is not seen as an infringement of Queen's regulations. Advice to this effect was issued to all personnel at the Clyde submarine base by the Commodore Clyde in a memorandum dated 9 March 1990.

Low Flying

Mr. Salmond: To ask the Secretary of State for Defence what representations he has received on behalf of the schoolchildren at Mintlaw academy, whose exams were disturbed by the aircraft exercises over their school, on 26 April; and if he will make a statement.

Mr. Neubert: Apart from representations made by the hon. Member for Banff and Buchan, the Ministry of Defence is aware of only one representation, made to RAF Buchan, on behalf of the schoolchildren at Mintlaw academy. Should any schools feel that the examination performance of their pupils might have been adversely affected, it is a matter for them to make appropriate representations to the Scottish Examination Board which will, I am sure, give them careful consideration.

Mr. Salmond: To ask the Secretary of State for Defence if, when planning any future low-flying air defence exercises, he will take into account the timing of certificated exams taking place in the areas over which the exercises will be happening; and if he will make a statement.

Mr. Neubert: I have nothing to add to the letter of 27 April 1990 to the hon. Member from my noble Friend, the Parliamentary Under-Secretary of State for the Armed Forces, a copy of which has been placed in the Library.

Exercise Elder Forest 90

Mr. Salmond: To ask the Secretary of State for Defence if he will give details of any representations he has received regarding the disruption caused by the recent Exercise Elder Forest 90; what was the nature of these complaints; and if he will make a statement.

Mr. Neubert: Apart from representations made by the hon. Member, the Ministry of Defence is aware of only three complaints about disturbance caused by low-flying aircraft during Exercise Elder Forest 90. One related to activity in the Scunthorpe area and two to activity to the west of Peterhead.

Kola Peninsula

Sir Dudley Smith: To ask the Secretary of State for Defence what is the latest assessment of the Soviet military presence on the Kola peninsula; and if there have been any noticeable reductions in recent months.

Mr. Archie Hamilton: There have been no significant reductions in recent months in either the level of activity or size of the Soviet military presence (including the northern fleet) on the Kola peninsula. The northern fleet continues to evolve as an increasingly modern and professional force; we believe other forces are essentially unchanged.

Arms Sales

Mr. Battle: To ask the Secretary of State for Defence if he will make a statement on his policy of encouraging the export sale of arms to reduce unit costs to United Kingdom armed services.

Mr. Alan Clark: The Government's policy is to support the sale of British defence equipment overseas whenever this is compatible with the United Kingdom's political, strategic and security interests. Defence exports contribute to a strong, viable defence industry. They also provide longer production runs and enable economies of scale in providing equipment for our own armed services, in addition to the foreign earnings which are reflected in the balance of trade.

Parachute Training

Mr. Ashley: To ask the Secretary of State for Defence if he will list the units which provide parachute training; and if he will give for each the numbers trained.

Mr. Archie Hamilton: Around 60 units provide parachute training, but I am not able to give further information on security grounds.

Mr. Ashley: To ask the Secretary of State for Defence if he will outline the preliminary training given to trainee parachutists for them to acquire the L5 landing certificate.

Mr. Archie Hamilton: The syllabus of training for Regular Army personnel attending No. 1 parachute training school (PTS) for basic parachute training allocates approximately two and a half hours to achieve the appropriate level of competence in landing techniques to commence "L5" training. The TA soldier is required to have achieved this level of ability prior to commencement of training at No. 1 PTS and is given instruction, at unit level, by an appropriate detachment parachute jumping instructor.

The precise length of training will vary according to the abilities of the trainee. No trainee is permitted to parachute unless the instructor is satisfied with his level of ability in all respects.

Mr. Ashley: To ask the Secretary of State for Defence how many accidents and deaths occurred during parachute training at Brize Norton in 1989.

Mr. Archie Hamilton: In 1989, 1,704 Regular and TA troops completed static line parachute training at No. 1 parachute training school, Brize Norton and carried out 12,310 descents. There were a total of 97 injuries including one fatality. Over half of these injuries were minor enough to allow trainees to return to parachute training within a week.

Mr. Ashley: To ask the Secretary of State for Defence in what ways medication given to parachute trainees is monitored to check that no medication which might impair reactions is given in the period before a jump; and on what occasions such medication was given to a parachute trainee at Brize Norton in 1989.

Mr. Archie Hamilton: A parachute trainee who has reported sick will not recommence training until he has been certified fit to do so by the medical officer, and any medication thought likely to impair reactions will necessitate withdrawal from training for an appropriate period. It is essential for any trainee feeling ill to report the matter before undergoing further parachute training.

Mr. Ashley: To ask the Secretary of State for Defence what procedure is adopted if parachute trainees report sick.

Mr. Archie Hamilton: Arrangements to see the medical officer will be made for trainees reporting sick. The trainee is briefed to return the appropriate medical form to the course flight sergeant after examination, with the medical officer's written comments.

Mr. Ashley: To ask the Secretary of State for Defence what medical checks are made on parachute trainees during their training and before their jumps.

Mr. Archie Hamilton: Unless a trainee reports sick, indicates to an instructor that he is sick, or displays some infirmity which is recognised by the training staff, no medical checks will be carried out. Each individual arrives with a medical certificate declaring his fitness to undergo training. It must be the responsibility of the individual to declare any lack of fitness to continue which may not be readily noticeable.

Mr. Ashley: To ask the Secretary of State for Defence (1) how many of the parachute trainees at Brize Norton in 1989 who arrived without an L5 landing certificate were *(a)* given a certificate without the training for it, *(b)* given training at the base to enable them to acquire the certificates and *(c)* sent home;

(2) how many of the parachute trainees going to Brize Norton in 1989 had with them an L5 landing certificate on arrival; and how many of these were the result of training given by Brize Norton staff instructors at other bases.

Mr. Archie Hamilton: The vast majority of trainees arriving at Brize Norton will have possessed a L5 certificate. None would have been allowed to commence parachute training without proof of their competence to do so and none would have been provided with a L5 certificate without undergoing the training required. The further information requested in the hon. Member's questions has not been recorded.

EDUCATION AND SCIENCE

Modern Languages

Mrs. Dunwoody: To ask the Secretary of State for Education and Science if he will make a statement on the implications for his Department's policies of the national council for modern languages' report on the teaching of oriental and African languages, a copy of which has been sent to him.

Mr. Jackson: Consistent with Government policy to increase the scope for higher education institutions to respond to the various demands placed on them, it is for the institutions themselves to determine provision for all subject areas, in consultation as necessary with the Universities Funding Council and the Polytechnics and Colleges Funding Council.

Departmental Savings

Mr. Devlin: To ask the Secretary of State for Education and Science what value for money savings have been achieved by his Department in the last year; and how much of this was as a result of advice from the central unit on purchasing.

Mrs. Rumbold: The information requested is not yet available but for the previous year (1988-89) the figure was approximately £2 million.

In general, it is not possible to attribute particular value for money savings to advice from the central unit on purchasing. The role of the unit is to provide advice and guidance on best purchasing practice; it provides overall support and guidance and encourages value for money across all Departments.

Supply Index

Mr. Devlin: To ask the Secretary of State for Education and Science if he will make a statement about his Department's decision not to participate in the Government supply index.

Mrs. Rumbold: The Department has fully evaluated the system but at present the items currently covered by the GSI do not form a significant part of our expenditure and it is not therefore economically viable to join the system. If the situation changes the matter will be reconsidered.

Schools (Voluntary Aided Status)

Mr. Fatchett: To ask the Secretary of State for Education and Science how many current applications for voluntary aided status for schools are lodged with his Department; and when he expects to announce a decision on each of them.

Mr. Alan Howarth: There are currently 12 proposals published under section 13 of the Education Act 1980 for establishing a voluntary aided school which fall to be decided by my right hon. Friend. In addition there are two

proposals before him under section 54 of the Education (No. 2) Act 1986 to change the status of a voluntary controlled school to voluntary aided. He will reach a decision on the proposals as quickly as is compatible with a full and careful consideration of all the issues involved. He has stated that it is his intention to come to a decision on statutory proposals within five months of publication wherever possible. Delays in some cases arise from factors outside the Department's control.

Youth Training Scheme

Mr. Fatchett: To ask the Secretary of State for Education and Science if he will set out the latest available figures on the number of 16 to 18-year-olds on YTS who receive part-time education at further education colleges.

Mr. Jackson: In November 1988 the number of students studying part-time in maintained colleges of FE in England as part of a YTS was as follows:

	Aged 16	*Aged 17*	*Aged 18*	*Aged 16-18*
All part-time (including evening)	62,000	56,000	5,000	123,000

The ages are those at 31 August 1988.

Nursery Schools (Cambridgeshire)

Mr. Paice: To ask the Secretary of State for Education and Science if he will give *(a)* the number and location of (i) nursery schools, (ii) nursery classes and (iii) under-five units in reception classes provided by Cambridgeshire education authority together with the number of places available at each unit and the percentage of the total number of three and four-year-olds in Cambridgeshire which these places represent *(b)* the total cost of providing and supporting each category, *(c)* the average cost per child place in each category in Cambridgeshire and *(d)* the national average cost per child place for each category.

Mrs. Rumbold: Information on the number of under-five units in reception classes and the number of places available at each unit is not available centrally. Information on the total cost of providing and supporting each category is no longer collected separately by the Department. In January 1989 the number of nursery schools, nursery classes and the number of pupils under five in Cambridgeshire is as follows:

	Number	*Pupils under five*	*Percentage of the estimated 3 and 4-year-old population*
Nursery schools	7	661	4
Primary schools			
Nursery classes	31	1,355	8
Other classes		5,073	30
Total		7,089	42

Teacher Shortage (Tower Hamlets)

Mr. Shore: To ask the Secretary of State for Education and Science what information he has received on children of school age in the London borough of Tower Hamlets unable to find a school place in the current academic year because of shortages of teachers; what discussions he has had about this problem with the Inner London education authority and the London borough of Tower Hamlets; and what action he proposes to take to ensure that all children in the London Borough of Tower Hamlets enjoy the basic right to state education.

Mrs. Rumbold: The local education authority estimates that, excluding rising fives, there were about 220 children of compulsory school age not in school at the end of the spring term. These figures take no account of the take-up of 180 places at Bigland primary school which opened this term.

The Department is in regular contact with the local education authority about this and other matters, and will continue to give support to the measures Tower Hamlets is taking to secure an adequate supply of teachers.

Bangladeshis

Mr. Shore: To ask the Secretary of State for Education and Science what action he has taken to implement recommendations 7 to 15 of the Home Affairs Select Committee in its first report in Session 1986-87 on Bangladeshis in Great Britain; and if he will make a statement.

Mr. Alan Howarth: I am able to report the following developments since the Government response to the Home Affairs Select Committee Report "Bangladeshis in Britain" was published in July 1987. The Department issued last July a circular (16/89) to local education authorities and others, instituting from September 1990 a national scheme for the collection of ethnically based statistics on school pupils. Three projects aimed at addressing the particular educational needs of Bangladeshi pupils have been included in the education support grant programme on ethnic diversity.

Local education authorities are already required to set targets and performance indicators for English language support teaching funded through grants paid under section 11 of the Local Government Act 1966. In the proposals for the future administration of the grant recently published by the Home Office, local authorities will be required to review the effectiveness of existing section 11 funded provision and set specific objectives and quantifiable targets for continued funding.

Pre-school provision of children from linguistic minorities and home-school liaison, particularly with parents who speak little English, are eligible for support under current arrangements for section 11 and continue to be identified as areas for support in the proposed new arrangements.

As regards recommendations 11 and 14 concerning local authority support for voluntary initiatives, under current section 11 arrangements it is open to local authorities to apply for grant support for posts to work on detached duty with voluntary organisations.

Under the proposed new arrangements for the grant the Government will expect local authorities to include in their funding bids applications for posts based in the voluntary sector, although as with current applications in respect of the voluntary sector, these will have to meet the relevant criteria for grant. Bengali has been included among those modern foreign languages specified as eligible to be taught as a national curriculum foundation subject. Since last

autumn, schools have been able to offer Bengali towards the national curriculum requirements, provided that they also offer at least one of the working languages of the European Community.

HOME DEPARTMENT

Remand Prisoners

Mr. Steinberg: To ask the Secretary of State for the Home Department how many prisoners held on remand in each year from 1979 to 1989 were found not guilty.

Mr. Mellor: The latest information is published in table 2.8 of "Prison statistics England and Wales 1988" (Cmn. 825), a copy of which is in the Library. Final data for 1988 and provisional data for 1989 are not yet available.

Immigration

Mr. Butler: To ask the Secretary of State for the Home Department how many overstayers were granted leave to remain in the United Kingdom in the latest available year having given evidence of stable marriages to British citizens with right of abode in the United Kingdom.

Mr. Peter Lloyd: The information requested is not readily available and could be obtained only at disproportionate cost.

Prison Officers Association Annual Conference

Mr. Cox: To ask the Secretary of State for the Home Department what Minister from the Home Office will be attending and speaking at this year's Prison Officers Association annual conference; and if he will make a statement.

Mr. Mellor: Neither I nor my right hon. and learned Friend have been invited to attend or speak at the Prison Officers' Association annual conference.

Race Relations Board

Sir Dudley Smith: To ask the Secretary of State for the Home Department (1) what guidelines he issues to the Race Relations Board over its encouragement and help of complainants in bringing cases before an industrial tribunal;

(2) whether, when next he meets the chairman of the Race Relations Board, he will discuss with him his policy of encouraging individuals to bring cases of complaint where those individuals have deliberately approached several companies for employment as a test exercise.

Mr. John Patten: The criteria on which the Commission for Racial Equality considers applications from complainants for assistance are laid down in section 66 of the Race Relations Act 1976. I am assured by its chairman that the commission would want to avoid supporting any complaint made as the result of a "test exercise" approach to a number of employers, as opposed to assisting genuine job applicants who complain of discrimination.

Sir Dudley Smith: To ask the Secretary of State for the Home Department if he will consider introducing legislation to compensate those people who are put to expense in defending actions brought before industrial tribunals with the support of the Race Relations Board where the case is dismissed or the complainant drops his or her allegations at a late stage.

Mr. John Patten: I understand that my right hon. Friend the Secretary of State for Employment has no plans to extend the provisions in the Industrial Tribunals (Rules of Procedure) Regulations 1985 to cover the award of costs in all cases where a case is dismissed or dropped at a late stage.

Pregnant Prisoners

Miss Emma Nicholson: To ask the Secretary of State for the Home Department if he can give a breakdown of the charges faced by pregnant women currently held on remand.

Mr. Mellor: On 1 May 1990 there were eight pregnant females held on remand. Of these one is charged with murder, one with burglary and theft, four with theft or fraud, one with arson, and one with criminal damage.

Miss Emma Nicholson: To ask the Secretary of State for the Home Department how many women prisoners were pregnant at the last count.

Mr. Mellor: On 1 May 1990, 35 female prisoners were known to be pregnant.

Miss Emma Nicholson: To ask the Secretary of State for the Home Department how many women who have been known to be pregnant have been sentenced to prison in each of the last 10 years.

Mr. Mellor: The information requested is not available. The annual reports of the work of the prison department do however record the number of pregnant females temporarily removed to outside hospitals for delivery and returning to establishments afterwards. The figures are:

	Number
1988-89	63
1987-88	75
1986-87	71
1985-86	71
[1]1984-85	70
1983	[2]70
1982	[2]51
1981	74
1980	75
1979	[2]74

[1] Covers 15 month period.
[2] Additionally, in each of the years 1979, 1982 and 1983 there was one delivery in an establishment.

Miss Emma Nicholson: To ask the Secretary of State for the Home Department if he will give a breakdown of the sentences subsequently received by pregnant women held on remand in each of the last 10 years.

Mr. Mellor: The information requested is not available.

Miss Emma Nicholson: To ask the Secretary of State for the Home Department if he can give a breakdown of the offences for which pregnant women who have been sentenced to jail have been convicted.

Mr. Mellor: On 1 May 1990 there were 27 pregnant females serving sentences of imprisonment. Of these:

10 had been convicted of offences of theft or fraud.
7 had been convicted of offences of violence against the person.
6 had been convicted of drugs offences.
2 had been convicted of burglary offences.
1 had been convicted of a sexual offence.
1 had been convicted of aiding and abetting blackmail.

Where a woman had been received on sentence for several offences, only the principal criminal offence has been stated.

Murderers (Film Payments)

Mr. Harry Greenway: To ask the Secretary of State for the Home Department if he will consider the introduction of legislation of forbid the payment of money to people convicted of murder by those making films based on their crimes; and if he will make a statement.

Mr. John Patten *[holding answer 30 April 1990]:* It is deplorable that criminals—especially those convicted of the most heinous offences—should be able to profit indirectly from their crimes by payments for publication of them, in films or any other medium. We are already considering what steps could be taken, although we recognise that there are practical difficulties because benefits can be received indirectly, or covertly, or outside our jurisdiction.

OVERSEAS DEVELOPMENT

Ethiopia

Mr. John Evans: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has received in recent weeks regarding food convoy movements in Ethiopia; and if he will make a statement.

Mrs. Chalker: The latest information available on the southern line operation for transporting food across the conflict lines is that in the period 20 March (when the operation started) to 2 May, 61 convoys have carried 8,803 tonnes of food into northern Wello and Tigray. Of this total, 4,214 tonnes have been delivered to Makelle in Tigray. In the six days up to 2 May a total of 2,067 tonnes was delivered.

In addition, substantial amounts of food have been delivered into Eritrea and Tigray by convoys operated by the Eritrean Relief Association (ERA) and the Relief Society of Tigray (REST). We do not have details of movements of convoys along these routes.

Eastern Europe

Mrs. Mahon: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations Her Majesty's Government have made to the development assistance committee of the Organisation for Economic Co-operation and Development to ensure that aid to eastern Europe is counted separately from aid to developing countries in development assistance committee calculations of official development assistance.

Mrs. Chalker: The Government supported the proposed conclusion, reached by the development assistance committee of the Organisation for Economic Co-operation and Development, that assistance to eastern Europe should not be included in the calculation of official development assistance as a proportion of GNP used in DAC statistical presentations.

Non-governmental Organisations

Mr. John Carlisle: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the non-governmental organisations in receipt of grants from his Department in 1989-90; and what is the size of each grant.

Mrs. Chalker: The figures for 1989-90 are not yet available. The figures for 1988-89, including support both for long-term development projects and for emergency and refugee relief, are as follows:

Overseas Development Administration

Non Governmental Organisation	*Amount (£)*
ACAFESS (Afro Caribbean Community Organisation)	130,130
Acord	1,157,918
Action Aid	1,308,095
Action Around Bethlehem	27,550
Action on Disability and Development	97,163
Action Water	10,000
Afghanaid	1,313,580
Africa Now	10,300
Aga Khan Foundation	1,560,040
Appropriate Health Resources and Technologies Action Group (AHRTAG)	468,754
Aid for India	20,826
African Medical Research Foundation (AMREF)	182,541
Avon Industrial Award Scheme	5,000
Band Aid	169,953
Boston-Jalchatra Project	12,000
Boys Brigade	15,349
British Airways Trust	48,500
British Executive Services Overseas	300,006
British Red Cross Society	1,714,379
British Refugee Council	6,000
CAB International (Commonwealth Mycological Institute)	57,437
Catholic Fund for Overseas Development (CAFOD)	3,814,990
Care Britain	4,139,404
Centre for Economic Policy Research	49,827
Centre for World Development Education	135,000
Christian Aid	5,433,561
Christian Outreach	189,103
Christians Abroad	17,000
CIIR	994,673
Commonwealth Human Ecology Council	50,013
Concern	1,137,451
Council for Education in World Citizenship	6,500
Council Of Europe North South Campaign	30,000
Co-operation For Development	544,584
Commonwealth TUC	51,020
Cusichaca Project	32,155
Disasters Emergency Committee	2,106,700
Duke of Edinburgh Award Scheme	5,000
Equipment for Community Hospitals Overseas	6,307
Food and Agriculture Research Mission	12,514
Friends of Urambo and Mwanhala	13,672
Hand in Hand	17,636
Health Unlimited	48,175
Help the Aged	199,903
Homeless Trust	169,237
International Council for Bird Preservation	37,570
International Institute for Environment and Development	55,000
Institute of Development Studies	1,262,000
Intercare	9,732
International Bee Research Association	29,600
International Boys Town Trust	21,621
International Extension College	198,200
International Medical Relief	14,500
Int Committee of the Red Cross	610,000
Intermediate Technologies Development Group	1,902,562
International Voluntary Service	774,886
King Mahedra Trust	14,750
Leonard Cheshire Foundation	57,691

Non Governmental Organisation	*Amount (£)*
Leprosy Mission	25,030
Lifeline	9,842
Ludhiana British Fellowship	4,763
Marie Stopes International	194,699
Namibia Refugee Project	10,000
National Children's Home	11,000
National Council of YMCA	62,500
Ockenden Venture	260,736
Operation Raleigh	3,530
Order of St John	140,000
Overseas Development Institute	715,203
OXFAM	7,722,798
Panos Institute	79,551
Parkes Foundation	3,000
PLAN (Foster Parents Plan/World Family)	126,250
Plunkett Foundation	9,000
Population Concern	190,739
Quaker Peace and Service	125,382
Ranfurly Library Service	77,880
Regional Conference on International Voluntary Service	4,300
Richmond Fellowship	13,000
Royal Commonwealth Society for the Blind	203,336
Royal Society	112,000
Rural Development Consultancy for Christian Churches in Africa (RURCON)	25,750
Ryder Cheshire Mission	23,000
Salvation Army	7,000
Sandy Gall Afghan Appeal	100,000
Save the Children Fund	6,215,874
Scottish Catholic International Aid Fund	107,252
Scottish Education and Action for Development	6,000
The Scout Association	21,092
Send a Cow	34,500
SOS Sahel International	49,557
Special Projects in Christian Missionary Areas	83,439
St John Ambulance	8,721
Tear Fund	91,213
Tree Trust	11,130
Uganda Society for Disabled Children	212,386
UK Foundation for the Peoples of the South Pacific	24,860
UN Association International Service	490,000
UNICEF	550,000
UNIPAL	12,500
Urban Aid	20,000
Voluntary Service Overseas	8,694,564
War on Want	149,643
Water Aid	447,172
Women's Corona Society	34,000
Women's Environmental Network	10,000
Work Start Overseas	36,156
World Press Centre	45,000
World University Service	490,462
World Vision	1,369,091
Worldwide Fund for Nature	420,890
Y-Care International	212,040
You and Me	27,550
YWCA	52,785
Zimbabwe Trust	28,075
Total	63,024,299

Note: These figures exclude the United Kingdom share of grants to British NGOS through the EC.

Diplomatic wing of the Foreign and Commonwealth Office

Non Governmental Organisation	*Amount (£)*
Afghan Support Committee	25,000
Anglo Irish Encounter	27,000
Atlantic Treaty Association	3,500
British Atlantic Committee	61,215
British Youth Council	44,000
British Yugoslav Society	12,000
College of Europe, Brussels	2,500
European Movement	5,000
Exchange of British and Soviet Weeks	10,138
Franco-British Council	60,000
Fund for International Student Co-operation	76,000
NGOs Engaged in Explanation of Arms Control and Defence Issues	10,000
Great Britain/China Centre	123,000
Great Britain/East Europe Centre	130,000
Great Britain/USSR Association	186,000
Hague Academy of International Law	5,000
International Commission of Jurists	10,000
International Committee of the Red Cross	250,000
Peace Through NATO	113,000
Trilateral Commission	2,250
United Kingdom Immigrants Advisory Service	10,000
United Nations Association	24,000
West India Committee	15,000
TOTAL	1,204,603

Charitable Institutions

Mr. John Carlisle: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what investigations are made by his Department into the political activities of those charitable institutions in receipt of grants from his Department;

(2) what guidelines are set for charitable organisations in receipt of Government grants from his Department regarding any policy that might be influenced by political considerations of the officers of that charity;

(3) whether he will consider withdrawing all grants from his Department to any charitable organisation that is under investigation by the Charity Commissioners.

Mrs. Chalker: My Department does not make general grants to voluntary agencies. Our support is confined to specifically identified and agreed projects, both for long-term development and for emergency and refugee relief. Our prime concern is the quality and relevance to local communities in developing countries of the proposed projects. We also take account of the probity and administrative and professional competence of the agencies to operate and maintain the projects; and they are required to account to us for the use of our funds.

We do not fund voluntary agencies' campaigning or political activities. They are independent organisations and as such are free to express their own views. The way in which they do that and the content of their campaigning is essentially a matter for the agencies, their supporters and the Charity Commissioners. I certainly do not see eye to eye with some agencies' views, and when appropriate I do not hesitate to take issue with them. But it is for the Charity Commissioners to judge whether an agency over-steps the guidelines on what constitutes acceptable activities for a charity and it would not be proper for me to seek to intervene in the commissioners' deliberations.

I look forward to continuing to support the excellent work of the NGOs in developing countries. Our support will continue to be confined to agreed projects and will be available only to those agencies which are properly maintaining charitable status.

Know-how Fund (Czechoslovakia)

Sir Bernard Braine: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the know-how fund for Czechoslovakia is now in operation; and if he will give details of the specific help on offer.

Mrs. Chalker: The extension of the know-how fund to Czechoslovakia was announced during the visit of President Havel to Britain in March. Detailed projects and programmes have not yet been worked out, but assistance will initially be concentrated on the financial, employment, energy and environment sectors, and on the provision of management training.

WALES

National Curriculum

Mr. Barry Jones: To ask the Secretary of State for Wales what representations he has received concerning the national curriculum in Wales; and if he will make a statement.

Mr. Roberts: We have received many representations concerning the national curriculum in Wales, most of which have been in response to the numerous consultations we have conducted.

Schools (Repair and Decoration)

Mr. Barry Jones: To ask the Secretary of State for Wales what measures he has taken to facilitate the repair and decoration of schools in Wales for this financial year; and if he will make a statement.

Mr. Roberts: In framing the local authority finance settlements for 1990-91 we have allowed for current spending of £1,001 million on education—some 10·1 per cent. above last year's expenditure provision—and gross capital spending of £53·7 million—confirming the enhanced position of recent years and bringing the total capital increase since 1985-86 to 60 per cent. These levels should permit local education authorities to meet their responsibilities for the repair and maintenance of schools, particularly if additional resources are released by measures such as removal of surplus places.

In the context of the efficiency initiative, local authorities have established a property management group and this is addressing the condition of the local authority estate, including educational establishments. A report on property management has been prepared which recommends the setting up of appropriate records in regard to the age and condition of buildings, including schools.

Floods

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make cash payments of £70,000 each to the north Wales sea flood inundation funds of Clwyd county council, Colwyn borough council, Rhuddlan borough council and Delyn borough council: and if he will make a statement.

Mr. David Hunt: The existing sea-wall at Towyn has now been repaired and strengthened to ensure that a breach should not occur again, even in extreme conditions. In addition, work has already started on the options for improving the defences still further and this will be taken forward urgently. My Department will be ready to provide resources towards any agreed scheme. This is in addition to the £12 million of work already planned in north Wales over the next few years.

The most important form of aid that the Government are able to give is, of course, aid under the Bellwin scheme and this is available to all the relevant local authorities in north Wales. The grant will be paid at the rate of 85 per cent. instead of the more customary 75 per cent. In addition the period over which it can be paid has been extended by a further three months to 31 July and we will review the position towards the end of July and, if necessary, extend the scheme still further.

The amount of money which will be paid under the scheme will be very substantial. Colwyn borough council has made a preliminary estimate of £1·25 million expenditure eligible for Bellwin assistance and if this proves to be accurate it will result in a payment by the Government of more than £1 million. Further claims may well come in from Colwyn borough council and, of course, from the other councils in north Wales which have been affected.

There is a strange misunderstanding that the £150,000 donation which the Welsh Office gave to the appeal funds of the mayors of Colwyn, Delyn and Rhuddlan was the total amount of Government aid. It is, of course, only a minute proportion of the total expenditure in which the Government will be involved and the donation was made in the hope that it would encourage many others to make a similar donation. Never previously have the Government made a donation to such funds unless loss of life has been involved.

Achievements (Cost of Reply)

Mr. Michael: To ask the Secretary of State for Wales what was the total cost of *(a)* printing and circulating information to the press about his reply to the hon. Member for Pembroke (Mr. Bennett) on 1 May seeking a list of achievements during his period of office as Secretary of State for Wales and *(b)* its publication in the *Official Report*.

Mr. David Hunt: This answer was circulated in the normal way to the House of Commons and the press Lobby with seven other answers at an estimated cost of £15. Printing in *Hansard* is estimated to have cost £44.

Parking Restrictions

Mr. Michael: To ask the Secretary of State for Wales what plans he has to review the designation of parking restrictions and prohibitions by local authorities in Wales and the effectiveness of such systems in residential and commercial areas.

Mr. Wyn Roberts: The need for, and the effectiveness of, parking restrictions on local roads is entirely a matter for consideration by local highway authorities who have a statutory duty under the Road Traffic Regulation Act 1984 to exercise their powers to secure the expeditious, convenient and safe movement of vehicular and other traffic.

Glaucoma

Mr. Michael: To ask the Secretary of State for Wales (1) how many cases of glaucoma were recorded as diagnosed in each month of 1989 *(a)* in each health authority area in Wales and *(b)* in Wales as a whole;

(2) how many cases of glaucoma were recorded as diagnosed in each month of 1989 in South Glamorgan;

(3) how many referrals to ophthalmic surgeons were made in each month in 1989 in *(a)* South Glamorgan and *(b)* Wales.

Mr. Grist: I refer the hon. Gentleman to the reply that I gave him on Tuesday 8 May at column *58*.

Pathology Departments (Income)

Mr. Win Griffiths: To ask the Secretary of State for Wales if he will list those National Health Service pathology departments which have established income

generating schemes which share the profits between the National Health Service and the staff; and if he will place in the Library details of all such schemes.

Mr. Grist: The Welsh Office monitors National Health Service income generation activity as part of its annual review of health authorities. The 1989 review did not reveal the existence of any such schemes in Wales.

Caernarfon Cottage Hospital

Mr. Wigley: To ask the Secretary of State for Wales if he will make a statement on the difference between the Welsh language version and the English language version of the letter sent by P. R. Gregory of his Department to C. H. Thomas of Gwynedd health authority on the conditions to be met prior to the closure of Caernarfon cottage hospital.

Mr. Grist: The difference between the Welsh and English versions of the fifth paragraph of the letter arose during the process of drafting in English and translation into Welsh. As the hon. Gentleman is aware, a further letter has been sent to the general manager clarifying that only the English version currently sets out the conditions of closure.

Mr. Wigley: To ask the Secretary of State for Wales (1) if he will make it his policy to inspect *(a)* the steps taken to reprovide general anaesthetic dental clinic facilities at ysbyty Gwynedd and *(b)* the proposed motorised mobile dental clinic facilities prior to allowing Gwynedd health authority to close the cottage hospital, Caernarfon;

(2) what is the proportion of the staff at *(a)* the cottage hospital, Caernarfon and *(b)* ysbyty Gwynedd who are Welsh-speaking;

(3) if he will publish in the *Official Report* the updated estimated cost of running the cottage hospital, Caernarfon on the basis of which he agreed to confirm the closure; and what were the assumptions relating to *(a)* bed occupancy rates and *(b)* the number of persons using the casualty facilities at that hospital on which these cost estimates were based;

(4) what proportion of the patients currently treated at the cottage hospital, Caernarfon will be treated in *(a)* Eryri hospital, Caernarfon and *(b)* Bryn Seiont hospital, Caernarfon after the proposed closure of the cottage hospital;

(5) what steps he proposes to take to ensure that the Gwynedd health authority complies with the recommendations of Welsh Office circular WHC(89)28 on the future development of community dental services with regard to setting up an effective monitoring system to evaluate the efficiency of the arrangements for transfer of appropriate patients from the community dental services to the general dental service; by what date he expects this to be achieved; and if he will make a statement;

(6) whether he has received from Gwynedd district health authority any application for the partial closure of the cottage hospital, Caernarfon; and if he will make a statement;

(7) if he will make a statement on the letter of 20 April by P. R. Gregory of the Welsh Office to C. H. Thomas, the district manager of Gwynedd district health authority, paragraph 32 of annex 'A', with regard to alternative cost saving options considered by the health authority instead of closing the cottage hospital, Caernarfon; and if he will list in the *Official Report* the alternatives which were considered;

(8) what consultations his Department had with general practitioners in the town of Caernarfon before approving proposals to close the cottage hospital, Caernarfon.

Mr. Grist: I shall write to the hon. Gentleman and place a copy of my letter in the Library of the House.

Gwynedd Health Authority

Mr. Wigley: To ask the Secretary of State for Wales whether he has received representations from the chairman of Gwynedd health authority during the past six months on the current expenditure budget provision made for that authority for the financial year 1990-91; and if he will make a statement.

Mr. Grist: Neither my right hon. Friend, nor his predecessor, the right hon. Member for Worcester (Mr. Walker) have received any representation in the past six months from the chairman of the Gwynedd health authority concerning the authority's budgetary requirements for the current financial year. However, in a letter dated 7 February to the director of the NHS in Wales, the general manager of the authority outlined the authority's financial situation for 1989-90 and provided a projection of an overspend of some £4 million in 1990-91 if further action was not taken to restore financial balance.

Following discussions between the NHS director and the general manager, the authority has re-engaged the management consultants, Deloittes, Haskins and Sells to assist its officials in preparing proposals on how this might be achieved. My right hon. Friend is willing to give sympathetic consideration to any request from the authority for temporary financial assistance, so long as any such request is underpinned by a well-thought-out strategy for restoring financial balance in the medium term.

Hospital Closures

Mr. Wigley: To ask the Secretary of State for Wales how many hospital closures have been approved by his Department between 1 June 1987 and 30 April 1990; and if he will list these hospitals.

Mr. Grist: A list of those hospitals the closure of which has been approved by this Department between 1 June 1987 and 30 April 1990 is given in the following table:

	Approved
Closure of Madog memorial hospital Porthmadog	3 March 1989
Closure of Druid hospital, Llangefni	3 March 1989
Closure of Groesynyd hospital, Conwy	3 March 1989
Closure of St. David's hospital, Bangor	3 March 1989
Closure of Pentwyn and Tyntyla hospitals, Mid Glamorgan	4 July 1989
Closure of Cottage hospital, Caernarfon	20 March 1990

SCOTLAND

Health Board Expenditure

Mr. Strang: To ask the Secretary of State for Scotland what was the (i) capital, (ii) revenue and (iii) total expenditure of each of the Scottish health boards in each of the last five years and in the last financial year.

Mr. Michael Forsyth: I refer the hon. Member to the reply that I gave him on 8 May at columns *70-72*.

Rent-to-Mortgage Scheme

Mrs. Gorman: To ask the Secretary of State for Scotland how much has been spent to date by his Department in promoting his rent-to-mortgage scheme; and if he will make a statement.

Lord James Douglas-Hamilton: Responsibility for the promotion of the rent-to-mortgage scheme rests with Scottish Homes, and the Scottish Development Department has not incurred any promotional expenditure specific to that scheme.

Right to Buy

Mrs. Gorman: To ask the Secretary of State for Scotland what amount in 1990 prices was spent to promote the right to buy in Scotland in each full year of operation.

Lord James Douglas-Hamilton: The information requested, which is set out in the table, relates to publicity campaigns undertaken by the Scottish Office promoting right to buy.

Year	[1]£
1980	112,000
1981	127,000
1982	96,000
1983	—
1984	137,000
1985	196,000
1986	—
1987	144,000
1988	—
1989	—
1990	162,000

[1] Prices current in 1989-90.

Foreign Language Teachers

Mr. Wray: To ask the Secretary of State for Scotland how many foreign language teachers there were in Scotland for each year since 1975.

Mr. Lang: The numbers of modern language teachers teaching in education authority secondary schools in Scotland at each September since 1975 for which information is available, are set out in the table:

Numbers (full-time equivalents) of modern language teachers

	Number
1988	1,750
1987	[1]1,820
1984	[1]2,100
1983	2,180
1982	2,100
1981	2,235
1980	2,280
1979	2,300
1978	2,300
1976	2,290
1975	2,190

[1] Number of full-time and part-time teachers.

At present the supply of language teachers matches demand, measured at the national level.

Forestry

Mr. Ron Davies: To ask the Secretary of State for Scotland (1) if he will list the names, locations and areas of sites which have been subject to aerial spraying with products other than fenitrothion to combat forest pests in the years 1986 to 1989; and if he will list the products used in each case;

(2) if he will list names of sites, their locations and areas within Scotland, England and Wales, for which *(a)* Forestry Commission and *(b)* private forestry concerns have sought approval for the use of fenitrothion for the purpose of aerial spraying during each of the years 1986, 1987, 1988 and 1989; and whether he will list which areas were sprayed.

Lord James Douglas-Hamilton *[holding answer 23 April 1990]:* The information is set out in the following tables. All the applications for approval for aerial spraying with insecticides, in respect of both Forestry Commission and privately owned forests, were sought by the commission. All the areas treated were in the highland region of Scotland and, except where indicated in the table, were in the Sutherland district of that region. No aerial spraying was required in 1989.

Name of site	*Area approved for treatment (ha)*	*Area actually treated (ha)*	*Insecticide used*
Aerial Spraying in 1986			
Truderscaig	784	200	Diflubenzuron
		247	Fenitrothion
North Dalchork	2,080	328	Fenitrothion
		13	PfNPV and Virox
Inveroykel	570	570	Fenitrothion
Strathrannoch (Ross and Cromarty)	189	155	PfNPV
		34	Fenitrothion
Garbat (Ross and Cromarty)	707	None	
Achentoul Estate	252	196	Fenitrothion
Ben Armine	98	98	Fenitrothion
Suisgill	320	320	PfNPV
Creag Dubh	27	27	Diflubenzuron
Badenloch I	39	39	Diflubenzuron

Name of site	Area approved for treatment (ha)	Area actually treated (ha)	Insecticide used
Fiag	45	45	PfNPV
South Dalchork	269	269	Diflubenzuron
Strathcuileannach	145	93	PfNPV
Mid Penny	21	None	
Braemore	50	50	Diflubenzuron
Camster (Caithness)	101	None	
Borgie	103	103	Virox
Craggie	207	207	Virox
Aerial Spraying in 1987			
Achentoul	155	None	
Braemore	180	180	Fenitrothion
Camster	101	None	
Caplich	122	122	Fenitrothion
Craig Dubh	40	None	
Dalnessie	27	27	Fenitrothion
Inveroykel/Birchfield	573	573	Diflubenzuron
Mid Penny	21	None	
North Dalchork	230	130	PfNPV
Rimsdale	484	448	Fenitrothion
South Dalchork	246	111	PfNPV
		65	Fenitrothion
Suisgill	56	None	
Syre	136	136	Diflubenzuron
Truderscaig	72	None	
Garbat (Ross and Cromarty)	59	None	
Poulary and Kingie (Lochaber)	474	473	Fenitrothion
Borrobol	136	None	
Aerial Spraying in 1988			
Copaig	574	330	Fenitrothion
		244	Virox
Cnoc a' moid	184	184	Fenitrothion
Truderscaig	229	103	Fenitrothion
		126	PfNPV and Virox
Achairn (Caithness)	500	500	Virox
Braehour (Caithness)	465	465	Virox

Mr. Ron Davies: To ask the Secretary of State for Scotland what was the total quantity of fenitrothion used in forestry operations in Scotland in each of the last five years.

Lord James Douglas-Hamilton *[holding answer 23 April 1990.]:* The information is as follows:

Year	kg active ingredient
1985	1,450
1986	440
1987	400
1988	190
1989	None

Child Psychotherapists

Mr. Maclennan: To ask the Secretary of State for Scotland what steps he is taking to encourage the appointment of child psychotherapists in Scotland.

Mr. Michael Forsyth *[holding answer 4 May 1990]:* Decisions on the level of Health Service staffing including the appointment of child psychotherapists are matters for individual health boards.

Foreign Language Training

Mr. Wray: To ask the Secretary of State for Scotland what discussions he has had with the Scottish *(a)* business community, *(b)* higher education authorities and *(c)* unions regarding the need for training in foreign languages in Scotland especially from 1 January 1993.

Mr. Lang *[holding answer 8 May 1990]:* The views of these and other bodies have been given in meetings and through correspondence on a variety of occasions.

Mr. Wray: To ask the Secretary of State for Scotland what objective factors he has taken into consideration in order to decide the number of adequate teachers of foreign languages in Scotland; and how often the situation is reviewed.

Mr. Lang *[holding answer 8 May 1990]:* The factors taken into account in determining intake targets for teacher training courses are described in the SED statistical bulletin "Teachers—Key Statistics on Demand and Supply" No. 12/B7/1989 published in November last year, a copy of which is in the Library. These factors are reviewed annually. Colleges of education consult education authorities to decide the subject specialist mix of each annual intake to secondary training.

ENVIRONMENT

Local Income Tax

Mr. Riddick: To ask the Secretary of State for the Environment if he will update the figures relating to payments under a local income tax given in his answers of 13 June 1989, *Official Report*, columns *360-61*, and 24 May 1989, *Official Report*, column *594*.

Mr. Chope: Updated figures were placed in the Library on 4 April. These show the rate of local income tax which could apply in each area were such a system introduced. The bill payable by any resident is calculated by multiplying the local income tax rate by that resident's taxable income. The figures placed in the Library show as an illustration the bill payable in each area with a taxable income of £12,800. This is equivalent to average male earnings less the single person's tax allowance.

On that basis, the figures sought by my hon. Friend are as follows—a man on average male earnings in England would pay £949 and a man on average male earnings in Kirklees would pay £1,093.

Unleaded Petrol

Sir Dudley Smith: To ask the Secretary of State for the Environment what official efforts are being made to educate drivers about the various grades of unleaded petrol and their application to different types of car engines.

Mr. Portillo: From 1 October, all new cars will be required to be able to use 95 octane unleaded petrol. The vast majority can already do so. The Government have issued a free booklet "Adjust to Unleaded" which gives guidance on the use of this fuel in existing cars. The booklet also deals in general terms with the higher octane grades which will enable certain additional existing models to run on unleaded petrol. It would, however, be excessively complicated to include detailed information on individual models, and motorists who are in doubt should consult their vehicle manual or seek advice from a qualified source.

Housing

Mr. John D. Taylor: To ask the Secretary of State for the Environment how many private and public authority homes were built in each of the past five years in the constituency of Richmond and Barnes.

Mr. Chope: The Department collects housebuilding statistics for local authority areas. Figures for the London borough of Richmond upon Thames, which includes this constituency, appear in "Housebuilding in England by Local Authority Areas 1980 to 1988" and for the first nine months of 1989 in "Local Housing Statistics, No. 92". Copies of both are in the Library.

Integrated Pollution Control

Mrs. Gorman: To ask the Secretary of State for the Environment what action he intends to take to ensure that processes requiring approval under integrated pollution control will be dealt with as quickly as possible.

Mr. Trippier: As I said on 26 April at column *343* in reply to my hon. Friend the Member for Waveney (Mr. Porter), I have placed in the Library of the House a timetable for the implementation of integrated pollution control (IPC). It is our intention to introduce the initial phase of integrated pollution control on 2 January 1990 and thereafter to bring all processes prescribed for control into the new system by 1995. Once an application is made, Her Majesty's inspectorate of pollution will have four months to determine the grant of an authorisation. If the inspectorate has not reached a decision at the end of that time the applicant will have a right of appeal for a determination to the Secretary of State.

Climate Change

Mr. Barry Field: To ask the Secretary of State for the Environment when he expects the report by the Intergovernmental Panel on Climate Change to be published.

Mr. Trippier: The Intergovernmental Panel on Climate Change report is due to be published in September.

Human Sewage Sludge

Mr. John D. Taylor: To ask the Secretary of State for the Environment if he proposes to recommend the spreading of human sewage sludge on land for fertilising purposes; and if he will make a statement.

Mr. Heathcoat-Amory: The use of sewage sludge as a fertiliser in England and Wales is controlled by the Sludge (Use in Agriculture) Regulations 1989 (SI 1263) and more detailed advice is contained in the code of practice for agricultural use of sewage sludge, published by the Department in 1989.

Mr. John D. Taylor: To ask the Secretary of State for the Environment what information he has as to in which of the European Community countries it is permissible to spread human sewage sludge on land for fertilising purposes.

Mr. Heathcoat-Amory: Sewage sludge is used as a fertiliser on agricultural land in all European Community countries.

Toxic Wastes

Mr. Frank Cook: To ask the Secretary of State for the Environment what provisions have been made for the storage and disposal of toxic wastes arising from British Nuclear Fuels' activities at Springfields, Capenhurst, Chapelcross, Calder Hall works and Sellafield.

Mr. Trippier: This is a matter for the waste disposal authorities in whose area the premises are situated.

Mr. Frank Cook: To ask the Secretary of State for the Environment what provisions have been made for the storage and disposal of toxic wastes arising from United Kingdom Atomic Energy Authority and AEA Technology activities at AERE Harwell, Winfrith, the Windscale research laboratories, Dounreay nuclear power development establishment and Risley.

Mr. Trippier: In England, responsibility for controlling the storage of non-radioactive toxic waste covered by part I of the Control of Pollution Act 1974, and for the licensing of sites used for waste disposal, falls to the

relevant waste disposal authority in whose area the premises or disposal site are situated. The storage and disposal of radioactive waste is authorised under the provisions of the Radioactive Substances Act 1960. Corresponding controls in respect of Dounreay are the responsibility of my right hon. and learned Friend the Secretary of State for Scotland.

Rate Capping

Mr. Boswell: To ask the Secretary of State for the Environment how much in total was spent by local councils on unsuccessful legal challenges to rate-capping legislation.

Mr. Portillo *[holding answer 3 May 1990]:* The Department does not have this information.

Building Control

Mr. O'Brien: To ask the Secretary of State for the Environment how many private companies or individuals are involved with building control; and if he will make a statement.

Mr. Chope *[holding answer 4 May 1990]:* The National House-building Council Control Services Limited is the only private company authorised under the Building Act 1984 to undertake building control functions as approved inspectors.

Some local authorities use private consultants to assist them in their building control work. No statistics are kept on the number of private companies or individuals involved in such work.

Loft Insulation

Mr. Ron Davies: To ask the Secretary of State for the Environment what was the total expenditure by his Department on grants towards the cost of loft insulation under the homes insulation scheme for *(a)* 1988-89 and *(b)* 1989-90.

Mr. Chope *[holding answer 4 May 1990]:* My Department's expenditure on the homes insulation scheme in 1988-89 was £11·4 million and in 1989-90 it was £5·8 million. These amounts include the administrative expenses of local authorities.

Audit Commission

Mr. Blunkett: To ask the Secretary of State for the Environment if he has any plans to develop or expand the role of the Audit Commission.

Mr. Chris Patten *[holding answer 8 May 1990]:* None, beyond the proposals contained in the National Health Service and Community Care Bill to expand the Audit Commission's functions to cover the National Health Service.

Local Government Finance

Mr. Cohen: To ask the Secretary of State for the Environment whether his Department assisted the Data Protection Registrar with his investigation into possible unauthorised disclosure of poll tax data by the London borough of Wandsworth; and if he will make a statement.

Mr. Portillo: I am not aware that the Data Protection Registrar has asked for any such assistance.

Mr. Nicholas Winterton: To ask the Secretary of State for the Environment by how much the total amount to be raised by local government through the community charge in the current financial year exceeds the amount which would have been raised had the last year's income from domestic rates been increased in line with inflation; and if he will make a statement.

Mr. Portillo *[holding answer 8 May 1990]:* English local authorities have budgeted to raise £12·7 billion from the community charge in 1990-91. This is 30 per cent. higher than the amount they raised from domestic rates in 1989-90 and £2·2 billion more than if they had increased income by the March 1990 RPI.

The local authorities have budgeted to raise £35·8 billion from community charge, grant and business rates. This is £2·5 billion more than the equivalent figure for 1989-90 adjusted for changes in function and increased by the March 1990 RPI.

Mr. Blunkett: To ask the Secretary of State for the Environment what are his estimates of the costs to local authorities in 1991-92 of implementing legislation on *(a)* community care and *(b)* environmental protection.

Mr. Portillo *[holding answer 8 May 1990]:* Estimates of the costs to local authorities and others of implementing the National Health Service and Community Care Bill and the Environmental Protection Bill are contained in the explanatory and financial memoranda to those Bills.

Mr. Benn: To ask the Secretary of State for the Environment if he will list the statutory provisions permitting the preparation and publication of standard spending assessments for the community charge.

Mr. Chris Patten *[holding answer 8 May 1990]:* Standard spending assessments are calculated according to the revenue support grant distribution report (England) made under section 80 of the Local Government Finance Act 1988 and approved by the House on 18 January 1990. The Community Charges and Non-domestic Rating (Demand Notices) (England) Regulations 1990 (1990, No. 156) require standard spending assessments to appear on community charge demand notices.

Mr. Blunkett: To ask the Secretary of State for the Environment what factors influenced his decision not to charge-cap the City of London.

Mr. Portillo *[holding answer 8 May 1990]:* My right hon. Friend did not designate the City of London for charge capping because its budget was not in his opinion excessive.

Mr. Malins: To ask the Secretary of State for the Environment what guidance is given to local authorities on the exercise of discretion on the levying of the community charge.

Mr. Chope *[holding answer 8 May 1990]:* It has been the long-established and sensible practice of local authorities to exercise discretion not to seek to collect very small amounts where the cost of collection would exceed the amounts concerned. The introduction of the community charge does not alter this, a fact mentioned in community charge practice note No. 24 which is about to be issued.

Mr. Harry Barnes: To ask the Secretary of State for the Environment, pursuant to his written answer of 3 May to the hon. Member for Derbyshire, North-East, if he will list which grants fall *(a)* inside and *(b)* outside aggregate Exchequer finance.

Mr. Chope *[holding answer 8 May 1990]:* The grants falling within AEF for 1990-91 are listed. National non-domestic rate payments are also with AEF. All other grants to local authorities are outside AEF.

Grants within AEF

Revenue support grant
Low rateable value areas grant
Inner London education grant
Police grant[1]
Magistrates' courts grant[1]
Probation services grant
Commonwealth immigrants grant
Urban programme[1]
Civil defence
Sheltered employment
In-service teacher training
Education support
Housing benefit administration
Social services training
AIDS and HIV
Careers service strengthening grant
National parks supplementary grant
Education of travellers' children

[1]Excluding the loan charges element.

Mr. Harry Barnes: To ask the Secretary of State for the Environment, pursuant to his written answer of 3 May to the hon. Member for Derbyshire, North-East[1], if he will provide similar calculations which exclude from the Government grant total (a) community charge rebate figures, (b) grants outside of AEF and (c) the figures in (a) and (b) combined[2]; if he will give reasons for including grants outside AEF and community charge rebates within his calculations.

Mr. Chope *[holding answer 8 May 1990]:* The figures requested are *(a)* Government grants 35 per cent., *(b)* business rates 29 per cent., *(c)* community charges 35 per cent. The figure for community charges is gross of community charge rebates and transitional relief grant. Figures do not add to 100 per cent. due to rounding.

The figures given in my answer to the hon. Member on 3 May 1990 at columns *617-18* included as central Government grants grants outside AEF and community charge rebates because these are part of direct and indirect support from central Government to community charge payers and help them to meet local authority spending.

Mr. Harry Barnes: To ask the Secretary of State for the Environment, pursuant to his written answer of 3 May to the hon. Member for Derbyshire, North-East, if he will list the equivalent percentage details for each district council area in Derbyshire.

Mr. Chope *[holding answer 8 May 1990]:* This information is not available.

EMPLOYMENT

Youth Training

Ms. Short: To ask the Secretary of State for Employment if he will publish details for Great Britain and for the west midlands region for each year from April 1986 to the most recent date, of the total number of YTS trainees *(a)* in training and *(b)* with disabilities in training.

Mr. Nicholls: The figures for the number of YTS trainees in training and with disabilities in training for Great Britain and the west midlands for each year from April 1986 to the most recent date are as follows:

	Great Britain		*West Midlands*	
	Total in training	*Disabled in training*	*Total in training*	*Disabled in training*
March 1987	305,676	9,331	39,751	1,146
March 1988	375,564	11,269	44,647	1,264
March 1989	376,622	12,046	42,227	1,256
March 1990[1]	359,460	9,586	39,394	962

[1] Subject to revision.

Ms. Short: To ask the Secretary of State for Employment if he will introduce an age-related increase in the YT allowance for those aged 18 years and over.

Mr. Nicholls: There will be no change to the value of the higher rate of the youth training allowance. The present level of this allowance represents a clear lead over the corresponding level of the income support for 18-year-olds which came into effect in April.

Departmental Savings

Mr. Devlin: To ask the Secretary of State for Employment what value for money savings have been achieved by his Department in the last year; and how much of this was as a result of advice from the central unit on purchasing.

Mr. Eggar: The figures for 1989-90 are being processed and are not yet available. However, the statistics in the table show for all parts of the ED group the improvements in 1988-89 as published in the 1989 progress report to the Prime Minister. It is not possible to attribute particular savings to advice from central unit on purchasing. The role of the central unit on purchasing is to give advice and guidance on best purchasing practice; it provides overall support and guidance and encourages value for money across all Government Departments.

Value for money improvements

(£ million)

Departments	*Spend*	*1988-89 VFM*	*Per cent. achieved*	*Per cent. targeted*
Department of Employment	94·2	14·91	15·8	10·6
Training Agency	91·4	7·11	7·8	5·0
Health and Safety Executive	27·0	1·55	5·7	5·0

Special Needs Training

Mr. Blair: To ask the Secretary of State for Employment what criteria he will use in assessing whether the training requirements of special needs groups are being met by TECs.

Mr. Eggar: Each TEC will set out in its corporate and business plans how it intends to meet the training requirements of groups with special needs. These plans will be subject to my approval and performance against them

will be regularly monitored. In addition, the training standards advisory service will be appraising the quality of training provision offered by TECs to people with special training needs.

Mr. Blair: To ask the Secretary of State for Employment what action has been taken or guidance has been given to TECs to develop special needs training.

Mr. Eggar: TECs have received detailed guidance on the issues that should be addressed in their corporate and business plans, including the provision of training for people with special needs. My Department is also preparing material for TECs to promote good practice and high quality special needs training.

Training (Funding)

Mrs. Gorman: To ask the Secretary of State for Employment if he has had any recent meetings with the business community to discuss the public/private sector mix of the funding of training schemes; and if he will make a statement.

Mr. Eggar: I have frequent meetings with the business community at which a number of issues are discussed, including the need for greater investment by employers in training. Training and enterprise councils will have substantial public funds for training and will be well placed to encourage the private sector to contribute.

Mr. Blair: To ask the Secretary of State for Employment what are his criteria for allocating training budgets *(a)* between different regions in England and Wales, *(b)* between different areas within each region and *(c)* between different training providers within each area.

Mr. Eggar: Training budgets for programmes operated through the Training Agency are allocated between different regions in England and Wales on the basis of historical spending levels and expected requirements in the year for which the allocation is being made. Particular criteria will be different for each individual programme depending upon its aims and objectives.

Allocations of budgets to areas within regions are normally on the same basis as allocations to regions. Budgets for different training providers are established through negotiation and will depend mainly upon the nature, type and scale of provision being delivered.

Training and Enterprise Councils

Mrs. Gorman: To ask the Secretary of State for Employment how many civil servants are involved in managing the TEC programme.

Mr. Eggar: Civil servants from my Department are engaged in facilitating the setting up of training and enterprise councils and managing the contractual relationship with them. They will also work in training and enterprise councils on a secondment basis. Training and enterprise councils are being established progressively throughout the year and it is not possible to state how many civil servants are involved at any one time.

Mr. Blair: To ask the Secretary of State for Employment what representations he has received from training and enterprise councils against the cuts in funding for training.

Mr. Eggar: I have received a number of representations from training and enterprise councils (TECs) about reductions in funding for training. I have explained that these reductions need to be set against sharp falls in unemployment and the drop in numbers of young people.

Coal Mining (Major Injuries)

Mr. Strang: To ask the Secretary of State for employment what was the number of major injuries in *(a)* British Coal deep coal mines, *(b)* licensed private deep coal mines, *(c)* British Coal opencast mines and *(d)* licensed private opencast mines in 1988-89 and 1989-90.

Mr. Nicholls: The information requested is as follows for 1988-89:

Site	*Major injuries*
British Coal deep coal mines	685
Licensed private deep coal mines	25
British Coal opencast mines	40
Licensed private opencast mines	5

Figures for 1989-90 are not available.

Industrial Accidents

Mr. Cryer: To ask the Secretary of State for Employment how many prosecutions have been undertaken for failing to report industrial accidents in each year up to and including 1990.

Mr. Nicholls: The information requested is available only for the years 1981 to 1988-89 and is given in the following table:

Prosecution action taken by HSE's factory and agricultural inspectorates and local authorities under NADOR and RIDDOR 1981 to 1988-89[1]

Date of hearing	*Number of informations laid*
1981	[2]5
1982	[2]30
1983	55
1984	43
1985	102
1986-87	102
1987-88	191
1988-89	179

[1] Provisional.
[2] Action taken by HSE's factory and agricultural inspectorates only.
NADOR—The Notification of Accidents and Dangerous Occurrences Regulations, 1980.
RIDDOR—The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations, 1985.

Skill Centres

Mr. Cryer: To ask the Secretary of State for Employment if he will list each of the advisers who evaluated the offers made for the Government skill centres; and if he will make a statement.

Mr. Eggar: Deloitte Corporate Finance, as the Government's main sale adviser, evaluated all offers to purchase skill centres and other parts of the Skills Training Agency.

The Government Actuary's Department advised on bidders' proposals for pension arrangements to cover staff

who would move out of the civil service as a result of the sale. The Government also received advice from Deloitte Haskins and Sells management consultancy division and King and Company on property issues, and from Field Fisher Waterhouse on legal matters connected with the sale.

Mr. Cryer: To ask the Secretary of State for Employment if he will list the sites of which he is currently negotiating to sell the freehold to Astra Training Services Ltd.; and if he will make a statement.

Mr. Eggar: Astra Training Services Ltd. has acquired the freehold at part or all of the following sites:

Billingham	Dundee
Durham	Hillingdon
Tyneside	Bradford
Cheshire	Hull
Manchester	Preston
Rochdale	Wigan
Birmingham	Gwent
North Staffs	West Glamorgan
Wrexham	Bristol
Gloucester	Redruth
West Sussex	Basildon
Enfield	Medway
Milton Keynes	Peterborough
Irvine	

There are no further negotiations in progress on the sale of freehold sites in Astra.

Employment Training

Mr. Blair: To ask the Secretary of State for Employment when he expects the task of recontracting with training agents, training managers and managing agents to be completed.

Mr. Nicholls: Recontracting with employment training (ET) training agents, training managers and with YTS managing agents should be substantially complete by 28 May 1990.

Mr. McLeish: To ask the Secretary of State for Employment what assessment he has made of the need to reduce average unit prices within employment training to a level consistent with resources available in 1990-91 and the volume requirements associated with those resources.

Mr. Nicholls *[holding answer 3 May 1990]:* My right hon. and learned Friend's assessment is that overall unit costs, including allowances, will be increased by 1 per cent. in 1990-91.

Mr. McLeish: To ask the Secretary of State for Employment if he will give from the employment training budget in 1990-91 the total expenditure allocated to *(a)* training week delivery and *(b)* trainee leaving employment training for a positive outcome.

Mr. Nicholls: In 1990-91 £571 million is available for employment training (ET) programme costs. Of this about £306 million is expected to be paid to training and enterprise councils, about £31 million on the basis of positive outcomes achieved and £275 million on the basis of trainee weeks delivered.

Energy Grants

Mr. Ron Davies: To ask the Secretary of State for Employment what was the total expenditure by his Department on energy grants towards the cost of draught-proofing materials in *(a)* 1988-89 and *(b)* 1989-90.

Mr. Nicholls: The total expenditure by the Employment Department Training Agency on community insulation project energy grants towards the cost of draught-proofing materials in 1988-89 and 1989-90 was £6,237,037 and £6,234,372 respectively.

Low Pay (Prosecutions)

Mr. Barry Jones: To ask the Secretary of State for Employment, pursuant to the answer to the hon. Member for Coventry, South-East (Mr. Nellist), 2 April, columns 460-62, how many firms were prosecuted in Wales in each of the years from 1979 for paying below wages councils minima.

Mr. Nicholls *[holding answer 8 May 1990]:* Two employers have been prosecuted in Wales since 1979 for paying below wages council minima—one in 1987 and one in 1988.

ENERGY

Radioactive Waste

Mr. Frank Cook: To ask the Secretary of State for Energy what provisions have been made for the disposal or long-term management of *(a)* low-level radioactive waste, *(b)* intermediate-level waste and *(c)* high-level waste arising from contracts signed for the reprocessing of foreign spent nuclear fuel prior to 1976; and what volumes of waste will arise in each category from these contracts on the completion of reprocessing.

Mr. Baldry: Overseas reprocessing contracts signed by BNFL before 1976 did not contain options for the return of wastes arising. The latest estimates of total volumes of waste which are likely to arise from these contracts are:

	Cubic metres
High-level waste	100
Intermediate-level waste	4,000
Low-level waste	50,000

These wastes will represent only a small proportion of total wastes arising in the United Kingdom. They will be disposed of along with other United Kingdom waste but will not require extra disposal facilities to be provided here.

Mr. Frank Cook: To ask the Secretary of State for Energy what provisions have been made for the disposal or long-term monitored storage of low and intermediate-level radioactive waste arising from the contracts recently signed by British Nuclear Fuels plc with electricity utilities in the Federal Republic of Germany.

Mr. Baldry: In line with all other contracts for the reprocessing of overseas spent fuel signed since 1976, the new contracts between British Nuclear Fuels plc and electricity utilities in the Federal Republic of Germany contain options for the return of wastes arising. For the Government's policy on the return of wastes, I refer the hon. Member to the reply given by my hon. Friend the Member for Eddisbury (Mr. Goodlad) to the hon. Member for Great Grimsby (Mr. Mitchell) on 2 May 1986 at columns *502-03*.

Electricity Privatisation

Mr. Dobson: To ask the Secretary of State for Energy on what basis James Capel advised journalists that the electricity supply industry would be sold at a value of £10 billion; and what consultations it had with him prior to these briefings.

Mr. Wakeham: James Capel did not advise journalists of the value at which the electricity industry would be sold. It is too early to estimate the likely proceeds from the sale of the companies.

Mr. Dobson: To ask the Secretary of State for Energy (1) who advised him on the post-privatisation salary of the chair of the NEEB;

(2) who advised him on the post-privatisation salary of the chair of NORWEB.

Mr. Wakeham: The Government have decided that board members of the new electricity companies will not receive major increases in salaries before flotation.

Mr. Dobson: To ask the Secretary of State for Energy whether he intends to retain in Government hands after flotation any of the shares in the electricity distribution and generating companies.

Mr. Wakeham: The Government will not decide for some time on the proportion of the shares to be sold in the electricity companies in England and Wales.

Mr. Dobson: To ask the Secretary of State for Energy what advice he received from Coopers and Lybrand on post-privatisation salaries of electricity industry chairmen and board members.

Mr. Wakeham: Board members of the new electricity companies have not and will not receive major increases in salaries before flotation.

The Government will not be responsible for salaries after flotation.

Mr. Dobson: To ask the Secretary of State for Energy what undertakings were given about post-privatisation salaries to any persons appointed by him as chairs or board members of any electricity company on their appointment or reappointment over the last year.

Mr. Wakeham: None.

Mr. Dobson: To ask the Secretary of State for Energy for what reasons Treasury guarantees totalling £50 million were given to NORWEB.

Mr. Wakeham: To enable it to finance its operations in the most cost-effective manner possible.

Coal Equivalents

Mr. Dobson: To ask the Secretary of State for Energy what are the factors by which his Department multiplies oil and gas tonnages to achieve coal equivalents; and when these were last changed or modified.

Mr. Wakeham: The factors generally used to convert data on tonnages of oil and gas (including petroleum gases) to coal equivalent are 1·7 and 2, respectively. These factors, which have been widely adopted for a number of years by both national and international organisations, are based on standard thermal contents of 250 therms per tonne of coal, 425 therms per tonne of oil and 500 therms per tonne of gas. I am not aware of any reason why these factors should be changed or modified.

Power Stations

Mr. Dobson: To ask the Secretary of State for Energy (1) if he will list power station developments completed since January 1970, giving for each *(a)* the location of the power station, *(b)* the generating capacity, *(c)* the type of generation, *(d)* the date of completion, *(e)* the main equipment suppliers and *(f)* the nationality of the main equipment suppliers;

(2) if he will list power station authorisations given by the Secretary of State since January 1970, giving for each *(a)* the location of the proposed power station, *(b)* the generating capacity, *(c)* the type of generation, *(d)* the date of authorisation, *(e)* the main equipment suppliers and *(f)* the nationality of the main equipment suppliers.

Mr. Wakeham *[holding answer 1 May 1990]:* The stations for which consents have been given for construction under section 2 of the Electric Lighting Act 1909 or section 36 of the Electricity Act 1989 since January 1970 are as listed. The completion dates of the stations which were constructed, the main equipment suppliers and the nationality of the equipment suppliers are matters for the relevant companies.

Station	*Capacity*	*Type*	*Consent given*
Ashford	150 MW	GT	5 September 1975
Bull's Bridge	280 MW	GT	12 October 1972
Carmarthen Bay	300 KW	WT	23 July 1981
	350 KW	WT	20 June 1985
	330 KW	WT	23 July 1987
	500 KW	WT	20 February 1989
	330 KW	WT	20 February 1989
Cwm Dyli	10 MW	HE	22 September 1987
Hams Hall	27 MW	GT	8 December 1977
Ince B	1,000 MW	Oil	22 November 1971
Inswork Point	1,300 MW	Oil	23 August 1973
Killingholme	4,000 MW	Oil	16 June 1972
Killingholme A	1,000 MW	CCGT	18 April 1990
Killingholme PowerGen	750-1,000 MW	CCGT	31 January 1990
Leicester	120 MW	GT	2 May 1972
Letchworth	150 MW	GT	21 July 1971
Littlebrook D	2,000 MW	Oil	19 July 1972
Nechells	300 MW	GT	29 June 1973
Newton Abbot	300 MW	GT	28 March 1974
Ocker Hill	300 MW	GT	11 October 1971

Station	*Capacity*	*Type*	*Consent given*
Padiham	224 MW	Oil	31 August 1973
Portskewett	1,300 MW	AGR	14 December 1972
Richborough	1 MW	WT	2 February 1987
Roosecote	150 MW	GT	9 November 1972
Sizewell B	1,200 MW	AGR/HTR/SGHWR	5 February 1975
	1,200 MW	PWR	12 March 1987
Taylors Lane	150 MW	GT	12 December 1972
Watford	150 MW	GT	21 July 1971
West Burton B	1,800 MW	Coal	23 March 1990
Wimbledon	300 MW	GT	28 March 1974

Notes:
AGR = Advanced Gas Cooled Reactor.
CCGT = Combined Cycle Gas Turbine.
HE = Hydro Electric.
GT = Gas Turbine.
HTR = High Temperature Reactor.
PWR = Pressurised Water Ractor.
SGHWR = Steam Generating Heavy Water Reactor.
WT = Wind Turbine.
The table does not include consents given for changes in fuel or extensions such as the retrofitting of flue gas desulphurisation equipment at Drax.

FOREIGN AND COMMONWEALTH AFFAIRS

Iraq

18. **Mr. Norman Hogg:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Anglo-Iraqi relations in the light of recent developments.

Mr. Waldegrave: Despite our recent difficulties with Iraq, which have not been of our making, we continue to attach importance to our bilateral relationship. There are many issues of concern about which we need to talk to the Iraqis, not least the continued detention in Iraq of Mrs. Daphne Parish and Mr. Ian Richter. We want a frank and forthright relationship with an honest exchange of views. We do not expect to agree with Iraq on every issue, but an open dialogue is needed if we are to make progress on those issues which divide us.

Kashmir

19. **Mr. Dunnachie:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of India concerning the situation in Kashmir.

35. **Mr. Meale:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of India concerning the situation in Kashmir.

63. **Mr. Watson:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Indian Government concerning the situation in Kashmir.

64. **Dr. Godman:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of India concerning the situation in Kashmir.

Mr. Sainsbury: We are in regular contact with both the Indian and Pakistani Governments who are aware of our views on the current situation in Kashmir.

Soviet Jews

20. **Miss Hoey:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with Soviet and Israeli officials concerning the likely place of permanent settlement of Jews emigrating from the Soviet Union.

Mr. Waldegrave: Both the Soviet and Israeli authorities are aware of our view that Soviet Jews should have the right to emigrate freely but that Israeli settlements in the occupied territories, including east Jerusalem, are illegal. We and our European partners have urged the Israeli Government not to jeopardise prospects for peace by allowing or encouraging Jewish immigrants to settle in the occupied territories.

South Africa

21. **Mr. Simon Hughes:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he next expects to pay an official visit to South Africa to discuss United Kingdom-South Africa relations.

Mr. Waldegrave: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs has no plans for a further visit to South Africa.

25. **Mr. Austin Mitchell:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he intends to meet Mr. Nelson Mandela to discuss the Government's policy in relation to South Africa.

Mr. Waldegrave: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs expects to meet Mr. Mandela on 3-4 July to discuss how the process of peaceful change in South Africa can best be taken forward.

27. **Mr. John Carlisle:** To ask the Secretary of State for Foreign and Commonwealth Affairs what matters will be discussed during the forthcoming visit to London by President de Klerk of South Africa.

Mr. Waldegrave: We expect to discuss with President de Klerk how the process of negotiated change in South Africa can best be taken forward, and other matters of mutual interest.

69. **Mr. Pike:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations Her Majesty's Government have made to the President of the Republic of South Africa.

Mr. Waldegrave: We make regular representations to the South African Government on a wide range of issues.

94. **Sir David Steel:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the South African Government about progress to end apartheid.

Mr. Waldegrave: I refer the right hon. Member to the reply my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs gave to the hon. Member for Southwark and Bermondsey (Mr. Hughes) on 4 April at column *1198*.

Bulgaria

22. **Mr. Brazier:** To ask the Secretary of State for Foreign and Commonwealth Affairs what progress is being made towards free and democratic elections in Bulgaria.

24. **Mr. Lawrence:** To ask the Secretary of State for Foreign and Commonwealth Affairs what progress is being made towards free and democratic elections in Bulgaria.

Mr. Waldegrave: Elections will be held on 10 and 17 June under a democratic electoral system agreed in round table talks between the Government and the Opposition groups. We are concerned at recent reports of possible malpractice and urge all concerned to see that the electoral campaign and the actual poll are conducted with scrupulous fairness. We shall be sending a team of local government officials to observe the elections.

Antarctica

23. **Mr. Maxton:** To ask the Secretary of State for Foreign and Commonwealth Affairs whether he intends to support the Australian and French Governments' proposals for a conservation convention for Antarctica.

86. **Mr. Murphy:** To ask the Secretary of State for Foreign and Commonwealth Affairs whether he will be supporting the Australian Government and French Government proposals for a conservation convention for Antarctica.

Mr. Sainsbury: The French and Australian proposals will be a useful contribution to the discussions at the special Antarctic treaty consultative meeting to be held in November in Santiago. We are preparing our own proposals for that meeting about which we intend to consult our Antarctic treaty partners.

42. **Mr. Hoyle:** To ask the Secretary of State for Foreign and Commonwealth Affairs how many countries have now ratified the convention on the regulation of Antarctic mineral resource activities; and if he will make a statement.

Mr. Sainsbury: No countries have yet ratified this convention.

62. **Mr. David Marshall:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received in connection with the forthcoming meeting of Antarctic treaty parties to discuss protection of Antarctica; and if he will make a statement.

Mr. Sainsbury: On 3 May the French ambassador and the Australian high commissioner left with us a joint Franco/Australian paper setting out their views about a possible agreement on the protection of the Antarctic environment.

76. **Mr. Eadie:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with representatives of other European Community Governments concerning the forthcoming meeting of Antarctic treaty parties to discuss protection of Antarctica.

Mr. Sainsbury: Consultations at official level with representatives of EC Governments signatories to the Antarctic treaty took place in the course of the XVth Antarctic treaty consultative meeting in Paris last October. Since then there have been further bilateral consultations at official level with France and the Federal Republic of Germany. The French authorities have also informed us of their joint proposal, with the Australian Government, for a new agreement on the conservation of the Antarctic.

Lithuania

26. **Mr. Salmond:** To ask the Secretary of State for Foreign and Commonwealth Affairs what further representations he has made to the Soviet Union about Lithuania.

31. **Mr. Andrew Welsh:** To ask the Secretary of State for Foreign and Commonwealth Affairs what further representations he has made to the Soviet Union about Lithuania.

57. **Mr. Barry Field:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with his United States counterpart regarding the United States response to recent developments in Lithuania.

93. **Dr. Thomas:** To ask the Secretary of State for Foreign and Commonwealth Affairs what correspondence there has been between his Department and his counterparts in the United States regarding the imposition of sanctions against the Soviet Union as a result of recent developments in Lithuania.

Mr. Waldegrave: We are keeping in close touch with our allies and partners, including the United States, over developments in Lithuania. This was one of the subjects discussed at the meeting held on 3 May between Foreign Ministers of the Twelve and Secretary Baker.

85. **Mr. Ieuan Wyn Jones:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the discussions between his Department and his counterparts in the European Council of Ministers regarding sanctions against the Soviet Union following recent developments in Lithuania.

Mr. Waldegrave: We are keeping in close touch with our partners in the Twelve over developments in Lithuania. This was among the subjects discussed at the EC Foreign Ministers' meeting held on 21 April.

Equal Opportunities

28. **Ms. Short:** To ask the Secretary of State for Foreign and Commonwealth Affairs whether he proposes to make any changes to his departmental policy in pursuance of equal opportunities; and if he will make a statement.

Mr. Sainsbury: No. The FCO is fully and actively committed to being an equal opportunities employer.

Cambodia

29. **Mr. Ernie Ross:** To ask the Secretary of State for Foreign and Commonwealth Affairs whether he will now establish an ambassador in Cambodia.

Mr. Sainsbury: No. Consideration of restoring diplomatic relations with Cambodia must await a comprehensive political settlement of the conflict there.

30. **Mr. Bowis:** To ask the Secretary of State for Foreign and Commonwealth Affairs what talks he has held or plans to hold with the United States Secretary of State on Cambodia.

Mr. Sainsbury: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs discusses Cambodia regularly with the United States Secretary of State.

68. **Mr. Cousins:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he proposes to send a British delegation to Cambodia.

Mr. Sainsbury: Two British officials visited Cambodia in December 1989. We have no plans at the moment to send a further British delegation to Cambodia.

87. **Mr. Fearn:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent talks he has had with the various factions involved in the war in Cambodia; and what was discussed.

Mr. Sainsbury: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs has had no recent talks with members of any of the Cambodian factions.

Mrs. Mahon: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will reconsider his decision not to grant a visa for a representative from Phnom Penh to visit London for a parliamentary briefing.

Mr. Sainsbury *[holding answer 21 March 1990]:* There has been no such decision.

Anti-semitism

32. **Mrs. Golding:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on what can be done by the Government to minimise anti-semitism in eastern and central Europe.

Mr. Waldegrave: We shall continue to condemn instances of anti-semitism in central and eastern Europe. We shall also continue to press for universal respect for the rights of minorities as enshrined in the Helsinki Final Act.

73. **Mr. Brandon-Bravo:** To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to assist Governments of central and eastern Europe in their efforts to guarantee the rights of Jewish and other minority communities.

Mr. Waldegrave: We would be ready to look at any requests for assistance and advice from the Governments of central and eastern Europe in addressing these questions. We shall also continue to urge all participants in the CSCE process to uphold the commitments they have made on minority rights.

Know-how Fund

33. **Mr. Allen:** To ask the Secretary of State for Foreign and Commonwealth Affairs what percentage of the know-how fund is being spent on direct projects for economic development; and what percentage is being spent on funding *(a)* advertising and *(b)* consultancies.

Mrs. Chalker: The objective of the know-how funds is to help the countries of central and eastern Europe make the transition to political pluralism and, in particular, market economies. Thus the know-how funds in their entirety will contribute to social and economic development. Up to 15 per cent. of total expenditure has been on consultancy studies: negligible amounts have been spent on advertising.

Short-range Weapons

34. **Mr. Boyes:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he next intends to meet the Secretary-General of NATO to discuss short-range weapons.

72. **Mr. Sean Hughes:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he next intends to meet the Secretary-General of NATO to discuss short-range weapons.

Mr. Waldegrave: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs met the Secretary-General at the NATO Foreign Ministers' meeting in Brussels on 3 May, at which they discussed the proposals put forward by President Bush on 4 May. He expects to have further discussions with the Secretary-General and NATO colleagues at the meeting of the North Atlantic Council in Turnberry on 6 to 8 June.

Palestine-Israel Conflict

36. **Mr. Cyril D. Townsend:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Britain's contribution to finding a peaceful solution to the Palestinian-Israel conflict acceptable to the international community.

Mr. Waldegrave: We are continuing to encourage a dialogue between Israel and representative Palestinians as a first step towards a comprehensive settlement of the Arab-Israel dispute. We look to the next Israeli Government, as we do to the PLO, to play a positive and constructive part in developing such a dialogue.

54. **Mrs. Dunwoody:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the implications for peace in the middle east of advice given by Yasser Arafat at a meeting of leaders of the Intifada held in Baghdad, to the effect that the Palestine Liberation Organisation's supporters should open fire on new Jewish immigrants.

Mr. Waldegrave: The reports of Mr. Arafat's remarks appear to derive from one newspaper article of doubtful authenticity which has been denied by the PLO. The PLO is well aware that we deplore violence from whatever quarter.

89. **Mr. Nellist:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the Israeli Government concerning the continued occupation of the west bank and the Gaza strip; and if he will make a statement.

Mr. Waldegrave: The Israeli Government are well aware of our view that Israel should withdraw from territories occupied since 1967 as part of a comprehensive peace settlement.

90. **Mr. Archer:** To ask the Secretary of State for Foreign and Commonwealth Affairs whether he has any plans to meet representatives of the Palestine Liberation Organisation to discuss recent statements by Mr. Yasser Arafat.

Mr. Waldegrave: No. They are already well aware of our view that only peaceful dialogue, not violence, can achieve peace in the middle east.

European Community General Affairs Council

37. **Mr. Battle:** To ask the Secretary of State for Foreign and Commonwealth Affairs what issues will be raised at the next meeting of the European Community General Affairs Council.

50. **Mr. Allen McKay:** To ask the Secretary of State for Foreign and Commonwealth Affairs what issues he expects to be discussed at the next meeting of the European Community General Affairs Council.

Mr. Maude: The Foreign Affairs Council on 18 and 19 June is likely to discuss, among other matters, political union, preparations for the European Council meeting on 25 and 26 June, European Community/EFTA relations, European Community-Eastern Europe and European Community policy towards the Mediterranean.

45. **Mr. Darling:** To ask the Secretary of State for Foreign and Commonwealth Affairs what was the outcome of the last meeting of the European Community General Affairs Council; and if he will make a statement.

Mr. Maude: The European Community Foreign Affairs Council met in Brussels on 7 May. I represented the United Kingdom at it, and at a meeting of the European Community-Cyprus Association Council which took place subsequently.

The Council adopted decisions on the European Training Foundation and the trans-European mobility scheme for university studies (TEMPUS) to extend the amount of help given by the Community to Poland and Hungary. It invited the Commission to start negotiations with Romania on a possible trade, commercial and economic co-operation agreement. Similar agreements with Czechoslovakia, Bulgaria and the German Democratic Republic were signed. The Council also had a first discussion of possible G24 aid to Czechoslovakia, the German Democratic Republic, Bulgaria, Romania and Yugoslavia.

Ministers noted that all member states would lift their visa requirement for the German Democratic Republic, and agreed to keep their visa requirements for other eastern European countries, particularly Hungary and Czechoslovakia, under review.

The Council discussed preparations for the negotiations intended to extend the single market to EFTA countries.

Ministers discussed procedures for handling the remit from the Informal European Council on 28 April for an analysis of possible changes to the Community's institutions—"political union"—and the handling of the meeting on 17 May with the European Parliament to consider the inter-governmental conference on economic and monetary union, institutional aspects of which they also touched on briefly.

Children's Rights

38. **Mr. Hood:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he has established a timetable for ratification of the United Nations convention on the rights of the child; and if he will make a statement.

59. **Mr. Doran:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he has established a timetable for ratification of the United Nations convention on the rights of the child; and if he will make a statement.

74. **Dr. Reid:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he has established a timetable for ratification of the United Nations convention on the rights of the child; and if he will make a statement.

Mr. Sainsbury: The United Kingdom signed the United Nations convention on the rights of the child on 19 April 1990. We intend to ratify the convention as soon as possible.

European Commission

39. **Mr. Eastham:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met the President of the European Commission; and what matters were discussed.

Mr. Maude: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs last met M. Delors on 3 May on the occasion of the European Community Foreign Ministers meeting with United States Secretary Baker. Relations between the United States and the Community and a range of other international issues were discussed.

Baltic States

40. **Mr. Hind:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he has any plans to visit Lithuania and Estonia; and if he will make a statement.

Mr. Waldegrave: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs has no such plans.

91. **Mr. Boswell:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a further statement on the Government's policy towards the Baltic states.

Mr. Waldegrave: We have repeatedly stressed the need for progress through dialogue between the Soviet authorities and the Lithuanians, so that a settlement acceptable to both sides can be reached, enabling the Lithuanian people to decide their own future. This was the theme of my right hon. Friend the Prime Minister's message to Mrs. Prunskiene when the latter called on her at 10 Downing street this morning.

56. **Mr. Anthony Coombs:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received about the right to self-determination of the Baltic states.

Mr. Waldegrave: I refer my hon. Friend to the answer I gave him on 4 April at column *701*.

71. **Mr. Wigley:** To ask the Secretary of State for Foreign and Commonwealth Affairs what correspondence his Department has received on the treatment of conscripts in the Baltic states who join the Soviet Red Army.

Mr. Waldegrave: We have received a number of letters from members of the public about conscription from the Baltic states, but none about the treatment of conscripts.

Syria

41. **Mr. Adley:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the current state of British-Syrian relations.

82. **Mr. Robert Hicks:** To ask the Secretary of State for Foreign and Commonwealth Affairs whether he has any proposals to re-establish diplomatic relations with Syria; and if he will make a statement.

Mr. Waldegrave: We recognise that Syria is a major regional power with an important role to play in middle east issues. The continuing absence of diplomatic relations with Damascus stems from Syrian involvement in terrorist activities. A more constructive Syrian attitude to this problem and help in the release of United Kingdom hostages in Lebanon would undoubtedly have a positive effect.

United Nations Forces (Equipment)

43. **Mr. Menzies Campbell:** To ask the Secretary of State for Foreign and Commonwealth Affairs whether Her Majesty's Government will now support the United Nations Secretary-General's call for the United Nations peace-keeping forces to have a stockpile of equipment.

Mr. Sainsbury: The United Nations committee responsible reported last year that the financial case for a stockpile had not been made. We await a further report by the United Nations Secretary-General.

Overseas Students

44. **Mr. Knapman:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he has any plans to extend his Department's scholarships and awards scheme for overseas students to include more students from the countries of eastern Europe.

Mr. Sainsbury: Yes. In 1989-80 the Foreign and Commonwealth Office spent £530,000 on awards for students from eastern Europe and the Soviet Union. In 1990-91 we expect to spend almost three times that amount.

Namibia

46. **Mr. Riddick:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he intends to meet the new president of Namibia; and what subjects he intends to raise.

Mr. Waldegrave: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs met President Nujoma in Windhoek in March when attending the Namibian independence celebrations. He has no present plans for a further meeting.

Hostages

47. **Mr. Kilfedder:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the British hostages in the Lebanon.

Mr. Waldegrave: We are delighted that the former American hostage, Mr. Frank Reed, has confirmed that John McCarthy is alive and in reasonable condition. Mr. Reed's release indicates that Iran and Syria can, if they wish, secure the release of hostages in Lebanon. We shall persevere in our efforts to persuade them that continued holding of hostages is in nobody's interest. We believe that this is true both in Lebanon and elsewhere.

49. **Mr. Ron Brown:** To ask the Secretary of State for Foreign and Commonwealth Affairs how many British nationals are currently held hostage in the middle east; and if he will make a statement.

Mr. Waldegrave: Three British nationals are currently held hostage in the middle east. They are Mr. John McCarthy, Mr. Jack Mann and Mr. Terry Waite. We have consistently called for the release of all hostages wherever and by whomever they are being held. We will continue our vigorous efforts to this end.

Sri Lanka

48. **Mr. Livsey:** To ask the Secretary of State for Foreign and Commonwealth Affairs what new measures Her Majesty's Government have taken and propose to take with regard to the human rights situation in Sri Lanka.

Mr. Sainsbury: We have regularly made our concerns known to the Sri Lankan Government, most recently in conjunction with our European partners on 4 April.

Anglo-French Summit

51. **Mr. Butterfill:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Anglo-French summit on 4 May.

Mr. Forman: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Anglo-French summit on 4 May.

Mr. Maude: My right hon. Friends the Prime Minister, the Foreign Secretary and the Defence Secretary had valuable discussions with President Mitterrand, M.

Dumas and M. Chevenement, covering a wide range of issues. Both sides agreed on the importance of strengthening co-operation on defence and security matters.

Economic Refugees

52. **Mr. Kirkwood:** To ask the Secretary of State for Foreign and Commonwealth Affairs what international action is being considered to deal with migration from Third-world countries of those fleeing from abject poverty.

Mr. Sainsbury: The United Kingdom will continue to support international action to stem migratory pressures at source, by working for peace and respect for human rights, and for sustainable economic development achieved through liberal trade and investment policies and targeted development aid.

Israel

53. **Mr. Malcolm Bruce:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent talks he has had with the Government of Israel.

Mr. Waldegrave: The Israeli Foreign Minister postponed his visit to London in April. I saw the Israeli Minister without Portfolio, Mr. Olmert, on 15 March. We look forward to close working relations with members of the new Israeli Government when it is formed.

Security and Co-operation in Europe

55. **Mr. David Martin:** To ask the Secretary of State for Foreign and Commonwealth Affairs whether a conference on security and co-operation in Europe meeting will take place in the current year.

58. **Mr. Tredinnick:** To ask the Secretary of State for Foreign and Commonwealth Affairs whether a conference on security and co-operation in Europe meeting will take place in the current year.

Mr. Waldegrave: I refer my hon. Friend to the written answer given to my hon. Friend the Member for Fylde (Mr. Jack) on 28 March at column *188*.

Vietnam

60. **Mr. Mullin:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he last discussed Vietnam with the President of the United States.

Mr. Sainsbury: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs has had no recent discussions on Vietnam with the President of the United States.

We have regular contact with the United States Administration on a wide range of subjects, including Vietnamese boat people.

88. **Mr. Wallace:** To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has received from the non-governmental organisations which are involved in Vietnam about a United Kingdom aid package to that country.

Mrs. Chalker: I refer the hon. Member to the replies that I gave to the hon. Member for Southport (Mr. Fearn) on 4 April at column *704*, and to the hon. Member for Monklands, West (Mr. Clarke) on 12 March at column *17*.

Czechoslovakia

61. **Mr. Mans:** To ask the Secretary of State for Foreign and Commonwealth Affairs what progress is being made towards free and democratic elections in Czechoslovakia.

80. **Mr. Oppenheim:** To ask the Secretary of State for Foreign and Commonwealth Affairs what progress is being made towards free and democratic elections in Czechoslovakia.

84. **Mr. Tim Smith:** To ask the Secretary of State for Foreign and Commonwealth Affairs what progress is being made towards free and democratic elections in Czechoslovakia.

Mr. Waldegrave: Free and democratic elections are to be held on 8-9 June. We are confident that these will be conducted properly and on a genuinely pluralist basis.

German Unification

65. **Mr. Wareing:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on what progress was made at the first ministerial session of the two-plus-four talks on the future of Germany.

Mr. Waldegrave: The first ministerial two-plus-four meeting on 5 May was marked by a serious and constructive approach on all sides to the task of carrying forward the external aspects of German unification. It was agreed that the agenda for subsequent two-plus-four meetings should consist of borders, politico/military issues, bearing in mind approaches for suitable security structures in Europe, Berlin, and final settlement under international law and termination of the Four Power rights and responsibilities

Cyprus

66. **Mr. John D. Taylor:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on recent political developments in Cyprus.

Mr. Maude: Following elections in northern Cyprus on 22 April and 6 May, we understand that United Nations officials will shortly hold consultations with the leaders of the two communities. Their aim, which we fully support, will be to promote a resumption of the intercommunal talks on the basis of Security Council resolution 649.

Ethiopia

67. **Mr. Andrew F. Bennett:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about United Kingdom relations with Ethiopia.

Mr. Waldegrave: Our contacts with the Ethiopian Government enable us to raise human rights issues, to take action to relieve famine and to urge a negotiated settlement of the long-standing civil wars in that country. My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs and I met the Ethiopian Foreign Minister in London on 4 April.

Hong Kong

70. **Mr. Sumberg:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he next intends to meet the governor of Hong Kong to discuss the provisions contained in the British Nationality (Hong Kong) Bill.

Mr. Maude: We are, of course, in close contact with the governor of Hong Kong about the provisions contained in the British Nationality (Hong Kong) Bill. My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs has no immediate plans to meet the governor. But I discussed this issue in detail with the governor during my visit to Hong Kong last month.

Mr. Speller: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will seek powers to grant internal self-government to the colony of Hong Kong within the next two years.

Mr. Maude: In practice, Hong Kong already enjoys a considerable degree of autonomy in virtually all internal matters, as well as in certain aspects of external relations. The joint declaration guarantees that Hong Kong will enjoy a high degree of autonomy when it becomes a special administrative region of the People's Republic of China in 1997.

Nuclear Non-proliferation

75. **Mr. Strang:** To ask the Secretary of State for Foreign and Commonwealth Affairs whether Her Majesty's Government intend to table any proposals to the forthcoming conference on the treaty on the non-proliferation of nuclear weapons.

Mr. Waldegrave: The main purpose of the review conference of the non-proliferation treaty is to review the operation of the treaty over the past five years. As a depository power of the treaty, the United Kingdom will make a full contribution to the discussions.

Mr. Frank Cook: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on decisions taken at the recent third preparatory committee meeting of the fourth quinquennial review conference of the nuclear non-proliferation treaty.

Mr. Waldegrave: The third preparatory committee successfully concluded arrangements for the fourth review conference of the nuclear non-proliferation treaty, which will start on 20 August.

European Union

77. **Mr. Dykes:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will hold meetings with his French and German counterparts in the European Community Council of Ministers to discuss progress towards economic and monetary union as agreed at the Stuttgart declaration of 1983 and subsequent meetings of the European Council.

Mr. Maude: Yes.

79. **Mr. Gill:** To ask the Secretary of State for Foreign and Commonwealth Affairs what consideration has been given to the future constitution of the European Parliament in the context of European political union.

Mr. Maude: As agreed at the informal European Council in Dublin on 28 April, EC Foreign Ministers will undertake a detailed examination and analysis of the need for possible treaty changes. We expect the powers of the European Parliament to be discussed in that context.

Eastern Europe (Investment)

78. **Mr. Favell:** To ask the Secretary of State for Foreign and Commonwealth Affairs what help he is giving to British companies interested in investing in eastern Europe.

Mr. Waldegrave: Investment promotion and protection agreements are in force with Poland, Hungary and Romania. Double taxation agreements have been signed or initialled with all eastern European countries. Overseas investment insurance scheme is open for applications for British firms seeking to invest in eastern Europe. Our know-how fund can meet half the cost of pre-investment studies, and the training costs of potential joint ventures in qualifying countries. British embassies and the Department of Trade and Industry offer information and advice on joint ventures and legislation.

Romania

81. **Mr. Carrington:** To ask the Secretary of State for Foreign and Commonwealth Affairs what progress is being made towards free and fair elections in Romania.

Mr. Waldegrave: There has been some progress. The interim authorities have passed an electoral law and welcomed outside observers. But we remain concerned at the continuing allegations by some opposition parties that they are being unfairly treated during the election campaign.

83. **Mr. Flynn:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the Romanian Government on future progress towards full democracy.

Mr. Waldegrave: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs most recently made clear our hope to see progress towards democracy and economic freedom in Romania to the Romanian Foreign Minister, Mr. Celac, in Windhoek on 20 March.

92. **Mr. Conway:** To ask the Secretary of State for Foreign and Commonwealth Affairs what progress is being made towards free and fair elections in Romania.

Mr. Waldegrave: There has been some progress. The interim authorities have passed an electoral law and welcomed outside observers. But we remain concerned at the continuing allegations by some opposition parties that they are being unfairly treated during the election campaign.

EC Policies

95. **Mr. Knox:** To ask the Secretary of State for Foreign and Commonwealth Affairs what further proposals he intends to place before his European Community partners for the development of Community policies.

Mr. Maude: We will put forward a number of positive and constructive proposals in the Community over the coming months.

Parker Report

Mrs. Dunwoody: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the implications for his Department of the Parker report, "Speaking for the Future: A Review of the Requirements of Diplomacy and Commerce for Asian and African Languages and Area Studies".

Mr. Sainsbury: We welcomed the extra provision for Asian and African studies resulting from the Parker report. It has been helpful for our work in so far as we draw on institutions of higher education for expertise in language teaching and studies relevant to foreign policy issues.

British High Commission, Delhi (Sikhs)

Mr. Bernie Grant: To ask the Secretary of State for Foreign and Commonwealth Affairs how many Sikhs are employed by the British high commission in Delhi; how many are employed as interpreters; and what other positions they occupy.

Mr. Sainsbury: The British high commission in New Delhi does not ask for, or record, details of the religious affiliations of its locally engaged staff.

EEC Institutions (Powers)

Mr. Teddy Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent proposals he has had from the EEC about a further extension in the powers of Community institutions; and if he will make a statement.

Mr. Maude: I refer my hon. Friend to the statement on 1 May by my right hon. Friend the Prime Minister reporting the discussions at the informal European Council in Dublin on 28 April.

Israel

Mr. McAvoy: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Israel about their funding of the intrusion into the traditional Christian sector of Jerusalem; and if he will make a statement.

Mr. Waldegrave: We have made clear to the Israeli Government our concern at this provocative action, and reminded them of our view that all Jewish settlements in the occupied territories, including east Jerusalem, are illegal under international law.

Vietnamese Boat People

Mr. Butler: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the current situation as regards the Vietnamese boat people in Hong Kong and the trend in arrivals.

Mr. Maude: On 27 April 1990 there were 54,587 Vietnamese boat people in Hong Kong. Out of that total, 10,910 are refugees, 8,111 have been definitively screened out as non-refugees and the remainder are awaiting or undergoing screening. The total number of arrivals in Hong Kong so far this year is 1,250, 64 per cent. less than in the corresponding period last year. Two thirds come from the south of Vietnam, a reverse of the trend in 1989 when the great majority came from the north. Sixty-five per cent. are ethnic Chinese.

Antarctic Bases

Mr. Simon Hughes: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the present population of each of the five British bases in Antarctica.

Mrs. Rumbold *[holding answer 3 May 1990]:* I have been asked to reply.

The present (overwintering) population of the British Antarctic bases are:

Halley IV—20; Halley V—10; Rothera—15; Faraday—10; Signy—15.

In addition, there are three people on the sub-Antarctic Bird island, South Georgia.

Mr. Simon Hughes: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his policy in respect of waste disposal from the five operating British bases in Antarctica; and if he will make a statement.

Mrs. Rumbold *[holding answer 3 May 1990]:* I have been asked to reply.

The British Antarctic survey (BAS) has always maintained stringent controls on safeguarding the Antarctic environment in the vicinity of its bases and elsewhere. These controls are currently being updated as part of BAS's current environmental management strategy and in line with recommendation XV-3 from the XVth meeting of the Antarctic treaty consultative parties, held in Paris in October 1989.

From the 1989-90 season, all new waste materials, with the exception of human waste, are being brought out of the Antarctic and as much material from earlier activities is being removed as carrying capacity allows. The British Antarctic survey has appointed an environmental officer to co-ordinate the introduction of new procedures of waste management and improve environmental management further. He will take up his appointment in June 1990.

Mr. Simon Hughes: To ask the Secretary of State for Foreign and Commonwealth Affairs when the programme to remove the United Kingdom abandoned Antarctic bases is expected to be completed, pursuant to recommendation XV-2 as agreed at the meeting of the Antarctic treaty parties in Paris in October.

Mrs. Rumbold *[holding answer 3 May 1990]:* I have been asked to reply.

Following the 1989 autumn public expenditure statement, funding was made available to assist the British Antarctic survey to remove surplus material and stored waste from these sites. This will be achieved as fast as the limitations of the Antarctic climate and ship time and capacity allow.

As part of its current environment management policy, the British Antarctic survey is commencing a detailed review of all unused British sites to consider whether they should be maintained as emergency refuges, removed or, in a limited number of cases, maintained as historic monuments.

Written Answers to Questions

Thursday 10 May 1990

ENVIRONMENT

Tenants' Choice

Mrs. Gorman: To ask the Secretary of State for the Environment if he will make it his policy to take further powers to prevent undue pressure on tenants of a local authority in relation to their right to determine whether to transfer to alternative landlords; and if he will make a statement.

Mr. Chope: My right hon. Friend has no plans to do so. Although some local authorities have sought to dissuade public sector tenants from pursuing their statutory rights under tenants' choice unbiased information and advice is already available to tenants from the Housing Corporation. Next week I will be launching a series of four explanatory videos which the corporation will be ready to show to interested tenants' groups.

Local Government Finance

Mr. Conway: To ask the Secretary of State for the Environment (1) what proportion of expenditure by Shrewsbury and Atcham and Shropshire county council will be raised by the uniform business rate; and what were the Government's original estimates if councils had kept to spending guidelines;

(2) what proportion of expenditure by Shrewsbury and Atcham and Shrophire county council will be raised by the community charge for the area; and what were the Government's original estimates if councils had kept to spending guidelines.

Mr. Chope: Business rates formed 36 per cent. and community charges 41 per cent. of the income required to finance Shrewsbury and Atcham district council's demand and its share (23 per cent.) of Shropshire county council's aggregate precepts. Had the authorities spent at the level of their standard spending assessments, the proportions would have been 38 per cent. and 37 per cent. respectively. Charge yield is gross of community charge benefits and transitional relief grant.

Mr. Ian Taylor: To ask the Secretary of State for the Environment what discretion is given to local authorities to vary the level of community charge in those areas where the cost of some local services is borne directly by local residents.

Mr. Chope *[holding answer 23 April 1990]:* Authorities have no discretion to vary the level of community charge in those areas where the cost of some local services is borne directly by local residents, but they can vary the level of charge so that their special expenses are borne only by those charge payers of the area to which the expenses relate. An authority may treat the following as its special expenses:

—the expenses of meeting a levy or special levy issued to it;

—the expenses incurred by it in performing in a part of its area a function performed elsewhere in its area by a body with power to issue a levy or special levy to it, provided that it has also resolved to treat the expenses of meeting that levy or special levy as its "special expenses";

—expenditure which it incurs in performing in a part of its area a function performed elsewhere in its area by the sub-Treasurer of the Inner Temple, the under-treasurer of the Middle Temple, a parish or community council or the chairman of a parish meeting;

—expenditure relating to a property held in trust for part of its area.

Mr. Blunkett: To ask the Secretary of State for the Environment if he will publish details of *(a)* the amount of staff time and *(b)* the total cost of recent exercises by his Department attempting to exemplify systems of local government finance favoured by the opposition parties.

Mr. Portillo *[holding answer 8 May 1990]:* When hon. Members table questions asking for exemplifications of different systems of local government finance, these are provided when the costs of doing so are not disproportionate bearing in mind the normal guidelines for preparing answers to parliamentary questions.

Mr. Blunkett: To ask the Secretary of State for the Environment what proportion of local authority revenue expenditure in 1990-91 will be met by (i) central Government grant, (ii) national non-domestic rate, and (iii) poll tax expressed both in £ million and percentage terms.

Mr. Portillo *[holding answer 8 May 1990]:* The figures for England are:

	£ million	*per cent.*
Government grants	12,700	35
National non-domestic rate	10,400	29
Community charges	12,700	35

The above table understates central Government support, as it excludes community charge rebates, and other grants outside aggregate Exchequer finance. If these amounts are included within Government grants the figures are:

	£ million	*per cent.*
Government grants	19,700	48
National non-domestic rate	10,700	26
Community charges	10,400	26

Sir Richard Body: To ask the Secretary of State for the Environment whether a seaman is exempt from the community charge if his period of service on board a ship is continuous for eight months or amounts to a total of eight months in a year.

Mr. Portillo: In the first instance, this is a matter for the community charges registration officer for the area in which the seaman lives. It is open to any charge payer to appeal to his local valuation and community charge tribunal against a decision by his registration officer.

Mr. Adley: To ask the Secretary of State for the Environment if he will list those English local authorities which have offered single household payment arrangements to householders for payment of the community charge; and if he will make a statement.

Mr. Chope: My Department does not hold this information, but I understand that many local authorities are offering this arrangement.

Waste Disposal Seminar

Mr. Ieuan Wyn Jones: To ask the Secretary of State for the Environment if he or officials of his Department have been invited to participate in the seminar "Dealing with Waste: the Emerging Regulatory Framework" organised by the Centre for International Environmental Law, to be held in London on 5 June.

Mr. Trippier: Officials have received an invitation, but I regret that, owing to other commitments, it is not possible for the Department to supply a speaker on this occasion.

Council House Sales

Mrs. Gorman: To ask the Secretary of State for the Environment what amount, in 1990 prices, was spent to promote the right to buy in England and Wales in each full year of operation.

Mr. Chope: Expenditure incurred by the Department on specific publicity to draw the attention of tenants in England and Wales to their right to buy their homes is set out in the table, at 1989-90 prices:

	£ thousands
1980-81	1,109
1981-82	369
1982-83	121
1983-84	—
1984-85	1,710
1985-86	373
1986-87	805
1987-88	29
1988-89	80
1989-90	—

In addition, costs have been incurred on the on-going projects of printing the booklet "Your right to buy your home", and in distributing the video "Buying your council home"; in 1989-90, these are estimated at about £66,000.

Pollution Control Regulations

Ms. Walley: To ask the Secretary of State for the Environment what plans he has to introduce regulations relating to the Control of Pollution (Amendment) Act 1989; and if he will make a statement.

Mr. Trippier: The Control of Pollution (Amendment) Act 1989 makes provision for the registration of carriers of controlled waste and extends the powers available to regulation authorities to deal with vehicles used in the illegal disposal of waste. The registration of carriers is closely related to the new duty of care in the Environmental Protection Bill and the 1989 amendment Act as a whole will greatly assist the deterrence, detection and prosecution of fly-tippers. It is our intention to implement all of the measures in the 1989 Act at the earliest possible date. The regulations necessary to bring the Act into force are therefore being prepared and will be issued for consultation as soon as possible.

Housing Act 1988

Mr. David Nicholson: To ask the Secretary of State for the Environment if he will make a statement on the implementation of the Housing Act 1988.

Mr. Michael Spicer: The Housing Act 1988 laid the foundations for a revitalised independent rented sector and enabled an expansion of housing association activity using private finance. It gave public sector tenants new opportunities to choose their landlord or become home owners, and required local authorities to make annual reports to their tenants on their housing management performance. The main effects have been as follows:

(a) there are clear indications of a revival of activity in the private rented market: some £480 million has so far been invested in rented property under the business expansion scheme, which should produce an additional 8,000 homes for letting;

(b) new grant arrangements for housing associations were introduced in April 1989. Massive increases in public funding, together with the growing use of private loan finance, should come close to doubling the annual output of new housing association homes by 1992-93;

(c) the introduction of tenants' choice has already had an important effect on local housing authorities' attitudes to, and readiness to communicate with, their tenants, and the Housing Corporation is helping many tenants' groups up and down the country to explore the new opportunities now available to them;

(d) tenants of public sector housing designed or adapted for disabled people have been able to exercise the right to buy and tenants have made good use of a new sanction against reluctant or inefficient landlords who delay sales;

(e) local authorities have used their new power to pay cash incentives to help existing tenants to buy homes of their own and so release vacancies for reletting to homeless families: 44 authorities had schemes approved in 1989-90, and in the current year 80 schemes have been approved with the potential to release 2,555 homes.

Housing Transfers

Mr. Soley: To ask the Secretary of State for the Environment (1) how many tenants' choice transfers of housing stock have been agreed under the Housing Act 1989; and where they are located;

(2) how many tenants' choice transfers of housing stock have been attempted unsuccessfully under the Housing Act 1985; and where they are located;

(3) how many tenants' choice transfers of housing stock have been attempted unsuccessfully under the Housing Act 1988; and where they are located;

(4) how many tenants' choice transfers under the Housing Act 1988 are pending.

Mr. Michael Spicer: The term "tenants' choice", is used to refer only to transfers of housing stock under part IV of the Housing Act 1988, as amended by the Local Government and Housing Act 1989. One formal application has been made to acquire property under those provisions, on the Walterton and Elgin estate, Westminster. That application is still in progress.

Mr. Soley: To ask the Secretary of State for the Environment how many transfers of housing stock have been made made under the Housing Act 1985; and where they are located.

Mr. Michael Spicer: Sections 32 and 43 of the Housing Act 1985 give powers to local authorities to dispose of

housing and housing land and relate to a wide range of disposals. Where a disposal takes place under a general consent, the authority is under no obligation to inform the Department that the disposal has taken place.

Among the disposals to which consent has been given under these powers are voluntary transfers by five authorities of most or all of their housing. The authorities are: Broadland district council; Chiltern district council; Newbury district council; Sevenoaks district council; and Swale borough council.

Mr. Soley: To ask the Secretary of State for the Environment how many transfers under the Housing Act 1985 are pending.

Mr. Michael Spicer: My right hon. Friend the Secretary of State is currently considering six applications from local authorities to transfer tenanted housing to new landlords.

Rivers

Mr. Onslow: To ask the Secretary of State for the Environment whether the National Rivers Authority has told his Department which 20 rivers in England and Wales it is giving priority to investigating, in order to formulate solutions to low flows during the summer months; and if he will make a statement.

Mr. Trippier: The Department would not expect to be involved in the detail of the National Rivers Authority's work on this or other of its statutory responsibilities until the authority was in a position to put forward specific proposals. I am sure, however, that the authority would be happy to provide my right hon. Friend with the information he requires.

Bench Mark Levels

Mr. Soley: To ask the Secretary of State for the Environment if he is planning to discontinue the system of revision of bench mark levels in the British Isles.

Mr. Trippier: Bench marks established by Ordnance Survey in Great Britain are maintained at predetermined levels which are dependent on the type of terrain and degree of land development. Levelling policy is kept under periodic review.

Energy Consumption

Mr. Dobson: To ask the Secretary of State for the Environment, pursuant to the answer of 30 April, *Official Report*, column *383*, if he will give the expenditure on energy consumption, broken down by fuel, of the buildings occupied by his Department for the latest year available.

Mr. Chope: The latest estimate of expenditure on energy for buildings occupied by my Department for 1989-90 is:

	£
Electricity	1,593,562
Gas	831,377
Liquid Fuel	362,696
Solid Fuel	4,003

Sewage

Mr. Mans: To ask the Secretary of State for the Environment if he has reached a decision about the scheme proposed by the North West water company to discharge sewage via a long sea outfall into the Lune deep.

Mr. Trippier: The Secretary of State has given careful consideration to the applications submitted by the then North West water authority, to the representations received and to the benefits of the proposed scheme. He has also had regard to his policy announcement on 5 March that all substantial discharges of sewage should be treated. In the light of these considerations, he has decided not to give his consent to the proposed scheme which does not incorporate treatment and where there is no guarantee that a suitable site for a treatment works will become available. Letters have gone today to the North West Water plc and to the National Rivers Authority informing them of this decision. All those who made representations about this scheme will be informed in due course.

Mr. Harris: To ask the Secretary of State for the Environment if he has reached a decision about the scheme proposed by the South West water company to discharge sewage via a long sea outfall into the sea at Gwithian.

Mr. Heathcoat-Amory: The Secretary of State has given careful consideration to the applications submitted by the then South West water authority, to the representations received and to the benefits of the proposed scheme. He has also had regard to his policy announcement on 5 March that all substantial discharges of sewage should be treated. In the light of these considerations he has decided that he can give his consent to the proposed scheme on the conditions that it be modified to incorporate primary treatment and that there must be scope for the addition of secondary treatment later should this prove necessary. Letters have gone today to South West Water plc and to the National Rivers Authority informing them of this decision. All those who made representations about this scheme will be informed in due course.

Members' Tea Room

Mr. Cox: To ask the Secretary of State for the Environment what plans he has to ensure that the unclean areas within the Members' Tea Room are properly and urgently cleaned; and if he will make a statement.

Mr. Chope *[holding answer 3 May 1990]:* Discussions are taking place about possible changes in the arrangements for cleaning the Members' Tea Room.

SOCIAL SECURITY

War Widows Pensions

Mr. John Garrett: To ask the Secretary of State for Social Security if he will take steps to extend the conditions for the payment of war pensions which apply to the widows of officers to the widows of other ranks.

Mrs. Gillian Shephard: The basic condition for entitlement to a war widows pension, namely, that the husband's death was due to or substantially hastened by service in the armed forces, applies to the widows of officers and the widows of other ranks alike.

The hon. Member may be referring to the different provisions which apply to the widows of officers and those of other ranks if they remarry. All war widows pensions cease on remarriage and the widows of other ranks receive a gratuity equal to one year's pension. The widow of an officer does not receive a gratuity but, if she is widowed again, her war widows pension may be restored in whole or in part, subject to her other income. These long-standing provisions have been discussed with organisations representing the interests of war widows, with a view to change, but no consensus emerged on what that change should be.

Energy Consumption

Mr. Dobson: To ask the Secretary of State for Social Security, pursuant to the answer of 30 April. *Official Report*, column *419*, if he will give the expenditure on energy consumption, broken down by fuel, of the buildings occupied by his Department, for the latest year available.

Mrs. Gillian Shephard: The latest available figures are for the financial year 1988-89. The division of the administration of Department of Health and Social Security was not completed at that time and the figures therefore reflect the cost of consumption of both Departments.

	£ million
Gas	2·78
Electricity	6·51
Solid fuel	0·27
Liquid fuel	0·41

Erythropoletic Porphyria

Mr. Ashley: To ask the Secretary of State for Social Security (1) if he has assessed the effect of erythropoletic porphyria on the mobility of children;

(2) if he will widen the criteria for mobility allowance so as to include those unable to walk in daylight because of the disorder congenital erythropoletic porphyria.

Mr. Scott *[holding answers 3 May 1990]:* We are aware of the recent representations made on behalf of a child suffering from this disorder. Apart from the recent extension we have made to deaf-blind people, the current criteria for award of mobility allowance do not provide for people who are able to walk but are restricted in the extent to which they can use this ability. We have no current plans to extend these criteria to meet the effects of particular disorders. I have written to the right hon. Member about the particular case which I believe underlies his concern.

WALES

Departmental Savings

Mr. Devlin: To ask the Secretary of State for Wales what value for money savings have been achieved by his Department in the last year; and how much of this was as a result of advice from the Central Unit on Purchasing.

Mr. David Hunt: In the year 1989-90 the Welsh Office expenditure on purchasing totalled £155 million against which it achieved value for money savings of £14·4 million. It is not possible to attribute particular value for money savings to advice from the Central Unit on Purchasing. The role of the unit is to provide advice and guidance on best purchasing practice; it provides overall support and guidance and encourages value for money across all Departments.

Health Service, Gwynedd

Mr. Wigley: To ask the Secretary of State for Wales when the Gwynedd health authority last provided his Department with strategic plans concerning Health Service provision in the Caernarfon area; and at what date he expects updated plans to be made available to him.

Mr. Grist: Gwynedd health authority submitted its last service-wide strategic plan to the Welsh Office in 1986. It is currently proposed to ask health authorities to submit their next long-term plans by December 1991.

Mr. Wigley: To ask the Secretary of State for Wales whether the chairman of Gwynedd health authority has informed him as to whether revenue resources provided by the Welsh Office to that authority, are adequate for the maintenance of current standards of health care by that authority in Gwynedd; and if he will make a statement.

Mr. Grist: I refer the hon. Gentleman to the reply which I gave to him on Wednesday 9 May which indicated that neither my right hon. Friend the Secretary of State nor his predecessor, my right hon. Friend the Member for Worcester (Mr. Walker), had received any recent representations from the chairman of the Gwynedd health authority concering the adequacy of that authority's current level of revenue provision.

Mr. Wigley: To ask the Secretary of State for Wales whether any changes have been instituted following the report of Welsh Office consultants on the financial position of Gwynedd health authority in September 1987, concerning the budgetary control procedures of that authority; and if he will make a statement.

Mr. Grist: Gwynedd health authority's budgetary control procedures, along with those of all other health authorities in Wales, were examined by the statutory auditor during the course of his 1987-88 audit round. The auditor found that the criticisms of such procedures as had been made previously by Deloitte Haskins and Sells in its 1987 report on the authority's financial position were being addressed and, in keeping remedial action under review, he did not find cause to report on progress during his 1988-89 audit round. Indeed, I would expect all of the weaknesses in the authority's control procedures that were identified in 1987 to have been remedied by now, particularly since my right hon. Friend's predecessor, my right hon. Friend the Member for Worcester (Mr. Walker) wrote to all DHA chairmen in 1989 stressing the need for strict budgetary control and received an assurance from each chairman that this need was well appreciated. However, the apparent further deterioration in Gwynedd health authority's financial position during 1989-90 suggests that action taken to date by the authority to restore budgetary control has not been sufficient. My right hon. Friend and I therefore await the findings of the further study by Coopers and Lybrand, Deloitte which has recently been commissioned by the authority together with

any further reports which the statutory auditor may choose to issue during the course of his current audit round.

Mr. Wigley: To ask the Secretary of State for Wales if he will publish the names of those appointed by him to the Gwynedd health authority currently serving on that authority; and, for each member, what was the date of appointment and the date on which the appointment terminates or comes up for re-appointment.

Mr. Grist: The information requested is as follows:

	Date current appointment made	*Date current appointment expires*
Mrs. N. L. Edwards CBE (Chairman)	1 August 1986	31 July 1990
Dr. J. B. T. Griffiths	22 August 1986	31 July 1990
Mr. G. Hulse	19 August 1988	31 July 1992
Mr. G. W. Jones	1 August 1986	31 July 1990
Dr. J. H. Jones	1 August 1988	31 July 1992
Mr. R. H. P. Oliver	1 August 1988	31 July 1992
Lt. Col. Prescott Walker	1 August 1986	31 July 1990
Lady Jane Stanley	1 August 1986	31 July 1990
Mr. T. Thomas	19 August 1988	31 July 1992
Mrs. M. P. Wiliam	1 August 1986	31 July 1990
Mr. J. L. Williams	1 August 1988	31 July 1992

Mr. Wigley: To ask the Secretary of State for Wales whether he has given the Gwynedd health authority permission to plan a reduction in services to the public during 1990-91 involving increasing hospital waiting lists; and if he will make a statement.

Mr. Grist: The permission of my right hon. Friend is not required for planned changes in health services solely on the basis that they might affect hospital waiting lists.

Mr. Wigley: To ask the Secretary of State for Wales if he will publish a table showing for each of the past 10 years the expenditure funded by his Department for current account spending of Gwynedd health authority in terms of *(a)* current money figures and *(b)* constant money figures.

Mr. Grist: The information requested is shown in the table:

	Revenue charge against cash limit	
	At outturn prices (£000)	*At constant 1988-89 prices (£000)*[1]
1979-80	23,169	43,602
1980-81	30,153	47,949
1981-82	34,023	49,277
1982-83	37,212	50,267
1983-84	39,146	50,522
1984-85	44,250	54,407
1985-86	47,794	55,775
1986-87	49,903	56,323
1987-88	55,841	59,818
1988-89	62,637	62,637

[1] Outturn prices adjusted by reference to the gross domestic product index of general inflation.
Source: Health authority annual accounts.

Mr. Wigley: To ask the Secretary of State for Wales whether Welsh Office approval was sought or needed by Gwynedd healh authority for the reduction in services in the Arfon area caused by the reduction of four nursing posts in the Arfon unit community service; and if he will make a statement.

Mr. Grist: No approval was needed or sought.

Mr. Wigley: To ask the Secretary of State for Wales if he will list, by items, the proposed annual revenue savings of the action plan proposed by Welsh Office consultants in September 1987 for cost reduction by Gwynedd health authority; and for the last recent available date what is the extent to which each of these items has been achieved or will be achieved in the financial year 1990-91.

Mr. Grist: I shall write to the hon. Gentleman and place a copy of my letter in the Library of the House.

Mr. Wigley: To ask the Secretary of State for Wales if he will take steps under the default powers of section 85 of the National Health Service Act 1977 to remove every nominated member of Gwynedd health authority from their office in favour of new appointees.

Mr. Grist: No.

Mr. Wigley: To ask the Secretary of State for Wales if he is satisfied that the Gwynedd health authority acted within its statutory powers and responsibilities during the financial year 1989-90.

Mr. Grist: I have no reason to believe that the Gwynedd health authority did not act within its statutory powers and responsibilities, but in common with all other health authorities in Wales the authority will be subjected to an annual review of its performance in 1989-90 conducted by the executive committee of the health policy board.

Mr. Wigley: To ask the Secretary of State for Wales if he still accepts the report of Deloitte Haskins and Sells, on the financial position of the Gwynedd health authority, as the guiding document for the financial restructuring of the Gwynedd health authority; and if he will make a statement.

Mr. Grist: The action plan aimed at bringing the Gwynedd health authority back into financial balance which was drawn up by the general manager of the authority early in 1988 with the help of the management consultants, Deloitte Haskins and Sells remains the agreed strategy for the financial restructuring of the authority. However, in the light of the apparent further deterioration in its financial position, the authority, with some Welsh Office financial assistance, has re-engaged the consultants to help review the situation, to identify whatever further action is necessary to restore financial balance, and to produce a pathfinder business plan for the contractual provision of services from 1 April 1991.

District Health Authorities

Mr. Wigley: To ask the Secretary of State for Wales if he will publish a table for each of the district health authorities in Wales showing how much *(a)* capital work was funded from revenue and *(b)* revenue work was funded from capital receipts, for each of the past five years.

Mr. Grist: The information requested is set out in the following table and relates to the virement exercised by district health authorities between their discretionary capital and revenue allocations:

£ million

District Health Authority	1985-86		1986-87		1987-88		1988-89		1989-90	
	Capital to revenue[1]	Revenue to capital	Capital to revenue[1]	Revenue to capital	Capital to revenue[1]	Revenue to capital	Capital to revenue[1]	Revenue to capital	Capital to revenue[1]	Revenue to capital
Clwyd	—	1·200	1·000	1·936	—	1·150	—	1·450	0·044	—
East Dyfed	—	0·250	—	—	—	—	0·147	—	—	1·700
Gwent	0·125	0·391	—	1·994	—	2·050	0·150	1·889	1·230	0·021
Gwynedd	0·142	—	0·170	—	—	0·392	0·019	—	1·350	—
Mid Glamorgan	2·280	0·434	0·960	—	0·988	—	0·254	—	—	—
Pembrokeshire	0·126	0·748	—	0·815	—	1·250	—	1·170	—	0·970
Powys	—	0·100	—	0·289	0·087	0·070	—	0·053	—	—
South Glamorgan	0·269	2·045	0·400	2·456	—	1·397	1·355	0·231	1·916	3·458
West Glamorgan	—	3·625	—	5·148	—	4·000	—	3·956	—	2·976

[1] It is not possible to identify separately, revenue work funded from capital receipts. The information provided relates to the totality of DHAs' discretionary capital allocations and receipts.

Mr. Wigley: To ask the Secretary of State for Wales if he will publish a table showing for each of the past five years the level of capital expenditure of each of the nine district health authorities in Wales.

Mr. Grist: The information requested is shown in the following table:

£000's

	1984-85	1985-86	1986-87	1987-88	1988-89
Clwyd	4,474	7,354	5,966	6,061	6,610
East Dyfed	2,204	1,818	2,561	1,980	2,658
Gwent	4,101	4,029	6,970	6,910	7,198
Gwynedd	2,811	936	1,248	3,457	2,066
Mid Glamorgan	3,013	7,955	5,198	5,738	6,268
Pembrokeshire	1,260	1,734	2,386	2,668	2,705
Powys	949	1,257	1,186	971	1,037
South Glamorgan	6,245	3,614	6,441	4,619	5,160
West Glamorgan	5,258	8,348	10,835	11,225	12,654
Total DHAs Wales	30,315	37,045	42,791	43,629	46,356

Source: Health authorities annual accounts.

Cottage Hospital, Caernarfon

Mr. Wigley: To ask the Secretary of State for Wales (1) what are the estimated annual savings of closing the Cottage hospital, Caernarfon; and if he will make a statement;

(2) how many minor casualty cases were treated by the Cottage hospital, Caernarfon during 1989; and what proportion of such cases *(a)* will be dealt with by local general practitioners, and *(b)* is expected to travel to Ysbyty Gwynedd in Bangor for casualty treatment, following the closure of the Cottage hospital;

(3) what was the average number of available beds and the percentage bed occupancy at the Cottage hospital, Caernarfon during 1989; and what were the assumptions made in the public consultation document on the proposed closure of that hospital, published by the Gwynedd health authority in 1987;

(4) what alternative new provision is being made at other hospitals in Caenarfon to replace facilities that have hitherto been provided at the Cottage hospital, Caernarfon.

Mr. Grist: I refer the hon. Gentleman to my reply of 9 May 1990.

Energy Consumption

Mr. Dobson: To ask the Secretary of State for Wales, pursuant to his answer of 30 April, *Official Report*, column *427*, if he will give the expenditure on energy consumption broken down by fuel, of the buildings occupied by his Department, for the latest year available.

Mr. David Hunt: Expenditure on energy consumption in buildings occupied by my Department in 1988-89 was as follows:

	£
Electricity	367,407
Gas	88,509
Liquid fuel	24,198
Solid fuel	2,431

HOME DEPARTMENT

Prisons (Isle of Wight)

Mr. Barry Field: To ask the Secretary of State for the Home Department what steps he will take to ensure that the recent incidents at Isle of Wight prisons will be fully investigated and the necessary steps taken to ensure the maintenance of secure conditions at Parkhurst, Albany and Camp Hill.

Mr. Mellor: All serious incidents are investigated, and steps are taken, as appropriate, to guard against a recurrence and to ensure that security at the establishment is maintained.

Probation Service

Mr. Steinberg: To ask the Secretary of State for the Home Department what is the current number of probation officers in the probation service; and what is the average number of cases an officer deals with in a year.

Mr. John Patten: The number of probation officers in post in 1988 was 6,604 (whole-time equivalents) and the average number of persons under supervision by a maingrade officer on general duties (that is, excluding community service orders) was 29 (tables 10.1 and 11.1 of "Probation Statistics, England and Wales, 1988"). In 1989, the number of probation officers was 6,750.

Dogs

Mr. Alan Williams: To ask the Secretary of State for the Home Department what statistics are centrally maintained on the incidence of attacks by dogs on people; and what information he has on the level of attacks and the types of breeds involved in the past decade.

Mr. Peter Lloyd: This information is not available centrally.

Immigration and Nationality Division

Mr. Soley: To ask the Secretary of State for the Home Department (1) what was the cost of the immigration and nationality division in the years 1987 to 1989;

(2) what revenue was generated by the immigration and nationality division in the years 1987 to 1989.

Mr. Peter Lloyd: The information requested is set out in the table.

Immigration and Nationality Department expenditure and receipts

£ million

	1987-88	*1988-89*	*1989-90*
Pay running costs	42·9	49·9	57·8
Non-pay running costs	13·4	14·3	16·6
Non-running costs	4·5	4·4	5·3
Total gross expenditure	60·8	68·7	79·8
Receipts	16·8	7·9	4·2
Immigration[1] (Carriers' liability) Act receipts	1·8	2·2	2·1

[1] These receipts are not appropriated-in-aid to the IND budget and Home Office vote, but are paid direct into the Consolidated Fund.

Mr. Soley: To ask the Secretary of State for the Home Department what was the financial contribution made to the immigration and nationality division by Commonwealth citizens in the years 1987 to 1989.

Mr. Peter Lloyd: This information is not readily available, and could not be obtained without disproportionate cost.

Energy Consumption

Mr. Dobson: To ask the Secretary of State for the Home Department, pursuant to his answer of 30 April, *Official Report*, column *400*, if he will give the expenditure on energy consumption, broken down by fuel, of the buildings occupied by his Department, for the latest year available.

Mr. Waddington: The information is as follows:

Expenditure on energy consumption in 21 Home Office buildings in 1989-90

Site	*Gas* £	*Electricity* £	*Oil* £	*Solid* £
Abell house	18,182	115,827	0	0
Branston	1,172	62,983	0	186,098
Cleland house	17,605	108,322	0	0
Clive house	10,881	44,357	0	0
Corby	4,043	16,071	4,122	0
Cowley	3,266	8,561	0	0
Dunkeswell	0	7,896	434	0
Easingwold	0	19,435	9,489	0
Fire Service college	[1]24,259	123,895	73,567	0
Harmondsworth	3,407	38,020	19,472	0
Horseferry house	0	53,696	10,376	0
Horsham	2,128	9,889	0	0
Inverness	0	6,474	0	0
Langhurst	0	12,135	1,200	0
Leeds	18,739	13,812	0	0
Lunar house	0	134,396	31,706	0
Olympia	0	10,580	5,390	0
Queen Anne's gate	31,342	309,392	37,895	0
Sandridge	0	32,165	9,655	0
Steventon	0	27,480	28,184	0
Woking	20,123	14,184	0	0

[1] Expenditure on liquid petroleum gas.

Marches and Demonstrations

Mr. Winnick: To ask the Secretary of State for the Home Department if it is the practice for police forces to make a report to him of marches and demonstrations which have occurred in their area; and if he will make a statement.

Mr. Peter Lloyd: A report from a police force to the Department about a public procession or assembly which had been held in the force area would normally be made only if one was requested by the Department.

Civil Defence

Mr. Hind: To ask the Secretary of State for the Home Department what progress has been made by local authorities in fulfilling their civil defence obligations during the third year of the planned programme for implementation of the Civil Defence (General Local Authority Functions) Regulations 1983.

Mr. John Patten: Copies of a report on implementation of the 1983 regulations by 30 September 1989 have today been placed in the Library. The report discusses local authorities' progress in meeting their civil defence obligations since the last such report, which covered the period up to 1 October 1988.

The planned programme for implementation was introduced in 1986 to monitor local authority progress under the 1983 regulations. It provides a broad framework within which the work can be developed and enables the Government to assess whether the civil defence duties of local authorities are being adequately discharged and thus whether grant can properly be paid.

It is clear that the planned programme for implementation has been an effective means of developing the planning process. A circular is therefore being issued to local authorities today announcing the Government's decision to extend the planned programme for implementation into a sixth year covering the period from October 1991 to September 1992.

The Government will continue to monitor local authority activity and the value for money in the grant

paid by calling for annual progress reports and costed programmes of work which will be the subject of individual discussion.

Manchester Prison

Sir John Wheeler: To ask the Secretary of State for the Home Department if he will make a statement on the inquiry into the serious disturbances at Her Majesty's prison, Manchester and other establishments.

Mr. Waddington: I understand that Lord Justice Woolf envisages the inquiry falling into two parts. The first part of the inquiry will examine the facts of the disturbances and evidence will be taken in public. The second part of the inquiry will involve consideration of the wider issues which may, in Lord Justice Woolf's view, underlie the recent serious prison disturbances. Lord Justice Woolf considers that it would be helpful if he was assisted in this second part of the inquiry by Her Majesty's chief inspector of prisons, Judge Tumin, with his wide experience and independent view of prison matters. On the advice of Lord Justice Woolf and after consultation with Her Majesty's chief inspector of prisons, I have therefore decided that once the first part of Lord Justice Woolf's inquiry has been completed Judge Tumin should join with him in the second part of the inquiry.

Immigration Control (Heathrow)

Mr. Maclennan: To ask the Secretary of State for the Home Department (1) what reports he has received of airline passengers arriving at Heathrow being detained airside by officials of the carrying company and compelled to board departing aircraft without access to immigration officials; and if he will make a statement;

(2) what involvement immigration officials had in the refusal of entry to Tamils who arrived at Heathrow on 9 April as passengers of Egyptair and British Airways; and if he will make a statement.

Mr. Peter Lloyd *[holding answer 8 May 1990]:* I understand that a group of seven Sri Lankans arrived at Heathrow on 5 April on an Egyptair flight, and a further group of three on 9 April by British Airways. None of the passengers was presented at the immigration control and none was refused entry. Later inquiries established that the airlines concerned had returned the groups to Cairo and Rome respectively. It is being made clear to representatives of the two airlines that any passenger who wishes to seek entry to the United Kingdom must be presented at the immigration control on arrival.

HOUSE OF COMMONS

Energy Consumption

Mr. Dobson: To ask the Lord President of the Council, pursuant to his answer of 30 April, *Official Report*, column *406*, if he will give the energy consumption, broken down by fuel, of the buildings occupied by the Privy Council Office for the latest year available, in kilowatt hours and therms.

Sir Geoffrey Howe: The figures given in my answer of 30 April, *Official Report*, column *406*, represent 195,414 kWh and 9,100 therms of electricity and gas respectively.

ENERGY

Spent Nuclear Fuel

Dr. Thomas: To ask the Secretary of State for Energy what information he has concerning the behaviour of spent fuel and storage facility components during long-term storage programmes co-ordinated by the International Atomic Energy Agency; what information and assistance has been afforded to the BEFAST II secretariat; and what benefits to the medium and long-term financial planning of Nuclear Electric and the United Kingdom Atomic Energy Authority spent fuel management programmes will accrue from the BEFAST II programme.

Mr. Baldry: The International Atomic Energy Agency's BEFAST II programme has studied three major aspects of spent fuel storage: long-term behaviour of spent fuel in wet and dry storage; surveillance mechanisms; and the handling and transport of spent fuel after storage. The programme will not be completed until 1991.

Nuclear Electric and British Nuclear Fuels have participated in the programme and have played a key part in the working groups set up to study the problems and prepare reports. The United Kingdom Atomic Energy Authority is not directly involved. However, participation in the BEFAST II programme provides access to worldwide experience of the storage of spent oxide fuel and to related R and D activity. The knowledge acquired through this participation, supplementing the United Kingdom's own domestic expertise, should allow the longer-term spent fuel storage requirements of the United Kingdom's continuing nuclear power programme, including the Sizewell B PWR station, to be met in the most cost-effective manner.

Oil and Coal Exploration

Mr. Redmond: To ask the Secretary of State for Energy (1) if his Department intends to license any explorations for *(a)* oil or *(b)* coal, in the county of Essex;

(2) when his Department last licensed trials in Essex for *(a)* oil and *(b)* coal mining;

(3) if his Department intends to license any exploratory boring for *(a)* oil and *(b)* coal measures in the areas of (i) Harwich, (ii) Weeley in the county of Essex, or (iii) along the banks of the River Lea in the vicinity of Enfield lock.

Mr. Wakeham: There are no current petroleum licences in respect of areas in the county of Essex or any area near the River Lea in the vicinity of Enfield lock and no petroleum licences have been awarded in the past 25 years in respect of these areas. The Petroleum (Production) (Landward Areas) Regulations 1984 set out the arrangements for making applications for petroleum licences.

The Coal Industry Nationalisation Act 1946 vested the ownership of almost all coal deposits in Great Britain in the British Coal Corporation. At present the corporation also has exclusive right to search and bore for coal in Great Britain and is the licensing authority.

Electrical and Gas Appliances

Mr. Speller: To ask the Secretary of State for Energy if he will take steps to require sellers of electrical or gas appliances to label each item to indicate the approximate fuel consumption or running cost.

Mr. Peter Morrison: I refer my hon. Friend to the answer given to the hon. Member for Southwark and Bermondsey (Mr. Hughes) at column *275* on 26 April 1990.

Almost all gas appliances sold in the United Kingdom are already marked with their rating (ie. the maximum rate of gas consumption) under voluntary agreements.

Energy Consumption

Mr. Dobson: To ask the Secretary of State for Energy, pursuant to his answer of 30 April, *Official Report*, column *414*, if he will give the energy consumption, broken down by fuel, of the buildings occupied by his Department for the latest year available in kilowatt hours, therms and litres.

Mr. Wakeham: In 1989-90 my Department is estimated to have consumed 3,292,605 kWh of electricity and 59,647 therms of gas. My Department has no fuel oil or electricity consumption figures for its former headquarters building as the cost of these fuels was included in the overall accommodation charge levied by the Property Services Agency.

Thermal Insulation

Mr. Dobson: To ask the Secretary of State for Energy if he will give, for each type of thermal insulation measure, and each other type of energy efficiency measure, where the payback period is 10 years or less *(a)* the number of homes occupied by claimants of means-tested benefits which would gain from the measure, *(b)* the cost per home and *(c)* the total cost of installing the measure in all homes occupied by claimants of means-tested benefits.

Mr. Wakeham: The information requested is not available. However, surveys indicate that the proportion of households in social classes D and E where the following thermal insulation measures were appropriate which have them installed in whole or in part are:

	Per cent.
Loft insulation	83
Hot water tank jacket	90
Draughtproofing	33
Cavity wall insulation	14

TRADE AND INDUSTRY

Auditors

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether, under the Companies Act 1989, he will refuse to grant supervisory status to any accountancy body which in the past formulated rules on professional independence but failed to offer any way of monitoring compliance with such rules.

Mr. Redwood: It is a requirement of the Act that before a supervisory body may be recognised it must appear to the Secretary of State to have adequate arrangements and resources for the effective monitoring and enforcement of compliance with its rules. The question of whether a body had such arrangements in the past is not directly relevant to that requirement.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry (1) whether he will provide a list of all the cases which he has referred to the joint disciplinary scheme since 1979;

(2) whether he will provide a list showing the conclusions of the disciplinary hearings held by the joint disciplinary scheme as a result of his referral of the cases to the joint disciplinary scheme.

Mr. Redwood: It is for individual accountancy bodies to decide whether to refer cases made to them to the joint disciplinary scheme. Completed inquiries under the scheme are reported in the annual reports of the joint disciplinary scheme, copies of which are in the Library.

Financial Services Act

Mr. French: To ask the Secretary of State for Trade and Industry how many companies or firms which have ceased to be members of FIMBRA are known to have engaged in unauthorised investment business subsequently.

Mr. Redwood: I am aware of only one instance recently. The Securities and Investments Board has prime responsibility for action in relation to firms believed to be engaged in unauthorised investment business.

Mr. French: To ask the Secretary of State for Trade and Industry if he will amend the Financial Services Act to give FIMBRA access to the client base of those companies whose licences it withdraws.

Mr. Redwood: No; FIMBRA's rules are a matter for that body, subject to meeting the provisions of schedule 2 of the Financial Services Act.

Electrical Goods (Imports)

Mr. Steinberg: To ask the Secretary of State for Trade and Industry what was the amount of electrical goods imported in each of the years 1979-89 from *(a)* Japan, *(b)* Taiwan, *(c)* Korea and *(d)* Singapore.

Mr. Redwood: The figures are as follows:

United Kingdom imports of electrical goods 1979-89

	Japan £ million	*Taiwan £ million*	*South Korea £ million*	*Singapore £ million*
1979	88	17	5	16
1980	115	17	6	25
1981	180	21	5	30
1982	200	18	4	38
1983	310	32	7	44
1984	470	42	22	45
1985	506	46	41	46
1986	594	51	60	59
1987	694	68	99	77
1988	784	83	138	98
1989	886	108	131	142

Note: Figures relate to Division 77 of the Standard International Trade Classification (Revision 3).
Source: Overseas Trade Statistics.

Steel

Mr. Nicholas Bennett: To ask the Secretary of State for Trade and Industry how many tonnes of steel per man were produced in the United Kingdom in *(a)* 1981 and *(b)* 1989.

Mr. Douglas Hogg: Crude steel production per man rose from 159 tonnes in 1981 to 344 tonnes in 1989.

India and Indonesia

Mr. Colvin: To ask the Secretary of State for Trade and Industry if he will make a statement on continued Export Credits Guarantee Department cover for exports to India and Indonesia.

Mr. Redwood: ECGD is currently reviewing its policy towards those markets on which, in portfolio terms, its exposure is heavily concentrated. India and Indonesia are two such markets. The importance of these markets to United Kingdom exporters is recognised and this will be taken fully into account in the review.

Atlantic Computers Company

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether he will establish an inquiry into the accounting policies of Atlantic Computers Company and their implications for public accountability of public limited companies.

Mr. Redwood: No. Any such implications are primarily for the accountancy profession to address and I therefore welcome the recent decision of the research board of the Institute of Chartered Accountants in England and Wales to support a research study into accounting for the residual value of leased assets.

Thatching

Mr. Speller: To ask the Secretary of State for Trade and Industry what representations he has received about the dumping in the United Kingdom from eastern Europe of combed wheat reed for thatching; and if he will make a statement on the state of the United Kingdom thatching industry at present.

Mr. Redwood: I have received no representations about the dumping of combed wheat reed. The thatching industry is a matter for my right hon. Friend the Secretary of State for the Environment. I understand, however, that business is generally good, particularly because of work needed after the storms that occurred earlier this year, although there are obviously regional variations.

GATT Textile Negotiations

Mr. Kirkwood: To ask the Secretary of State for Trade and Industry if he will list those parts of the United Kingdom that will be visited by Ministers responsible for the general agreement on tariffs and trade negotiations prior to the textile committee meeting in June.

Mr. Redwood: Ministers in this Department responsible for the general agreement on tariffs and trade negotiations plan to visit the following parts of the United Kingdom before 12 June, the start of the next GATT textiles negotiating group meeting:

Cheltenham; Derby; Edinburgh; Kettering; Manchester; Slough; Wales; Yorkshire.

Environment

Mrs. Mahon: To ask the Secretary of State for Trade and Industry if he has any new proposals to encourage British industry to be environmentally friendly.

Mr. Forth: I shall continue to encourage British industry to respond positively to the challenges and opportunities presented by environmental issues.

FOREIGN AND COMMONWEALTH AFFAIRS

Bulgaria

Mr. Thorne: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to visit Bulgaria.

Mr. Hurd: I have no immediate plans to do so.

Romania

Mr. Thorne: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to visit Romania.

Mr. Hurd: I have no immediate plans to do so.

Departmental Savings

Mr. Devlin: To ask the Secretary of State for Foreign and Commonwealth Affairs what value for money savings have been achieved by *(a)* the diplomatic wing and *(b)* the Overseas Development Administration in the last year; and how much of this was as a result of advice from the Central Unit on Purchasing.

Mr. Sainsbury: A table of value for money savings made in 1989-90 by the diplomatic wing of the Foreign and Commonwealth Office has been presented to Parliament in the committee proceedings of the Foreign Affairs Committee. These savings include some made under the purchasing initiative.

Savings on the purchase of goods and services in 1989-90 were:

Diplomatic wing—£13·1 million on an expenditure of £146 million

ODA—£8·48 million on an expenditure of £121 million

It is not possible to attribute particular value for money savings to advice from the Central Unit on Purchasing. The role of the unit is to provide advice on best purchasing practice; it provides overall support and guidance and encourages value for money across all Departments.

Supply Index

Mr. Devlin: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about his Department's decision not to participate in the Government supply index.

Mr. Sainsbury: The Foreign and Commonwealth Office considered joining the Government supply index in 1989. It was decided, at that time, that membership would not be cost effective.

This Department will look again at this question as the range of products and services covered by the index expands.

Central and Eastern Europe

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will provide updated figures on assistance to countries of central and eastern Europe from the group of 24, in similar form to the tables in his Department's supplementary memorandum submitted to the Foreign Affairs Committee, printed in HC 58-i.

Mr. Maude: The G24 countries are now considering how to extend co-ordinated assistance to the countries of

central and eastern Europe in addition to Poland and Hungary. As far as G24 assistance to those two countries is concerned, the European Commission has continued to compile a "scoreboard" of contributions by participating states. This was most recently published on 24 April, and a copy is being placed in the Library of the House. This provides the most comprehensive review available of G24 aid to Poland and Hungary.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs how much emergency relief and humanitarian assistance has been provided to eastern Europe so far in the current year; how much more is promised; and from which budget the funds are drawn.

Mr. Waldegrave: In 1990, we have allocated £500,000 for a donation to the World Health Organisation's programme of aid to the Romanian health service. Details were given by my right hon. Friend the Minister for Overseas Development on 26 April, at column *283*. We have also allocated a total of £223,000 for various humanitarian projects for Romania, including donations of disposable syringes, treatment in the United Kingdom for victims of the fighting and a family planning project. These allocations were from the Foreign and Commonwealth Office class II, vote 2. No further aid of this nature is planned at present.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs how much food aid has been provided to eastern Europe in 1989 and 1990; what further food aid has been promised; and from which budget the food aid is taken.

Mr. Maude: In 1989 the European Community provided £97 million of food aid to eastern Europe. Since January 1990 it has provided a further £53 million. Funding has come from the "other policies" provisions within the Community's budget and from the FEOGA guarantee fund.

No further food aid has been requested or therefore promised.

Energy Consumption

Mr. Dobson: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 30 April, *Official Report*, column *405*, if he will give the expenditure on energy consumption, broken down by fuel, of the buildings occupied by his Department.

Mr. Sainsbury: In the financial year 1988-89, expenditure on fuel and utilities in Foreign and Commonwealth Office buildings was:

	£
(1) Electricity	925,600
(2) Gas	104,500
(3) Fuel oil	146,200

Overseas Development Administration expenditure was contained in our answer of 30 April, at column *405*.

Endangered Species

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will give details of the current stocks of animal tusks, skins, antlers and other products held by the Hong Kong authorities arising from confiscation; and what plans are being considered for disposal of the items.

Mr. Waldegrave *[holding answer 23 April 1990]:* The following stocks of confiscated CITES specimens were held by the Hong Kong authorities as at 15 April 1990:

	Specimen	*Quantities*
Mammals		
Bear	paw	22 pc
	skin	1 pc
Felidae (Cat family)	skin	759 pc
	skin scrap	7·3 kg
	stuffed	11 hd
Red Deer	antler	24 pc
	stuffed head	1 hd
Antelope	horn	9 pc
Chinchilla	skin	45 pc
Elephant ivory	worked ivory	133·85 kg
	raw ivory	506·5 kg
Skunk	skin	3 pc
Rhino	horn	130·7 kg + 6 pc
	hide	25 pc
Genet	skin	5 pc
Guanaco	skin	1 pc
Seal	skin	20 pc
Musk Deer	musk grain	5 kg
	musk pod	6·17 kg + 17 pc
Otter	skin	18 pc
Pangolin	stuffed specimen	5 hd
	scale	10 kg
	skin	312 pc
Cetacean	skull	1 pc
Avea		
Hornbill	oasque	47 pc
Bird of Paradise	stuffed specimen	4 hd
Bird of Prey	stuffed specimen	23 hd
Reptiles		
Crocodile/Alligator	stuffed specimen	43 hd
	skin	1,717 pc
	stuffed head	1 pc
Lizard	stuffed specimen	19 hd
	skin	17 kg + 678 pc
Python	stuffed specimen	2 hd
	skin	301 pc
Sea Turtle	stuffed specimen	258 hd
	scale	27·45 kg + 399 pc
	shell	7 pc
Turtle	skeleton	1 set
Invertebrates		
Black Coral	skeleton	5 pc
Butterfly	mounted specimen	34 pc
Plant		
American Wild Ginseng	root	17·3 kg

The specimens may be offered to scientific and educational institutions, museums and management authorities. The Hong Kong Government have no intention of offering the items for sale for the foreseeable future.

HEALTH

Pharmaceutical Industry

Mr. Rost: To ask the Secretary of State for Health if he will list the 70-plus trade associations in the pharmaceutical industry referred to in a departmental letter of 6 April to the hon. Member for Erewash.

Mrs. Virginia Bottomley: The reference is to the number of organisations that have asked to be included on the Medicines Control Agency's circulation list to receive details of any proposed changes in regulations to be made under the Medicines Act 1968. The list is as follows:

Acupuncture Association
Advertising Association
Advertising Standards Authority Limited
Agricultural Research Council
Animal Health District Association
Anthroposophical Medical Association
Associated Health Foods Limited
Association for the Advancement of British Pharmacy
Association of Anaesthetists Great Britain and Ireland
Association of Contact Lens Manufactuers Limited
Association of County Councils
Association of Independent Hospitals
Association of Manufacturers of Medicinal Preparations
Association of Metropolitan Authorities
Association of Optical Practitioners
Association of Public Analysts
Association of Public Analysts of Scotland
Association of Veterinarians in Industry
Association of the British Pharmaceutical Industry
BMA Belfast
BMA Edinburgh
Bio-Chemical Society
British Acupuncture Association and Register
British Aerosol Manufacturers' Association
British Agrochemicals Association
British Association for Chemical Specialities
British Association of Dermatologists
British Association of Feed Supplement Manufacturers Limited
British Association of Pharmaceutical Physicians
British Chemical and Dyestuffs Traders Association
British Chiropractic Association
British College of Optometrists
British Committee on Natural Therapeutics
British Contact Lens Association
British Dental Association (Scottish Branch)
British Dental Trade Association
British Distributors of Animal Medicines Association
British Herbal Medicine Association
British Herbalists Union Limited
British Homoeopathic Manufacturers Association
British Institute of Regulatory Affairs
British Insulin Manufacturers
British Medical Association
British Naturopathic and Osteopathic Association
British Paediatric Association
British Pharmacological Society
British Poultry Federation Limited
British Standards Institution
British Universities Committee Ophthalmic Optics
British Veterinary Association
British and European Osteopathic Association
"CHEMIST and DRUGGIST"
Chiropodists Board, and Council for Professions Supplementary to Medicine
Clinical Genetics Society
Cocoa Chocolate and Confectioners Alliance
College of Osteopaths
College of Osteopathy
Company Chemist Association Limited
Conference of Medical and Surgical Adhesive Plaster Manufacturers
Consumer Council
Contact Lens Study Group
Convention of Scottish Local Authorities
Coroners Society
Cosmetic Toiletry and Perfumery Association Limited
English National Board for Nursing Midwifery and Health Visiting
European Federation of the Contact Lens Industry Limited
Faculty of Homoeopathy Royal London Homoeopathic Hospital
Farmers Union of Wales
Federation of Dressings, Plaster and Feminine Hygiene Industries
General Council and Register of Consultant Herbalists Limited
General Council and Register of Osteopaths
General Dental Council
Guild of British Dispensing Opticians
Guild of Hospital Pharmacists
Guild of Natural Medicine Practioners
Health and Safety Executive
Herb Society
Homoeopathic Joint Committee
Homoeopathic Research and Education Trust
Homoepathic Association
Huntingdon Research Centre
Incorporated Society of British Advertisers Limited
Independent Broadcasting Authority
Independent Television Companies Association Limited
Institute of Biology
Institute of Chiropodists
Institute of Packaging
Institute of Practitioners in Advertising
Institute of Trichologists
Joint Consultant's Committee—BMA House
Lister Institute of Preventive Medicine
Meat and Livestock Commission
Medical Biology Centre
Medical Contact Lens Association
Medical Defence Union
Medical Research Council
"MIMS"
Multiple Food and Drink Retailers Association
NAFPD
National Association of Local Councils
National Association of Pharmaceutical Distributors
National Biological Standards Board
National Chamber of Trade
National Egg Producer Retailers' Association
National Farmers Union of Scotland
National Farmers Union
National Federation of Consumers Groups
National Federation of Wholesale Grocers and Provision Merchants
National Federation of Women's Institutes
National Food and Drink Federation
National Institute of Medical Herbalists
National Office of Animal Health
National Organisation of Animal Health
National Pharmaceutical Association Limited
National Union of Small Shopkeepers
National Union of Townswomen's Guilds
Natural Medicines Group
Newspaper Publishers Association Limited
Newspaper Society
North of Ireland Veterinary Association
Ophthalmic Group Committee—BMA House
Osteopathic and Naturopathic Guild Limited
Periodical Publishers Association Limited
Pharmaceutical General Council Scotland
Pharmaceutical Journal
Pharmaceutical Services Negotiating Committee
Pharmaceutical Society for Northern Ireland
Pharmaceutical Society of Great Britain (Scottish Department)
Proprietary Association of Great Britain
Radiochemical Centre
Register and Council of Homoepathics
Royal College of General Practitioners
Royal College of Midwives
Royal College of Nursing
Royal College of Obstetricians and Gynaecologists

Royal College of Pathologists
Royal College of Physicians
Royal College of Physicians Edinburgh
Royal College of Physicians and Surgeons, Glasgow
Royal College of Psychiatrists
Royal College of Radiologists
Royal College of Surgeons, Edinburgh
Royal College of Surgeons of England
Royal College of Surgeons of England—Faculty of Dental Surgery
Royal College of Surgeons of England—Faculty of Ophthalmology
Royal College of Veterinary Surgeons
Royal Pharmaceutical Society of Great Britain
Royal Society of Chemistry
Scottish Consumer Council
Scottish Grocers' Federation
Scottish Health Education Group
Scottish National Committee of Ophthalmic Opticians "SCRIP"
Service Scientifique
Soap and Detergent Industries Association
Society of Chiropodists
Society of Homoepaths
Society of Occupational Medicine
Society of Osteopaths
Sterilised Suture Manufacturers Association
Steripak Limited
Sussex Clinical Research Consultants Limited
Technical Committee White Oils Association
The Co-op Union Limited
The Patients' Association
Traditional Acupuncture Society
Ulster Farmers' Union
United Kingdom Agricultural Supply Trade Association Limited
Veterinary Record
Wholesale Confectioners Alliance Limited
Wholesale Grocers' Association of Scotland

Electorates

Mr. Simon Coombs: To ask the Secretary of State for Health if he will list the 20 English non-metropolitan counties which have shown the greatest percentage growth in electorate since 1975; and what have been the percentage growth and actual figures in each case.

Mr. Dorrell: The information requested is as follows:

Area	*Local government electors*		*Percentage increase*
	1975	*1990*	*1975 to 1990*
English non-metropolitan counties			
Buckinghamshire	351,504	475,158	35·2
Cambridgeshire	381,110	490,772	28·8
Shropshire	253,104	313,440	23·8
Berkshire	449,704	556,817	23·8
Hereford and Worcester	424,697	523,945	23·4
Northamptonshire	355,625	437,262	23·0
Somerset	297,443	364,569	22·6
Wiltshire	352,599	429,013	21·7
Cornwall and Isles of Scilly	304,921	369,663	21·2
Lincolnshire	377,351	456,118	20·9
Dorset	435,987	524,559	20·3
Hampshire	998,035	1,196,718	19·9
Suffolk	403,004	480,869	19·3
West Sussex	470,217	560,031	19·1
Norfolk	491,796	584,449	18·8
Bedfordshire	330,691	390,840	18·2
North Yorkshire	475,467	555,662	16·9
Gloucestershire	352,358	411,466	16·8
Isle of Wight	87,454	101,841	16·5
Oxfordshire	362,422	421,008	16·2

Mr. Simon Coombs: To ask the Secretary of State for Health if he will list the 30 English non-metropolitan districts which have shown the greatest percentage growth in the electorate since 1975; and what have been the percentage growth and actual figures in each case.

Mr. Dorrell: The information requested is as follows:

Area	*Local government electors*		*Percentage Increase*
	1975	*1990*	*1975-90*
English non-metropolitan county districts			
Milton Keynes	57,136	126,345	121·1
Redditch	33,868	56,881	67·9
Tamworth	33,256	51,049	53·5
Bracknell	46,439	70,016	50·8
Wokingham	72,089	106,107	47·2
Peterborough	77,627	112,375	44·8
Huntingdonshire	70,823	101,348	43·1
East Dorset	44,664	63,875	43·0
Hart	44,946	64,041	42·5
Selby	51,421	71,619	39·3
The Wrekin	75,271	104,277	38·5
Basingstoke and Deane	79,049	109,487	38·5
Eastleigh	58,651	80,433	37·1
East Hampshire	57,583	77,460	34·5
Aylesbury Vale	81,127	108,734	34·0
Northampton	101,164	135,434	33·9
Newbury	77,739	103,786	33·5
South Staffordshire	61,930	82,558	33·3
South Cambridgeshire	68,444	90,906	32·8
Fareham	58,415	77,297	32·3
Caradon	45,332	59,899	32·1
Basildon	93,724	123,794	32·1
Crawley	50,753	66,777	31·6
Thamesdown	99,042	129,175	30·4
Test Valley	58,961	76,806	30·3
Woodspring	107,924	140,519	30·2
Breckland	62,820	81,270	29·4
Ryedale	56,135	72,620	29·4
Northavon	76,910	99,108	28·9
Cherwell	64,818	83,429	28·7

DEFENCE

Defence Procurement

Mrs. Fyfe: To ask the Secretary of State for Defence what recent discussions he has had with the defence industries on future economic prospects.

Mr. Alan Clark: My right hon. Friend the Secretary of State for Defence recently chaired a meeting of the National Defence Industries Council at which I was also present, and a number of issues were discussed. In addition, we have frequent informal contacts with the defence industry.

Mr. Thurnham: To ask the Secretary of State for Defence what economies he is making in defence procurement; and if he will make a statement.

Mr. Alan Clark: The Department continues to seek value for money in procurement through the increased use of competition and taut contracting. This strategy has achieved substantial savings although these cannot be precisely quantified. Chapter 3 of volume 1 of the 1990 Statement on the Defence Estimates (Cm. 1022-I) gives more information on the ways in which we seek to make our procurement activities more cost effective.

Nuclear Weapons Policy

Mr. Canavan: To ask the Secretary of State for Defence what recent consideration he has given to a review of Government policy on nuclear weapons; and if he will make a statement.

Mr. Archie Hamilton: We keep our policy on nuclear weapons under constant review.

Conference on Economic Development and Defence Expenditure

Dr. Thomas: To ask the Secretary of State for Defence what representation his Department will have at the conference on economic development and defence expenditure to be held in Sheffield on 24 May.

Mr. Archie Hamilton: I am not aware of any invitations having been issued to officials of the Ministry of Defence.

SGL Defence Ltd.

Mr. Dalyell: To ask the Secretary of State for Defence if he will make a statement on his contacts with SGL Defence Ltd. since 3 April.

Mr. Alan Clark: My right hon. Friend has had no such contacts.

Arms Statistics

Mr. Battle: To ask the Secretary of State for Defence if he will publish a table in the *Official Report* showing, for the last five years for which data are available, in real and cash terms *(a)* the value of trade in arms betweeen the United Kingdom and (i) Burma, (ii) China, (iii) India, (iv) Indonesia, (v) Jordan, (vi) Malaysia, (vii) Phillipines, (viii) Sri Lanka, (ix) Thailand and (x) the Yemen Republic correlated in each year against *(b)* domestic United Kingdom arms production in cash and real terms and *(c)* United Kingdom procurement of domestically produced arms.

Mr. Alan Clark: It has been the practice of successive Administrations not to publish such detailed information for reasons of commercial confidentiality and national security. However, statistics of United Kingdom defence sales from 1984-89 by broad geographic areas are set out in volume 2 of the Statement on the Defence Estimates 1990.

Compensation (Upper Heyford)

Mr. Boswell: To ask the Secretary of State for Defence how many households within the 83 dbn contour around RAF Upper Heyford have sold their properties to his Ministry; and what has been the total amount of compensation paid under this particular scheme.

Mr. Archie Hamilton: The Ministry of Defence has completed the purchase of 15 homes within the 83db(A) noise contour at RAF Upper Heyford at a total cost of £1,966,507. A further 15 properties are subject to negotiations with the local district valuer.

Mr. Boswell: To ask the Secretary of State for Defence how many households, around RAF Upper Heyford, have applied for injurious effects in compensation following the change of flight path; how many so far have received compensation; and what is the total amount paid out to date under this scheme.

Mr. Archie Hamilton: Claims have been submitted by 591 households seeking compensation for a depreciation in property value resulting from an increase in noise following the change in fight path on 1 June 1988. The district valuer's assessment of the basis for compensation is nearing completion but no payments have yet been made.

Mr. Boswell: To ask the Secretary of State for Defence how many households received compensation in the vicinity of RAF Upper Heyford for injurious effects in respect of the tank squadron at RAF Upper Heyford; and what has been the total amount of compensation paid under this particular scheme.

Mr. Archie Hamilton: There is no tank squadron at RAF Upper Heyford, although armoured personnel carriers have been deployed during exercise periods. Injurious affection compensation under the Land Compensation Act 1973 relates to the adverse effect of new works.

Polish Resettlement Act 1947

Mr. Barry Field: To ask the Secretary of State for Defence when he expects to reply to the letter from the hon. Member for Isle of Wight of 3 April on the Polish Resettlement Act 1947.

Mr. Neubert: I refer my hon. Friend to my noble Friend the Parliamentary Under-Secretary of State's letter of 24 April 1990. Our researches into this complex topic are continuing, as are consultations with the other Government Departments involved. My noble Friend will write to my hon. Friend again in due course.

Tritium

Mr. Redmond: To ask the Secretary of State for Defence what steps his Department is taking to safeguard future sources of tritium.

Mr. Alan Clark: I refer the hon. Member to my reply to the hon. Member for Meirionnydd Nant Conwy (Dr. Thomas) on 18 January 1990 at column *421*.

European Fighter Aircraft

Mr. Jack: To ask the Secretary of State for Defence when he expects outstanding issues affecting the European fighter aircraft's development phase to be resolved.

Mr. Alan Clark: I have nothing to add to the statement made by my right hon. Friend the Secretary of State on 8 May at columns 33-34.

Military Radar Base

Dr. Thomas: To ask the Secretary of State for Defence whether he gave any consideration to developing the over-the-horizon military radar base site outside the United Kingdom.

Mr. Alan Clark: Among the objectives of the planned two-year trial of an over-the-horizon radar in the United Kingdom are to determine whether the system is capable of functioning satisfactorily in British latitudes and to assess whether it could constitute a worthwhile permanent addition to the United Kingdom's early warning capability. It would not be possible to achieve these objectives if the system were to be situated outside the United Kingdom.

Dr. Thomas: To ask the Secretary of State for Defence if he will publish the full list of sites considered for developing the latest over-the-horizon military radar base; and how many of these sites were located in *(a)* England, *(b)* Scotland, *(c)* Wales and *(d)* Northern Ireland.

Mr. Alan Clark: It is not the practice to reveal such details.

Dr. Thomas: To ask the Secretary of State for Defence whether his Department has received any representations from Churches in Wales concerning the construction of a radar base in the St. David's area.

Mr. Alan Clark: My Department has received representations from the honorary secretary and the honorary treasurer of the Friends of St. David's cathedral about the proposed construction of an over-the-horizon radar transmitter at St. David's airfield.

Dr. Thomas: To ask the Secretary of State for Defence if he will publish the text of the memorandum of understanding signed by the United Kingdom and United States Governments on 20 April concerning St. David's military radar base.

Mr. Alan Clark: I shall be writing to the hon. Member on this and related issues.

Energy Consumption

Mr. Dobson: To ask the Secretary of State for Defence, pursuant to his answer of 30 April, *Official Report*, column *429*, if he will give the expenditure on energy consumption, broken down by fuel, of the buildings occupied by his Department, for the latest year available.

Mr. Neubert: The gross expenditure (without allowing for appropriations in aid) on energy consumption in the defence estate for the financial year 1988-89, broken down by fuel, is as follows:

	£ thousands
Furnace fuel oil	31,053
Other Liquid fuels	4,762
Electricity	150,368
Gas	39,043
Solid fuel	8,165
Utilities	1,886
Total	235,277

The expenditure on energy consumption in the civil estate for the financial year 1988-89, broken down by fuel, is as follows:

	£ thousands
Liquid fuel	505
Electricity	3,537
Gas	510
Solid fuel	1
Utilities	485
Total	5,038

Iraq (Arms Sales)

Mr. Dalyell: To ask the Secretary of State for Defence what contact he has had with Ordnance Technology Ltd. over sales of arms to Iraq; and if he will make a statement.

Mr. Alan Clark: None.

SCOTLAND

Energy Consumption

Mr. Dobson: To ask the Secretary of State for Scotland, pursuant to his answer of 30 April, *Official Report*, column *453*, if he will give the energy consumption, broken down by fuel, of the buildings occupied by his Department for the latest year available measuring electricity in kilowatts, gas in therms, liquid fuel in litres and solid fuel in tonnes.

Mr. Rifkind: The figures for 1989-90 are:

Electricity—25,807,925 kilowatt hours
Gas—98,215 therms
Liquid fuel—126,048 litres
Solid fuel—170 tonnes

These figures exclude prisons and the minor Scottish Departments.

Mr. Dobson: To ask the Secretary of State for Scotland, pursuant to his answer of 30 April, *Official Report*, column *453*, if he will give the expenditure on energy consumption, broken down by fuel, of the buildings occupied by his Department for the latest year available.

Mr. Rifkind: The figures for 1989-90 are:

	£
Electricity	508,977
Gas	82,576
Liquid fuel	59,290
Solid fuel	15,237

These figures exclude prisons and the minor Scottish Departments.

TRANSPORT

Manchester Ship Canal

Mr. Butler: To ask the Secretary of State for Transport if, during the reconstruction of the Thelwall viaduct on the M6, he will conduct negotiations with the Manchester Ship Canal Company to suspend the tolls on the Warburton toll bridge.

Mr. Atkins: No. We expect to keep three lanes open in each direction on the M6 during construction of the new viaduct and the reconstruction of the existing structure.

"The Road User and the Law"

Mr. Rathbone: To ask the Secretary of State for Transport what administrative action has so far been taken to implement the proposals contained in the White Paper "The Road User and the Law"; what remains to be done; and what timetable has been set to complete such actions.

Mr. Atkins: The extended high-risk offenders scheme will operate from 1 June. We are studying the comments made in response to consultation on retesting, prohibition and enforcement technology which cover both the legislative framework and detailed administrative arrangements of the proposals. We look forward to receiving comments on our papers on drivers' physical fitness and rehabilitation of drink-drivers by 12 June and 29 June respectively. Copies of all the consultation papers have been placed in the Library.

Discussions are continuing with the police and other interested organisations on the use of warnings, the operation of vehicle defect rectification schemes and the use of the Bail Acts. We aim to press ahead as speedily as possible to complete the development of our proposals arising from the North report.

Mr. Rathbone: To ask the Secretary of State for Transport, pursuant to his reply to the hon. Member for Cheadle (Mr. Day), *Official Report*, 7 March, column *665*, if he is now in a position to make a further statement on his intention to bring forward legislation to implement the proposals in "The Road User and the Law".

Mr. French: To ask the Secretary of State for Transport what plans he has to introduce legislation based on the contents of "The Road User and the Law".

Mr. Atkins: The proposals contained in the White Paper, "The Road User and the Law", are an important part of our strategy to achieve a one third reduction in road accident casualties by the year 2000 and I intend to introduce legislation at the earliest opportunity.

Paddington to South-West Railway Services

Mr. David Nicholson: To ask the Secretary of State for Transport what information he has on the number of occasions in the first four months of 1990 the railway service from Paddington to the south-west has been seriously disrupted by *(a)* the weather, *(b)* flooding, *(c)* damage to bridges, *(d)* damage to cables controlling the signalling at Paddington and *(e)* other factors; whether he has received any request for financial assistance from British Rail with the aim of avoiding repetition of such disruption; and if he will make a statement.

Mr. Freeman: I understand that railway services from Paddington to the south-west were disrupted by a number of factors on a total of seven days in the first four months of this year. These are operational matters for British Rail and my right hon. Friend has received no special request from BR for financial assistance.

Loran C Station, County Kerry

Mr. John D. Taylor: To ask the Secretary of State for Transport what plans there are for the provision of a Loran C base station in County Kerry; whether its services will be available to fishermen from the United Kingdom and the Republic of Ireland; how the provision of this station will be financed; and whether any financial contribution towards this new service will be required from United Kingdom and Irish Republic fishermen.

Mr. McLoughlin: The proposals for a north-west European Loran C system currently envisage a new transmitter station in south-west Ireland, but I understand that no site has yet been chosen. The system, if established, would be available for all marine users around the British Isles. Subject to an international agreement being reached, the participating countries would share the cost of establishing and running the system. The United Kingdom's cost-sharing obligations would be a charge against the general lighthouse fund through the light duties levied on shipping, including fishing vessels liable to such dues. The financial obligations of the Republic of Ireland are a matter for the Irish Government, as also is the determination of light dues charges in the Republic.

Air Passengers

Mr. Hayward: To ask the Secretary of State for Transport how many United Kingdom airports with an annual throughput of over 750,000 passengers have passenger forecast levels to the year 2005 at the same or within 10 per cent. of that level forecast by the Civil Aviation Authority.

Mr. McLoughlin: Individual airports forecast their own levels of traffic, in some cases to 2005. Where forecasts are supplied to the Department, they are provided in confidence, and my hon. Friend should approach the airports themselves for information about them.

Any comparison with the CAA forecasts in CAP 548, published in January 1989, would need to take account of the variety of scenarios considered by the CAA for 2005.

King's Cross

Mr. Gerald Bowden: To ask the Secretary of State for Transport if he will list his responsibilities in relation to the development of the King's Cross railway lands.

Mr. Freeman: Apart from the general policy objective of encouraging the British Railways Board to dispose of non-operational land on a proper commercial basis, my right hon. Friend has a responsibility to consider the possible impact which the development may have on the public transport system and the adjacent trunk road.

East London Assessment Study

Mr. Sedgemore: To ask the Secretary of State for Transport when he intends to publish details of his junction schemes at the Old street roundabout and in the Shoreditch one-way system arising out of his decisions on the east London assessment study.

Mr. Atkins: The Department will be discussing with the boroughs concerned a co-ordinated approach to the improvement of the inner ring road which, at the points mentioned, is not a trunk road. It is too soon to say if those discussions will lead to the publication of possible schemes.

Energy Consumption

Mr. Dobson: To ask the Secretary of State for Transport, pursuant to the answer of 30 April, *Official Report*, column *434*, if he will give the expenditure on energy consumption, broken down by fuel, of the buildings occupied by his Department for the latest year available.

Mr. Atkins: Expenditure on energy consumption by the Department of Transport in 1989-90 is calculated to have been:

	£ (thousands)
Electricity	1,698
Gas	559
Liquid fuel	335
Solid fuel	10
Total	2,602

EDUCATION AND SCIENCE

Energy Consumption

Mr. Dobson: To ask the Secretary of State for Education and Science, pursuant to the answer of 30 April, *Official Report*, column *392*, if he will give the expenditure for the latest year available on energy consumption, broken down by fuel, of the buildings occupied by his Department.

Mrs. Rumbold: The information requested by the hon. Member is as follows:

Expenditure on energy consumption for calendar year 1989

	£
Electricity	268,252
Gas	33,953
Liquid Fuel	32,473

This information relates to the Department's headquarters premises and all Her Majesty's inspectorate's local offices.

EMPLOYMENT

Youth Training

Ms. Short: To ask the Secretary of State for Employment if he will publish details for each of the standard economic regions within Great Britain for each year from April 1986 to the most recent date, the number of contracted YTS places *(a)* in total and *(b)* contracted to schemes specifically catering for trainees with disabilities.

Mr. Nicholls: Details for each of the standard economic regions within Great Britain for each year from April 1986 to the most recent date, the number of contracted YTS places *(a)* in total; and *(b)* contracted to schemes specifically catering for trainees with disabilities are as follows:

	[1]*1987*	[1]*1988*	[1]*1989*	[1]*1990*
Scotland	55,384	63,285	62,493	60,989
Northern	35,155	42,288	39,781	37,490
North West	78,406	90,069	81,112	76,962
Yorkshire and Humberside	53,592	60,987	61,469	60,197
Midlands	68,136	77,342	68,962	62,067
Wales	31,061	32,311	29,019	29,326
South West	36,427	46,363	43,397	41,282
South East	59,266	66,301	58,907	58,722
London	37,249	36,320	30,383	32,699
East Midlands and East	58,510	68,455	61,533	60,679
Great Britain	513,186	583,721	537,056	520,413

[1] To the 31 March

The figures showing the number of YTS places contracted to schemes specifically catering for trainees with disabilities are not available.

Ms. Short: To ask the Secretary of State for Employment if he will list and make available any research on young people with disabilities and YTS undertaken or commissioned by the Manpower Services Commission, the Training Commission and the Training Agency.

Mr. Nicholls: Reports of relevant research are listed and include reports on young people with special training needs in YTS where disability issues are a major component of the research concerned. I will place copies of these documents in the Libraries of both Houses.

—Going on YTS: The recruitment of young people with disabilities;
—Note on YTS experience of young people with special training needs;
—Young people with special training needs: the survey report;
—Employer involvement in special training needs training.

Biotechnology

Mr. Ted Garrett: To ask the Secretary of State for Employment if he has estimated the number of new jobs that will be created by the development of biotechnology.

Mr. Nicholls: No.

Labour Statistics

Mr. Ralph Howell: To ask the Secretary of State for Employment if he will state the total number of persons engaged in (i) agriculture, (ii) steel industry, (iii) coal mining, (iv) the car industry, (v) the electrical goods industry, (vi) local government and (vii) the National Health Service in 1979 and 1989, showing the percentage increase or decrease in each case.

Mr. Nicholls: The Department's estimates of employment are categorised according to the 1980 standard industrial classification (SIC80). This classification does not specifically identify the industries requested.

Medical and other health services (SIC80 groups 951, 952, 953 and 954) covers the National Health Service along with other employers.

Estimates for the steel industry are available only from periodic censuses of employment, the results of which are published in the *Employment Gazette*.

The available information is given in the table.

Employees in employment—Great Britain

Thousands (unadjusted for seasonal variation)

Industries (SIC80)	*June 1979*	*June 1989*	*Change*	*Percentage change*
Agriculture and horticulture (class 01)	339	263	−77	−22·6
Coal extraction and manufacture of solid fuels (group 111)	299	102	−198	−66·0
Manufacture of motor vehicles and parts (class 35)	464	268	−196	−42·2
Electrical and electronic engineering (class 34)	752	548	−204	−27·1
Local government service not elsewhere specified (activity 9112)	662	570	−91	−13·8
Medical and other health services (group 951, 952, 953 and 954)	1,170	1,386	216	18·5

Coal Mines (Inspectors' Visits)

Mr. Strang: To ask the Secretary of State for Employment what was the number of *(a)* British Coal deep coal mines, *(b)* licensed private deep coal mines, *(c)* British Coal opencast mines and *(d)* licensed private opencast coal mines visited by Her Majesty's mines inspectors in (i) 1986-87, (ii) 1987-88, (iii) 1988-89 and (iv) 1989-90.

Mr. Nicholls: The numbers of British Coal deep coal mines in operation for the years given are 110, 94, 86 and 73 respectively. Each mine was visited by the Health and Safety Executive's inspectorate of mines.

The number of operating licensed coal mines is normally between 170 and 180 and all major sites are visited at least once a year.

The numbers of opencast coal mines in operation for the years given are 186, 194, 179 and 178 respectively. All sites would normally be visited at least once a year.

Tourism

Mr. Simon Coombs: To ask the Secretary of State for Employment how many United Kingdom workers in the tourism industry have been assisted by the European social fund's training programmes.

Mr. Eggar: The information requested is not available.

Training and Enterprise Councils

Mr. Blair: To ask the Secretary of State for Employment when he next expects to terminate contracts with training providers including TECs.

Mr. Eggar: Training providers are currently re-negotiating contracts with the Training Agency or with training and enterprise councils (TECs) where these are now operational. As further TECs become operational they will take over contracts with training providers in line with their approved corporate and business plans. Termination of contracts with training providers will depend on the terms of individual contracts and on operational requirements.

Sheltered Places Scheme

Sir David Steel: To ask the Secretary of State for Employment if he will make more funds available to the sheltered place scheme to increase the number of new places on that scheme.

Mr. Eggar: An additional £4·2 million has been made available towards the cost of expenditure on sheltered employment by local authorities and voluntary bodies this year, an increase of 14 per cent. over 1989-90. I do not at present expect that it will be possible to add further resources, but I shall keep the matter under review.

Energy Consumption

Mr. Dobson: To ask the Secretary of State for Employment, pursuant to the answer of 30 April, *Official Report*, column *448*, why figures for energy consumption by unit of consumption are not available for his Department.

Mr. Nicholls: The nature of the Department of Employment group estate and the methods by which energy bills were paid is such that overall records by unit of consumption are not available. Where PSA was responsible for payment of energy bills information by unit of consumption is available. Where the Department has paid energy bills direct, only the cost element of the bill has been recorded and information by unit of consumption is not available.

Unemployed Claimants

Mr. Nellist: To ask the Secretary of State for Employment if he will estimate for 1988 and 1989 *(a)* the number of claimants without paid jobs who wanted full-time jobs, *(b)* the number who wanted part-time jobs, *(c)* the number who had no preference and *(d)* the number who did not want a job who (i) had not looked for a job in the last week, (ii) had not looked for a job in the last four weeks, (iii) were not available for work within the next two weeks, (iv) were in categories (i) and (iii), (v) were in categories (ii) and (iii), breaking the estimates down by sex and according to whether the main reason for not seeking work in the last week was (1) looking after family/home, (2) long-term sick/disabled, (3) believed no jobs available, (4) retired, (5) temporarily sick, on holiday, awaiting results of job applications or waiting to start a job already obtained, (6) did not want/need work, (7) studying, (8) not yet started looking, (9) other reasons/no reply/not applicable and (10) all reasons.

Mr. Nicholls *[holding answer 30 April 1990]:* The available information is given in the tables. It is not possible to provide a reliable analysis of these figures by reason for not seeking work in the last week.

Claimants (aged 18 and over) not in employment, Spring 1988
Great Britain

	(i) Not looked for work in reference week '000s	(ii) Not looked for work in last four weeks '000s	(iii) Not available to start work '000s	(iv) Both (i) and (iii) '000s	(v) Both (ii) and (iii) '000s
All persons					
(a) Would like a full-time job	260	150	60	50	40
(b) Would like a part-time job	100	60	20	20	20
(c) No preference	40	30	10	[2]	[2]
(d) Does not want a job	290	[1]	[1]	[1]	[1]
Men					
(a) Would like a full-time job	200	120	40	30	30
(b) Would like a part-time job	40	20	[2]	[2]	[2]
(c) No preference	30	20	[2]	[2]	[2]
(d) Does not want a job	190	[1]	[1]	[1]	[1]
Women					
(a) Would like a full-time job	50	30	20	10	10
(b) Would like a part-time job	70	40	20	20	10
(c) No preference	20	[2]	[2]	[2]	[2]
(d) Does not want a job	100	[1]	[1]	[1]	[1]

[1] Not asked.
[2] Less than 10,000.

Notes: Table excludes people who said they would like work as self employed.
Figures are individually rounded to the nearest 10,000.
The reconciliation of the claimant count with the claimant figures obtained from the 1989 Labour Force Survey has been affected by an improvement in the design of the questionnaire and also by the change in benefit regulations for under 18 year in September 1988. As a result the reconciliations for both 1988 and 1989 have been restricted to claimants aged 18 and over to enable valid comparisons to be made between the two years.
Source: Derived with reference to both the claimant count and the 1988 Labour Force Survey results.

Claimants (aged 18 and over) not in employment, Spring 1989
Great Britain

	(i) Not looked for work in reference week '000s	(ii) Not looked for work in last four weeks '000s	(iii) Not available to start work '000s	(iv) Both (i) and (iii) '000s	(v) Both (ii) and (iii) '000s
All persons					
(a) Would like a full-time job	190	110	50	30	30
(b) Would like a part-time job	50	30	20	10	10
(c) No preference	30	20	10	[2]	[2]
(d) Does not want a job	130	[1]	[1]	[1]	[1]
Men					
(a) Would like a full-time job	140	80	30	20	20
(b) Would like a part-time job	20	[2]	[2]	[2]	[2]
(c) No preference	20	10	[2]	[2]	[2]
(d) Does not want a job	80	[1]	[1]	[1]	[1]
Women					
(a) Would like a full-time job	40	20	20	10	[2]
(b) Would like a part-time job	30	20	10	10	[2]
(c) No preference	10	[2]	[2]	[2]	[2]
(d) Does not want a job	60	[1]	[1]	[1]	[1]

[1] Not asked.
[2] Less than 10,000.

Notes: Table excludes people who said they would like work as self employed.
Figures are individually rounded to the nearest 10,000.
The reconciliation of the claimant count with the claimant figures obtained from the 1989 Labour Force Survey has been affected by an improvement in the design of the questionnaire and also by the change in benefit regulations for under 18 year in September 1988. As a result the reconciliation has been restricted to claimants aged 18 and over.
Source: Derived with reference to both the claimant count and the 1989 Labour Force Survey results.

Coal Mining (Fatal Injuries)

Mr. Strang: To ask the Secretary of State for Employment what was the number of fatal injuries in *(a)* British Coal deep coal mines, *(b)* licensed private deep coal mines, *(c)* British Coal opencast mines and *(d)* licensed private opencast mines in 1989-90.

Mr. Nicholls *[holding answer 4 May 1990]:* This information is not yet available.

Education Business Partnerships

Mr. Paice: To ask the Secretary of State for Employment what will be the total level of financial support made available by his Department for the initial funding of the local education business partnerships and the maximum receivable by each partnership.

Mr. Eggar *[holding answer 8 May 1990]:* I refer my hon. Friend to the announcement made by my right hon. Friend the Secretary of State for Trade and Industry on 24 April 1990 at column *116*.

NATIONAL FINANCE

Local Enterprise Companies

Mr. Hanley: To ask the Chancellor of the Exchequer whether he intends to introduce a tax relief for contributions by businesses to local enterprise companies in Scotland.

Mr. Lilley: Yes. As was foreshadowed in the Inland Revenue's Budget day press release, my right hon. Friend the Chancellor of the Exchequer is today tabling amendments to clause 68 of the Finance Bill to extend to local enterprise companies in Scotland the proposed new tax relief for business contributions to training and enterprise councils in England and Wales on the same terms and for the same period.

European Monetary System

Mr. Shore: To ask the Chancellor of the Exchequer what swap arrangements are available to the United Kingdom from other central banks in the European monetary system; and what additional funds are available to those European monetary system members that are also members of the exchange rate mechanism.

Mr. Major *[holding answer 3 May 1990]:* Since 1984, a mobilisation mechanism has existed which allows EMS members to obtain dollars in exchange for the ecu provided by the European monetary co-operation fund (EMCF) against the deposit of 20 per cent. of gold and 20 per cent. of dollars in official reserves.

In addition, some credit facilities are available to EMS members. All members have access to medium-term financial support (MTFS), which is an inter-governmental facility to help member states with balance of payments difficulties, and short-term monetary support (STMS), which is a central bank facility providing support for temporary balance of payments difficulties. ERM members also have access to the very short-term financing facility (VSTF) to enable interventions to be made in Community currencies.

CIVIL SERVICE

COSH Regulations

Dr. Marek: To ask the Minister for the Civil Service, pursuant to his answer of 20 April, *Official Report*, column *1042-43*, whether assessments under the Control of Substances Hazardous to Health Regulations have been undertaken for all workplaces used by civil servants in the Department for which he has responsibility.

Mr. Luce: With professional guidance from the civil service occupational health service, assessments are now under way in all the Cabinet Office buildings, which will concentrate particularly on areas where chemicals are used as part of the work. Staff have been encouraged to comment on anything which they regard as hazardous.

PRIME MINISTER

Edinburgh

Q53. **Mr. Ron Brown:** To ask the Prime Minister if she will make an official visit to Edinburgh.

The Prime Minister: I hope to visit Edinburgh shortly.

European Union

Q159. **Mr. Dykes:** To ask the Prime Minister if she will list her proposals for presentation to European Community Heads of Government to develop United Kingdom participation in aspects of European union.

The Prime Minister: As I made clear in the House on 1 May, we shall be putting forward a series of constructive ideas for strengthening the Community by making its institutions more effective and efficient.

West German Chancellor

Q167. **Mr. Hunter:** To ask the Prime Minister when she will next meet the Chancellor of West Germany; and what matters she will discuss with him.

The Prime Minister: I meet Chancellor Kohl frequently. We met at the Anglo-German summit on 30 March and at the special European Council meeting in Dublin on 28 April. I expect that there will be further contacts soon. Subjects for discussion include EC and NATO issues, east-west relations and German unification.

Engagements

Mr. Conway: To ask the Prime Minister if she will list her official engagements for Thursday 10 May.

Mr. Harry Greenway: To ask the Prime Minister if she will list her official engagements for Thursday 10 May.

Mr. Stern: To ask the Prime Minister if she will list her official engagements for Thursday 10 May.

The Prime Minister: This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

OVERSEAS DEVELOPMENT

Eastern Europe

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs how many staff of the Overseas Development Administration worked full time on matters concerning eastern Europe in each month in the current year; and how many staff worked part time on east European issues in each month.

Mrs. Chalker: The numbers of Overseas Development Administration staff who have worked full time on assistance to eastern Europe in each month of the current year are:

	Staff
January	3
February	3
March	5
April	6

The number of staff who spend some part of their time on bilateral or multilateral matters concerning eastern Europe varies greatly from day to day. It is not possible to provide a breakdown of the numbers involved in each month.

Mr. McFall: To ask the Secretary of State for Foreign and Commonwealth Affairs how many staff with the Overseas Development Administration have been relocated from work on development issues with the Third world to work on assistance to eastern Europe: and if they have been replaced.

Mrs. Chalker: To date, six ODA staff have been assigned to posts exclusively concerned with assistance to eastern Europe. All of them have been, or will be, replaced in their previous jobs.

Budgetary provision has been made for a further six such posts to be filled by the ODA in 1990-91.

European Bank for Reconstruction and Development

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the planned United Kingdom contribution to the European bank for reconstruction and development; and whether this will come from existing budgets.

Mrs. Chalker: Subject to parliamentary approval and the deposit of an instrument of ratification, it is envisaged that the United Kingdom will subscribe to 85,175 shares of the initial authorised capital stock of 1 million shares. The cost per share will be 10,000 ecu. Thirty per cent. of each shareholding would be for paid-in shares, with payment in five equal annual instalments; half of each instalment being paid in cash, and half in non-negotiable, non-interest-bearing promissory notes. On this basis, the current annual cost to the United Kingdom of taking up the full shareholding allocated would be about £19 million, depending on the sterling/ecu exchange rate at the time of payment. Provision of such sums for the years to 1993-94 will be discussed in this year's public expenditure survey.

AGRICULTURE, FISHERIES AND FOOD

Biotechnology

Mr. Ted Garrett: To ask the Minister of Agriculture, Fisheries and Food what are the benefits to the farming, fishing and food processing industries of the development of biotechnology.

Mr. Maclean: Biotechnology offers a wide range of opportunities within the farming, fishing and food processing industries for the development of safer, more effective and less costly products and processes, for the benefit of consumers, producers and the environment generally.

British Horse Society

Mr. Bellingham: To ask the Minister of Agriculture, Fisheries and Food when he next expects to meet the president of the British Horse Society.

Mr. Maclean: The Department is regularly in touch with the British Horse Society on matters of mutual interest, but I have no immediate plans to meet its president.

Beef and Butter

Mr. Speller: To ask the Minister of Agriculture, Fisheries and Food what representations he has received complaining that the distribution scheme for surplus EC beef and butter is too complex; and how long was allowed from notification date to submission of applications to become a distributor.

Mr. Curry: Since my announcement on 19 March that the EC surplus food scheme should operate for one further year, I have received two representations critical of the administrative arrangements for the operation of this scheme. Charitable and other non-profit-making organisations interested in participating in the scheme were allowed nearly seven weeks—until 4 May—in which to apply.

Mr. Speller: To ask the Minister of Agriculture, Fisheries and Food how many organisations have co-operated with the scheme to distribute surplus EC butter and beef in 1990 and in previous years; and if he will make a statement.

Mr. Curry: Some 127 organisations were originally designated to distribute surplus EC produce during 1988 and 1989. There has been a large response to the invitation to charitable and other non-profit-making organisations to participate in the distribution during 1990. Applications are currently being considered and I will make a statement once decisions have been taken.

Energy Consumption

Mr. Dobson: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 30 April, *Official Report*, column *458*, why figures for energy consumption by unit of consumption are not available for his Department.

Mr. Maclean: For the 1989-90 financial year the Department was billed for energy use by the Property Services Agency in financial terms. MAFF has some 300 properties throughout the country, many of which are shared premises without separate meters, where an agreed proportion of the energy cost is paid. The total number of energy units, even if it could be worked out in detail, could be compiled only at disproportionate cost.

Bovine Spongiform Encephalopathy

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food how much he has either spent or allocated on bovine spongiform encephalopathy *(a)* research or *(b)* compensation for each year from 1985 to 1992 in the United Kingdom; and if he will make a statement.

Mr. Gummer *[pursuant to his reply, 30 April, 1990,* column *456]:* The amount given for expenditure on BSE

compensation in the financial year 1989-90 was incorrect and should read £4,028,063. I should also make clear that the information provided refers to expenditure in Great Britain only.

NORTHERN IRELAND

Inward Investment

13. **Mr. Michael Brown:** To ask the Secretary of State for Northern Ireland if he will make a statement on the progress of inward investment.

Mr. Needham: The Industrial Development Board will shortly be announcing its results for 1989-90 and the inward investment achievements will show a further improvement on the very encouraging figures of the previous year.

House Prices

14. **Mr. Harry Greenway:** To ask the Secretary of State for Northern Ireland what was the average price of a house in the Province in each of the past three years; and if he will make a statement.

Mr. Peter Bottomley: The average price of second-hand dwellings sold on the open market in the Province during 1987 was £27,750. In 1988 this rose by 7 per cent. to £29,730.

During the first three quarters of 1989 the average price was £30,840, a 3·7 per cent. increase on 1988.

The average price of new-build properties was £31,060 in 1987 and, after a 2·2 per cent. rise, £31,740 in 1988. No figure is yet available for 1989.

The lower cost of housing means that more people can buy. At a given level of income, many people in Northern Ireland can be better housed or better off than in parts of Great Britain.

Debenhams plc

16. **Mr. Hague:** To ask the Secretary of State for Northern Ireland what financial assistance was given by his Department to Debenhams plc to assist in setting up its Belfast store; and if he will make a statement.

Mr. Needham: No financial assistance was given to Debenhams plc to assist in setting up its Belfast store.

Security

17. **Mr. Ron Brown:** To ask the Secretary of State for Northern Ireland if he will make a statement about the security situation in the Province.

21. **Mr. William Ross:** To ask the Secretary of State for Northern Ireland if he will make a statement on the current security situation in Northern Ireland.

26. **Mr. Kilfedder:** To ask the Secretary of State for Northern Ireland if he will make a statement about the security situation in the Province.

Mr. Brooke: Since I answered a similar question on 29 March 1990, the Chief Constable issued on 26 April a warning that PIRA was intent on a campaign of bombing and shootings. This warning was justified by the attempts to bomb police and Army bases, as well as numerous other explosions. Fortunately, vigilance prevented the serious loss of life and damage to property which would otherwise have occurred. Since 29 March there have been 10 deaths arising from the security situation in Northern Ireland. Four full-time members of the Ulster Defence Regiment and two civilians were murdered by Republican terrorists, two civilians are believed to have been murdered by so-called "Loyalists" and one member of the Regular Army was murdered by paramilitaries unknown. One civilian, since claimed as a member of IPLO on active service, was killed by the security forces.

Stevens Report

18. **Mr. McAvoy:** To ask the Secretary of State for Northern Ireland how he intends to respond to the Stevens report.

25. **Mr. Loyden:** To ask the Secretary of State for Northern Ireland what is his response to the Stevens report.

Mr. Ernie Ross: To ask the Secretary of State for Northern Ireland if he will make a statement on the Stevens inquiry.

Mr. Cope: This inquiry was commissioned by the Chief Constable of the RUC and I understand that Mr. Stevens delivered his report to him on 5 April. The Chief Constable is still considering it. It is at present too early to say what response by Government may be necessary.

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many persons normally resident in the constituency of Antrim, East are currently being held in custody in Her Majesty's prison, Crumlin road, Belfast, and denied bail pending charges being preferred as a result of the Stevens inquiry.

Mr. Cope: I understand that two people from the constituency of Antrim, East are now in custody on remand, after being charged with offences following the investigations led by DCC Stevens. I also understand that one person currently held in custody has refused to give details of his address.

Mr. A. Cecil Walker: To ask the Secretary of State for Northern Ireland how many persons normally resident in the constituency of Belfast, North are currently being held in custody at Her Majesty's prison, Crumlin road, Belfast, and denied bail, pending charges being preferred as a result of the Stevens inquiry.

Mr. Cope: I understand that three people from the constituency of Belfast, North, are now in custody on remand after being charged with offences following the investigations led by DCC Stevens. I also understand that one person currently held in custody has refused to give details of his address.

Extradition

19. **Mr. Hunter:** To ask the Secretary of State for Northern Ireland if he will make a further statement on the current arrangements with the Republic of Ireland regarding the extradition of convicted or suspected terrorists.

35. **Mr. Tony Lloyd:** To ask the Secretary of State for Northern Ireland if he will make a statement on extradition arrangements.

39. **Mr. Hanley:** To ask the Secretary of State for Northern Ireland if he has had discussions with the Irish Government on the obstacles in Irish law to extradition from the Republic of those convicted of crimes in Northern Ireland.

Mr. Cope: I refer my hon. Friends and the hon. Member to the answer which I gave earlier today to the hon. Member for Birmingham, Erdington (Mr. Corbett).

33. **Mr. Andrew F. Bennett:** To ask the Secretary of State for Northern Ireland if he will outline his policy on extradition.

Mr. Cope: We remain committed to ensuring that the arrangements between the authorities in the United Kingdom and in the Republic of Ireland for bringing fugitive offenders to justice are made fully effective. To that end, British and Irish officials have been instructed to undertake a review of the situation and report to a future meeting of the Anglo-Irish Intergovernmental Conference.

Mr. Stern: To ask the Secretary of State for Northern Ireland how many people wanted for questioning or trial in respect of alleged offences in Northern Ireland are currently awaiting the conclusion of extradition proceedings in the Irish Republic.

Mr. Cope: Three cases, all concerning individuals who are wanted to complete outstanding prison sentences for offences committed in Northern Ireland, are currently being actively considered by courts in the Republic of Ireland.

NHS Reform

20. **Rev. Martin Smyth:** To ask the Secretary of State for Northern Ireland what guidance has been given to health and social service boards in the purchase of services under the proposed National Health Service reforms.

Mr. Needham: Since "Working for Patients" was published there has been a continual flow of information to boards about the purchase of services. The main guidance has been Northern Ireland working paper No. 2, a paper on purchasers and providers published last November and a paper on the operational principles of contracting published in February.

Drink-driving

22. **Mr. Roger King:** To ask the Secretary of State for Northern Ireland if he will make a statement on the statistics for drinking and driving in the Province.

Mr. Peter Bottomley: In Northern Ireland there has been a downward trend over the last 10 years in road deaths due to alcohol or drugs, from 53 in 1980 to 35 in 1989.

While this trend is welcome, any death caused by drinking and driving is entirely avoidable.

We shall continue to work with the drink industry, hoteliers, publicans and club organisers in order to influence public attitudes towards the unacceptability of drinking and driving.

We each have responsibilities: as hosts to provide a range of alcohol-free drinks for our guests; as drivers to refrain from drinking and driving; as passengers to choose a non-drinking driver.

Small Businesses

23. **Mr. Carrington:** To ask the Secretary of State for Northern Ireland how many small businesses have started up in Northern Ireland over the last three years; and if he will make a statement.

Mr. Needham: There is no comprehensive system of measuring small business start-ups in Northern Ireland, although there are several useful proxy indicators. One of the most widely used is the number of businesses (of all sizes) registering for VAT, of which there were an estimated 10,000 in three years ending in 1988. The figure for 1989 is not yet available.

Anglo-Irish Agreement

24. **Mr. Pawsey:** To ask the Secretary of State for Northern Ireland if he will make a statement on the operation of the Anglo-Irish Agreement.

Mr. Brooke: The Government remain committed to the Anglo-Irish Agreement and the principles it embodies. However, we remain willing to examine any proposals concerning the agreement, particularly if they are likely to command widespread support.

27. **Mr. Andrew MacKay:** To ask the Secretary of State for Northern Ireland if he will make a statement on his discussions with the Irish Government within the Anglo-Irish Agreement.

Mr. Brooke: The last meeting of the Intergovernmental Conference was on 19 April. Copies of the joint statement issued afterwards were placed in the Library and the Vote Office. I expect another meeting to be held within the next few weeks.

37. **Mr. Flannery:** To ask the Secretary of State for Northern Ireland when the next meeting of the Anglo-Irish Conference will take place.

Mr. McFall: To ask the Secretary of State for Northern Ireland when he next expects the Anglo-Irish Conference to meet.

Mr. Brooke: I expect the Intergovernmental Conference to meet in the next few weeks.

Irish Foreign Minister

28. **Mr. Duffy:** To ask the Secretary of State for Northern Ireland when he will next meet the Irish Foreign Minister; and what matters he proposes to discuss.

Mr. Brooke: I expect to meet the Irish Foreign Minister at an Intergovernmental Conference in the next few weeks and that we shall discuss a range of matters including the political situation in Northern Ireland, security co-operation and cross-border economic and social co-operation.

Health Expenditure

29. **Mr. Andrew Mitchell:** To ask the Secretary of State for Northern Ireland how much was spent on health per head of the population in Northern Ireland in 1989-90; and if he will make a statement.

Mr. Needham: Spending on health and personal social services in Northern Ireland per head of the population in 1989-90 was about £608.

This remains substantially above levels in England and Wales and is a continued recognition of the Province's need for additional health and social services care, despite other pressures on resources.

Economy

30. **Mr. Burt:** To ask the Secretary of State for Northern Ireland if he will make a statement on the state of the Northern Ireland economy.

Mr. Cope: The state of the Northern Ireland economy is reflected by a range of indicators. The latest available economic data for Northern Ireland show that compared with a year earlier the number unemployed in March 1990 has fallen by 10,600 and manufacturing output in quarter four, 1989 has risen by 7 per cent.

Education

31. **Mr. Dover:** To ask the Secretary of State for Northern Ireland if he will make a statement on the progress of integration in education in Northern Ireland.

Dr. Mawhinney: I refer my hon. Friend to the reply given to the hon. Member for Nottingham, North (Mr. Allen) on 29 March, at column *310*.

Capital Value Rates

32. **Mr. Neil Hamilton:** To ask the Secretary of State for Northern Ireland if he has received any representations to introduce capital value rates in Northern Ireland; and if he will make a statement.

Mr. Cope: No such representations have been received.

Payments for Debt

34. **Mr. Clifford Forsythe:** To ask the Secretary of State for Northern Ireland what plans he has to repeal the Payments for Debt Emergency Provisions Act (Northern Ireland) 1971.

Mr. Cope: There are presently no plans to repeal the Act. However, the need for the legislation is kept under review in the light of prevailing circumstances and developments.

Irish Language (Schools)

36. **Mr. Beggs:** To ask the Secretary of State for Northern Ireland to how many schools in Northern Ireland the Northern Ireland Curriculum Council sent consultative documents on Irish as a medium; and how many responses have been returned.

Dr. Mawhinney: Copies were sent to all grant-aided schools in Northern Ireland. The council received a total of 165 responses.

Road Deaths

38. **Mr. Summerson:** To ask the Secretary of State for Northern Ireland if he will make a statement on road deaths in Northern Ireland.

Mr. Peter Bottomley: Since my right hon. Friend the Secretary of State announced the road casualty reduction programme on 31 October 1989, 86 people have been killed on the roads of Northern Ireland up to the end of April 1990. This includes three people killed in the Slaght level crossing accident and compares with 98 killed in the corresponding period last year.

While this shows a significant improvement, we are still behind our target of a reduction to 140 by 31 October 1990. The Department of the Environment for Northern Ireland will continue to work closely with the other statutory and voluntary agencies in the road casualty reduction field.

The key to reducing the number of deaths is effective promotion of involvement and participation by all road users. That requires constant efforts to promote effective media coverage.

Neither advertising nor enforcement can be a full answer. We need drivers to drive skilfully and in accordance with the Highway Code even when a marked police car is not in sight.

Advertising is not available on BBC radio and television.

Death and injury is newsworthy. The news and current affairs coverage by broadcasters and journalists has contributed to the drop in deaths. I am grateful.

Mr. Boyes: To ask the Secretary of State for Northern Ireland how many pedestrians, drivers and passengers died in the six months from 1 November 1989 and in the six months from 1 November 1988.

Mr. Peter Bottomley: There has been a 20 per cent. fall to 76 from 94 in the numbers of deaths in these major categories since the start of the casualty reduction campaign.

Deaths	*1 November—30 April*	
	1989-90	*1988-89*
Pedestrians	28	38
Drivers	31	36
Passengers	17	20
Total	76	94

The numbers of cyclist and motor cyclist fatalities have, sadly, risen.

We shall continue to pursue our objective of making Northern Ireland's roads the safest in Europe.

Belfast Stamp Office

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what were the responsibilities of his Department in the decision to transfer the stamp office for deeds from Belfast.

Mr. Cope: None.

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland (1) what consultation there was with the staff of the Belfast stamp office for registration of deeds and with the legal profession before the decision to transfer its work to Scotland and England;

(2) what is the income and expenditure of the stamp office for deeds in Belfast; if he will make a statement on its cost to the public Exchequer; and what savings he estimates arising from its closure;

(3) how many people are presently employed in the stamp office for deeds in Belfast; how many will be offered posts *(a)* elsewhere in Northern Ireland and *(b)* at the stamp offices in England and Scotland when the Belfast stamp office is closed;

(4) how long there has been a stamp office for deeds in Belfast;

(5) by what means he announced the proposed closure of the stamp office for deeds in Belfast;

(6) what arrangements are being made to acquaint the staff in the stamp office in Scotland and England with the differences in property law between Northern Ireland and elsewhere in Great Britain.

Mr. Major: I have been asked to reply.

The Board of Inland Revenue's intention to close the Belfast stamp office in 1992 was notified to the staff on Budget day; the Law Society of Northern Ireland was informed by letter. Prior consultation would have been incompatible with Budget confidentiality for my decision to abolish stamp duty on shares.

There has been a stamp office in Belfast since about 1922, but with a revenue of about £12 million and costs of about £190,000 in 1989-90, the cost of collecting stamp duty in Northern Ireland is now more than three times greater than the average cost in similar offices throughout the United Kingdom. Closure is expected to save about £160,000 a year at current prices.

The office currently employs eight staff. Apart from one person on secondment, all staff will, wherever possible, be offered jobs in line with their preferences. Any necessary guidance to staff in England and Scotland on differences between the property law of Northern Ireland and the rest of the United Kingdom will be given nearer the time of closure.

Non-denominational Nurseries

Mr. Allen: To ask the Secretary of State for Northern Ireland what proposals he has for assisting non-denominational nurseries attached to schools in Northern Ireland.

Dr. Mawhinney: Given constraints on resources, I have no plans at present to grant-aid nurseries attached to integrated schools.

Ministerial Visits

Mrs. Gorman: To ask the Secretary of State for Northern Ireland if he has any plans to visit Portadown or Lurgan before 17 May.

Mr. Brooke: It is not the custom to give details of ministerial programmes in advance.

Electricity Privatisation

Mr. John Evans: To ask the Secretary of State for Northern Ireland what representations he has received from consumer groups in Northern Ireland about the effects of the privatisation of Northern Ireland Electricity; and if he will make a statement.

Mr. Needham: The General Consumer Council for Northern Ireland has submitted the results of a survey of consumers' views on electricity privatisation. No other consumer groups have made formal representations so far, but there will be ample opportunity to do so when Government's proposals are published in a White Paper later this year.

Mr. Ron Davies: To ask the Secretary of State for Northern Ireland what discussions he has had with trade unions in Northern Ireland over the proposed privatisation of NI Electricity; and if he will make a statement.

Mr. Needham: There have been several discussions between Northern Ireland Ministers and the trade unions over the past 18 months. There will be an opportunity for all interested parties to comment on the Government's proposals which it is planned to publish in a White Paper later this year. In the meantime, it is open to the trade unions to bring forward further views on the subject at any time.

Mortgage Repossessions

Mr. Mallon: To ask the Secretary of State for Northern Ireland what information he has on the number of occasions dwelling houses were repossessed by building societies in Northern Ireland, due to default in mortgage payments, in each year since 1980; and if he will make a statement.

Mr. Peter Bottomley: Building society repossession statistics are not available on a regional basis. National totals are published by the Council of Mortgage Lenders in its quarterly publication "Housing Finance".

Mr. Mallon: To ask the Secretary of State for Northern Ireland what information he has on the number of occasions housing applications were received by the Northern Ireland Housing Executive from applicants whose homes were subject to repossession due to non-payment of mortgage levies.

Mr. Peter Bottomley: I understand from the chairman of the Northern Ireland Housing Executive that during the year ended 31 March 1990 a total of 532 applications were received from people who claimed mortgage default as their reason for needing to be rehoused.

Information is not available on the number of applicants whose homes were repossessed.

Local Government Finance

Mr. Ian Bruce: To ask the Secretary of State for Northern Ireland what proportion of local government expenditure to Northern Ireland is raised from *(a)* domestic ratepayers, *(b)* business ratepayers, and *(c)* Government grant.

Mr. Peter Bottomley: The information sought is not available in the precise form requested because of the structure of the rating system in Northern Ireland.

Of planned gross expenditure of £177·4 million by district councils in 1990-91, it is estimated that £106·3 million or 60 per cent. will be raised from domestic and business ratepayers, £36·1 million or 20·3 per cent. from Government grants and £35·0 million or 19·7 per cent. from fees, charges and other income.

It may be noted that, in Northern Ireland, local government is not responsible for roads, education or social services.

Consultancies

Mr. Tim Smith: To ask the Secretary of State for Northern Ireland what was the total amount spent by his Department in 1989 on management and computer consultancy contracts; excluding hardware and software purchases; if he will list each management or computer consultancy contract awarded by his Department in 1989, giving in each case the name of the consultancy firm and

the subject of the assignment; and what is the total amount that his Department has budgeted to spend in the current year.

Mr. Cope *[holding answer 28 March 1990]:* The total amount spent on management and computer consultancy by the Northern Ireland Office and Northern Ireland Departments in 1989 was £5,747,531; the amount budgeted to spend in the current year is £4,543,300; the remainder of the information is as follows:

Firm and subject of assignment

Aims Ireland—Assistance to IT Strategy Planning.

Aims Systems—Project Support (SSADM).

Aspinwall and Co. Ltd.—Review of waste disposal arrangements in Northern Ireland.

D. E. Barnard Systems—To derive a common IT strategy for the Department of Environment's Countryside and Wildlife Branch and Historic Monuments and Buildings Branch.

Belmin Systems Ltd.—Preparation of presentation to the Confederation of Irish Industry Conference in Dublin.

BIC Systems—ITD MIS Project.

Bis Beecom (International) Ltd.—To advise the Department of Environment's Roads Service on specialised communication aspects of its Integrated Computer System.
To prepare incentive bonus schemes to improve the efficiency of the directly employed labour in the Department of Environment's Works Service.
Support for design of equal opportunities monitoring system for public sector.
Feasibility study for an Information Technology Centre in West Belfast.

British Telecom—Support for NICS Integrated Telecoms Project.

Business and Economic Initiatives—Market Testing of Computer Bureau assistance with in-house bid.
Training for small businesses in Belfast.

CAPITA—To provide a management accountant, acceptance testing managers and scriptwriters to advise the Department of Environment's Roads Service on appropriate aspects of its Integrated Computer System.
Market testing of Training Centre Stores.

Capita, Muir and Addy—LAN Procurement, Newforge NIHPSS Superannuation System Implementation of IT Strategy.

Capscan, London—Computerised post-coding.

Mr. M. Carmel—Assistance on DHSS/QUB JWP on Library Services.

CCTA—Animal Health System, Options for Market Systems.

Charted Instute of Public Finance and Accountancy Ltd—To advise on the management accounting aspects of the Water Service's integrated computer project.

Cheltonian International
Assistance to Planning Project Management.

CHKS, London
International Classification of Diseases coding.

Common Services Agency, Edinburgh.
Pharmacists final balance sheet.

Coopers and Lybrand
Girocheque Reconciliation Project.
Assistance to Project Support Office.
Assistance to Operational Strategy planning.
Assistance to IT Strategy planning.
Assistance to OVB Project.
Pensions Data Conversion Project.
IT Management Support.
Mainframe maintenance/support function.
Strategy study on benefit computing.
Project Support Office assistance.
Review to roles in systems delivery.
Options Appraisal for Census 1991 processing.
General Ledger System.
NI Emigration Database.
Professional services carried out on proposal for Textile Technology Centre.

Coopers and Lybrand Associates
To review privatisation options for vehicle inspection.
To assist the Department of Environment's Transport Division to supervise and monitor the affairs of the NI Transport Holding Company and the three subsidiary transport operating companies.
Audit of Market Testing Exercise in the Department of Environment's Water Service.

Coopers Lybrand and Deloitte—Market Testing of Computer Bureau assistance with evaluation of suppliers' proposals.
Review of the information service of the NI Technology Service.
Full economic costing assessment and selection of computerised management system.
IDB Market Research: Attitude of NI Business towards IDB.

Evaluation of the Youth Training Programme.

Dearden Management Consultants—Resources Management.

Department of Finance and Personnel—Study of credit and debt.

DPP (UK) Ltd.—Animal Health System, Options for Market Systems.

Employment Services—Specialised training for jobclub leaders.

EOSYS, Slough—Cabling Study.

Framework, Leicester—Evaluation of the Northern Ireland Council for Voluntary Action.
Evaluation of the Volunteer Development Resources Unit.

Gilpin Black Associates—Advice on the introduction of BS 5750.

Victor Hausner Associates—Belfast Special Action Group/ Belfast Initiative.
Targeted training in Belfast.

Peter Hyde—To advise Department of Environment's Road Service on the organisation, management and job design changes required as a result of its Integrated Computer System.

Industrial Society—Examination of typing services in Northern Ireland Office London.

Industrial Training Services—Specialised training for Community Projects Branch.

Institute of Manpower Studies—Advise on appropriateness and adequacy of an analytical approach to the monitoring of equal opportunities in the Northern Ireland Civil Service.

ICL—Mainframe support.
Girocheque Reconciliation Project.
VME to service 39 machines.

D. MacRitchie—Review of trading performance and financial position of the beef and sheepmeat processing sector.

R. A. McLaughlin—Department of Economic Development consultant on Management of STAR programme.

Melrow, Somerset—Equipment performance monitoring.

Mindworks—Business Analysis Seminar.
Quality assurance on the use of business analysis methodology in compiling an Information Technology strategy.

MMM Consultancy Group—To advise on the management of Transport and Mobile Plant.

Dr. T. Morris—Assistance to Operational Strategy projects.

New University of Ulster—Accounting Project Technical and Scoping Advice.

Noble and Lund—Specialised Training Centre instructional staff.

Oracle, Surrey—Maternity System.

Oracle Corporation—Support for projects using Oracle.

Oracle (UK) Ltd.—To provide advice and support during design and development of the Department of Environment's Works Service Management Accounting and Information System Project using the ORACLE relation database and toolset.

PA Consulting Group—To develop a telecommunications strategy for the expansion of the Ordnance Survey for NI topographical database system into a multi-user Province-wide network. Typing Services.

PE Computer Services—Market Testing support.

Peat Marwick McClintock—To undertake an efficiency study of the Roads Service's Quarry undertaking.

Policy Research Institute of Queen's University—The community impact of the Action for Community Employment Scheme.

Richard Fellowship—Development work related to a therapeutic community for 14-16 year olds.

Mr. B. J. Rusbidge—Social Work Staff Project linkages.

Skytronics—Assistance to Operational Strategy Projects.

Software Ireland—Computerisation of Valuation and Lands Office.

Stoy Hayward—Preliminary review of administration of Manpower Training Scheme.

J. W. Struthers—Crown Car Lease Hire Scheme.

J. C. Stutt—Effect of Government Purchasing on smaller firms in the Single European Market.

Touche Ross—Interim Accounting Systems Feasibility Study.
Quality Assurance of Telecoms Statement of Service Requirement (SSR).
Monitoring—Shorts Privatisation—Shorts.
Monitoring—Harland and Wolff Privatisation—Harland and Wolff.
Audit of Southern Health and Social Services Board.
Audit of Eastern Health and Social Services Board Trust Funds.
Consultancy Advice on Computer Audit.

Ulster Marketing Surveys Limited—Awareness and attitudes to the Youth Training Programme.

University of Keele—Community Study.

University of York—Study in Dynamics of Lone Parent Families.

Various consultants—Advice to companies under the Fair Employment Support Scheme.

Price Waterhouse—Banking Research Project. Fees incurred re review of wastage in the STS scheme.
Audit of Northern Ireland Health and Social Services Board.

Project Frontline Management Ltd.—Feasibility of a Remote Working/Training Centre in Belfast.

Queen's University, Belfast—Mediation service by Policy Research Institute.
Revaluation of Northern Ireland Family Mediation Service.

Wang (UK)—Use of an existing word processing system and its capacity for development.

Fish Stocks

Mr. William Ross: To ask the Secretary of State for Northern Ireland if he will, further to his answer to the hon. Member for Londonderry, East of 24 April, *Official Report*, columns *111-13*, indicate how many of the pollution incidents referred to in each of the years 1987, 1988 and 1989 which involved sewerage and water treatment works resulted in fish kills; which lakes and rivers were affected in each year; and what was the cost to public funds of restocking each of the waters affected.

Mr. Peter Bottomley *[holding answer 8 May 1990]:* There were two incidents in 1987, two in 1988 and six in 1989.

In 1987 the rivers affected were the Callan and Creggan, in 1988 the Callan and Cusher, and in 1989 the Maine, Blackwater, Creggan, Quigger, Ballinderry and Cusher.

The Department of the Environment for Northern Ireland has agreed to pay £3,000 to restock the Callan, £12,000 to restock the Creggan and £100 for the Quigger.

Written Answers to Questions

Friday 11 May 1990

ENERGY

Power Cut, West London

Mr. Morgan: To ask the Secretary of State for Energy if he will inquire into the circumstances which caused the power cut in west London on the morning of 8 May; and if he will make a statement.

Mr. Baldry: The National Grid Company was carrying out switching operations at its St. John's Wood substation to release a circuit breaker for maintenance during the morning of 8 May, when at 0653 hours other circuit breakers operated due to some technical problem, leading to a loss of supply to London Electricity. Supplies were rapidly restored within 23 minutes.

The National Grid Company is carrying out an urgent investigation into the causes of the operation of these circuit breakers and the Department's engineering inspectorate will be inquiring into the matter as seems appropriate.

Mr. Morgan: To ask the Secretary of State for Energy what representations he has received regarding the power cut in west London and the substation failure at St. John's Wood in the morning of 8 May.

Mr. Baldry: No representations have been received by the Department of Energy regarding the electricity supply failure in west London during the morning of 8 May.

Chapelcross and Calder Hall Power Stations

Mr. Simon Hughes: To ask the Secretary of State for Energy (1) whether future maintenance work at Chapelcross and Calder Hall has any implications for levels of radiation exposure for workers; and if he will make a statement;

(2) what steps are being taken to reduce radiation exposure to workers at Chapelcross and Calder Hall; and if he will make a statement.

Mr. Baldry: British Nuclear Fuels plc has a programme of measures designed to reduce radiation doses to workers at the Calder Hall and Chapelcross nuclear installations. The Health and Safety Executive's nuclear installations inspectorate's assessment of British Nuclear Fuel's latest long term safety reviews of the two installations requires British Nuclear Fuel to review radiation doses to its workers, to agree improvements, and to make arrangements to consider progress annually with the nuclear installations inspectorate. The nuclear installations inspectorate's assessment recognised that maintenance operations are a major contributor to radiation exposure.

Mr. Simon Hughes: To ask the Secretary of State for Energy (1) if he will list those representations he received in favour of extending the operational life of Chapelcross and Calder Hall nuclear power stations, prior to that decision being announced;

(2) if he will list those representations he has received in favour of and against extending the operational life of Chapelcross and Calder Hall nuclear power stations, subsequent to that decision being announced.

Mr. Baldry: I have received no such representations.

Mr. Simon Hughes: To ask the Secretary of State for Energy (1) what is the purpose of extending the operational life of Chapelcross and Calder Hall nuclear power stations; and if he will make a statement;

(2) what is the estimated cost of *(a)* a second emergency shutdown system, *(b)* improved seismic protection and *(c)* improved leak detection in respect of *(a)* Chapelcross and *(b)* Calder Hall nuclear power stations; and if he will make a statement.

Mr. Baldry: This is an operational matter for British Nuclear Fuels plc.

Dounreay (Discharge)

Mr. Malcolm Bruce: To ask the Secretary of State for Energy if he will make a statement on the discharge of liquid sodium metal from one of the cooling circuits at Dounreay.

Mr. Baldry: This is an operational matter for the United Kingdom Atomic Energy Authority.

ATTORNEY-GENERAL

Departmental Savings

Mr. Devlin: To ask the Attorney-General what value for money savings have been achieved by the Lord Chancellor's Department in the last year; and how much of this was as a result of advice from the central unit on purchasing.

The Attorney-General: The return submitted to the central unit on purchasing for 1989-90 shows that the Lord Chancellor's Department achieved overall value for money savings of £3·9 million on the supply of goods and services. In general, it is not possible to attribute particular value for money savings to advice from the central unit on purchasing. The role of the unit is to provide advice and guidance on best purchasing practice and to encourage value for money savings across all departments.

Crown Prosecution Service

Mr. Ralph Howell: To ask the Attorney-General for each week in financial years 1987-88 and 1988-89, how many cases had to be adjourned in *(a)* the magistrates courts and *(b)* the Crown courts because the prosecution witnesses did not appear; and what those adjournments cost were in respect of *(a)* the Crown prosecution service, *(b)* defendants and *(c)* costs of running the courts, giving the figures in respect of *(b)* separately for those legally aided and those not legally aided.

The Attorney-General: The information requested about the number of cases adjourned because prosecution witnesses did not appear is not collated centrally and could only be obtained by examining many thousands of case files. Information about the cost of those adjournments to the various parties is not available. Some limited research

by the Crown prosecution service and the Home Office has been carried out into the broad reasons for adjournments and the results were presented to the Home Affairs Committee during the conduct of its inquiry into the Crown prosecution service.

Mr. Ralph Howell: To ask the Attorney-General for each of the financial years since the establishment of the Crown prosecution service what was the number of occasions the Crown prosecution service had costs awarded against it; what those costs amounted to for each of those years; and what were the precise grounds on which the costs were awarded in each case.

The Attorney-General: The number of occasions an award of costs was made against the Crown prosecution service and the amounts of costs paid by the Crown prosecution service since its establishment are as follows:

Year	*Number of awards*	*Amount paid £*
1986-87	731	115,324
1987-88	950	85,586
1988-89	525	89,547
1989-90	410	163,949

These figures cover only the 31 areas of the Crown prosecution service and do not include awards of costs made in cases handled by the headquarters casework group. The number of awards made in headquarters casework is not known, but the amounts paid in respect of each financial year were:

Amount paid in headquarter cases

Year	*£*
1986-87	[1]
1987-88	[1]
1988-89	66,537
1989-90	78,346

[1] Reliable figures not readily available.

Information as to the precise grounds on which the costs were awarded in each case is only available on the individual case file, but an award of costs may only be made against the Crown prosecution service where a court is satisfied that costs have been incurred as a result of an unnecessary or improper act or omission by or on behalf of the service. Thus an award of costs can be made against the service for act or omissions over which it has no control.

Mr. Ralph Howell: To ask the Attorney-General what is the present day cost for the Crown prosecution service in the areas of each of the former metropolitan counties *(a)* at today's prices and *(b)* at 1986 prices.

The Attorney-General: The cost of the Crown prosecution service in 1989-90 in the areas of each of the former metropolitan counties was as follows:

Area	*Cost 1989-90 prices £*	*1986-87 prices £*
Durham-Northumbria	5,522,286	4,533,907
Greater Manchester	9,522,758	7,818,375
Merseyside	6,132,525	5,034,925
South Yorkshire	3,943,197	3,237,444
West Midlands	7,652,803	6,283,104
West Yorkshire	6,845,423	5,620,229

Legal Aid Fund

Mr. Ralph Howell: To ask the Attorney-General if he will list *(a)* each individual barrister and *(b)* each firm of solicitors who have received more than £5,000 from the legal aid fund, and the amount paid to each of those people, in each of the last five years; and if he will list each barrister who has received more than £5,000 in fees for acting on behalf of the Crown, and the individual amount paid to each of those people, in each of the last five years.

The Attorney-General: Information about the income of individuals and individual firms is not kept centrally so far as legal aid records are concerned. Payments made to individuals for services are regarded as private and confidential.

EDUCATION AND SCIENCE

School Leavers

Mr. Terry Fields: To ask the Secretary of State for Education and Science if he will publish in the *Official Report* a table showing the destination of school leavers from 5th, lower 6th and upper 6th forms into the following categories *(a)* returned to school, *(b)* gone to further education, *(c)* entered employment, *(d)* on Government schemes and *(e)* unemployed for each year since 1980 and the predicted destinations of school leavers to the mid 1990s.

Mr. Alan Howarth: The most recent published information on the educational and economic activity of young people in England aged 16, 17 and 18 at the previous 31 August, from 1977-78 to 1987-88, is available in DES Statistical Bulletin 14/88 a copy of which is in the Library. An updated version is due to be published later this summer.

Recycled Paper

Ms. Walley: To ask the Secretary of State for Education and Science what information he has on how many Natural Environment Research Council publications were printed on 100 per cent. recycled paper in the last year.

Mr. Jackson: No Natural Environment Research Council publications were printed on 100 per cent. recycled paper in the last year: the council considers that the technology for recycling paper has not yet produced a product of sufficient quality for high definition colour printing. The NERC's "in-house" newspaper is printed on 85 per cent. recycled paper and all NERC's stationery and photocopy paper is either 100 per cent. recycled or based upon recycled paper.

Environment Protection

Ms. Walley: To ask the Secretary of State for Education and Science what lead he is taking to improve environment protection education and training.

Mrs. Rumbold: The national curriculum includes much that is relevant to the protection of the environment. Science includes learning about human influences on the earth such as activities which can cause pollution and changes in the biosphere, while technology includes

understanding something of the environmental consequences of design and technological innovations. Geography, when it is introduced, will be a major vehicle for environmental education, including the area of environmental protection.

Provision for further and higher education, including for vocational training, is made by local education authorities or by individual institutions such as universities, polytechnics and colleges of higher education. Our education reforms are ensuring that institutions are increasingly able to respond flexibly to the retraining and updating needs of employers and their employees. In consultation with his colleagues, my right hon. Friend is considering what further action could be taken in the area of further, higher and continuing education.

British Antarctic Survey (Airstrip)

Mr. Simon Hughes: To ask the Secretary of State for Education and Science if the British Antarctic survey airstrip being built at Rothera point will be used for any activity other than that connected with pure science, or by an organisation which is not part of the Natural Environment Research Council; and if he will make a statement.

Mr. Jackson: The Rothera airstrip, which will replace the current ice ski-way, will be used to support the scientific programme of the British Antarctic survey. This programme of fundamental investigation uses the unique natural laboratory conditions in Antarctica both to address problems of global relevance (such as ozone depletion and related atmospheric chemistry and climate history) and to improve the understanding of this least known continent.

Under the general requirements of the Antarctic treaty, the airstrip will be available for use by other Antarctic national operations, subject to specific requests, agreed in advance. It will not be available to non-governmental or commercial organisations, except in emergency where life is significantly at risk.

HOUSE OF COMMONS

Parliamentary Business

Mr. Onslow: To ask the Lord President of the Council on how many days in the present session the hon. Member for Nottingham, North (Mr. Allen) has tabled notices of motion relating to a Select Committee on Legal Affairs, the reform of House of Commons procedure, the sittings of the House, and Members' facilities; and what estimate he has made of the total cost to public funds, and the volume of newsprint, that have been involved in the printing of these motions.

Sir Geoffrey Howe: To 30 April the hon. Member for Nottingham, North (Mr. Allen) has tabled the notices of motion in question on 74 days this Session. The estimated cost of printing the 89,000 sheets of A4 paper which have been used is around £10,000.

OVERSEAS DEVELOPMENT

India

Mr. Jack: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to use the overseas aid programme to help the Government of India solve their environmental problems.

Mrs. Chalker: In India earlier this month I offered £50 million new aid for energy efficiency projects which, by promoting the more cost-effective generation, distribution and use of power, will reduce environmentally damaging emissions. This offer reflects the high priority I attach to using our aid programme to assist India to tackle its environmental problems which can have both national and global implications. The new aid is in addition to £40 million offered, last year, for environmental projects, in particular for forestry and to develop alternatives to the use of chlorofluorocarbons (CFCs). A British aid funded study of the latter will be ready for the meeting in London in June of the parties to the Montreal protocol. Good progress is also being made with the development of a major new project for the conservation of the forests of the Western Ghats.

Common Land

Ms. Walley: To ask the Secretary of State for the Environment when he now expects to announce the Government's intentions on common land legislation.

Mr. Heathcoat-Amory: My right hon. Friend expects to make an announcement very soon.

Landscape Change

Ms. Walley: To ask the Secretary of State for the Environment whether he will place in the Library a copy of the survey carried out by Hunting Surveys and Consultants Ltd., on landscape change and hedgerow depletion.

Mr. Heathcoat-Amory: A copy of the survey report was deposited in the Library in 1986.

Mid-Sussex Water (Discolouration)

Mr. Simon Hughes: To ask the Secretary of State for the Environment why Mid-Sussex Water has been allowed 20 years in which to deal with the problem of discolouration of drinking water supplies; and if he will make a statement.

Mr. Heathcoat-Amory: The undertaking the Mid-Sussex Water Company has given to my right hon. Friend under section 20 of the Water Act 1989 includes a commitment to carry out a mains refurbishment programme in priority zones over the next five years. Provisional estimates are that this will involve replacing approximately 30 km of mains and relining approximately 207 km. At the end of that period the Drinking Water inspectorate will examine with the company what more needs to be done to its distribution system. Before he accepted an undertaking from the company, my right hon. Friend satisfied himself that it is taking all appropriate steps to remedy breaches of the Water Supply (Water Quality) Regulations 1989, and that these breaches in question do not constitute a hazard to health.

Housing Grants

Mr. Soley: To ask the Secretary of State for the Environment (1) which organisations previously funded by section 73 of the Housing Act 1985 have recently had their grants terminated; and on what grounds;

(2) what was the level of Department of the Environment funding of those organisations previously funded by section 73 of the Housing Act 1985 at the point of termination.

Mr. Michael Spicer *[holding answer 10 May 1990]:* This year we have trebled the funds available under section 73 to £2 million. Half will go to a new national advice service based on citizens' advice bureaux and involving Shelter and SHAC. The remaining £1 million goes to a total of 26 bodies providing direct assistance and practical help to single homeless people. Priority in choosing successful applications has been given to projects which will either take single homeless people off the streets or will work directly with young people and persuading them not to leave home and/or come to London.

The following organisations which received grant under section 73 in 1989-90 have submitted unsuccessful applications for funding of specific projects in 1990-91:

Bayswater Hotel Homeless Project
Birmingham Settlement, Housing Debtline
British Refugee Council
CHAR "Housing Campaign for Single People"
Central London Housing Advisory Service Ltd.
Community House Information Centre
Empty Property Unit
First Key
Homes for Homeless People
Resource Information Service
National Association for the Care and Resettlement of Offenders (NACRO)
National Association of Voluntary Hostels
National Council of One Parent Families
Specialist Information Training Resource Agency (SITRA)

These organisations received 44 per cent. of the funds granted under section 73 in 1989-90. All bodies which received funding in 1989-90 were reminded four times that existing recipients had no guarantee of continued funding.

Football Fans (Charter Trains)

Ms. Walley: To ask the Secretary of State for the Environment what discussions he has had with British Rail in respect of its ability to accept charter train applications to transport football fans to Wembley and the implications for crowd control and safety; and if he will make a statement in relation to the arrangements for the FA Challenge Trophy cup final.

Mr. Moynihan: There are well established procedures for providing and policing trains to Wembley. The British Rail special trains from Manchester travelling to Wembley for the FA Cup Final will be supervised by officers of the British Transport police and as is normal the charter train, hired by the Manchester United football club, will be supervised by the club itself. No alcohol will be permitted on any of these trains. British Transport police will be on duty at Wembley Central station to supervise the arrival of the trains and their departure after the match. British Transport police and the Metropolitan police are satisfied with these arrangements.

Voluntary Groups (Doncaster)

Mr. Redmond: To ask the Secretary of State for the Environment if he will list the voluntary groups within the Doncaster metropolitan borough council area, that have received funding agreed by the Government and how much the Government grant was in each case.

Mr. Moynihan: In 1989-90 the voluntary groups within the Doncaster metropolitan borough council area for which funding was agreed by the Government under the urban programme, and the amounts involved in each case were as listed:

1989-90—Doncaster's inner area programme

	Capital £	*Revenue £*
First Interpreters	25,000	5,000
Doncaster council for voluntary services		33,900
Doncaste under-fives support programme		31,5000
Homestart		22,600
Rape Crisis		15,000
Doncaster Money Advice		15,135
Doncaster inter-agency liaison project		11,663
Punjabi community centre		15,000
Denaby community association	75,000	5,650
Additional staffing/rape crisis centre		11,060
Transport for the disabled	22,000	
Manor House project	100,000	10,000
LA community chest		50,000

TRANSPORT

British Rail

Mr. Fearn: To ask the Secretary of State for Transport if he has any plans to change the circumstances in which buses may be substituted for train services on parts of British Rail's provincial network.

Mr. Freeman: No.

King's Cross

Mr. Gerald Bowden: To ask the Secretary of State for Transport what discussions he has had with British Rail about the public and private investment arrangements for the King's Cross railway lands.

Mr. Freeman: None. There is no public financial investment in the King's Cross lands development.

Mr. Gerald Bowden: To ask the Secretary of State for Transport what discussions he has had with British Rail about the development policy for the King's Cross railway lands.

Mr. Freeman: None.

Mr. Gerald Bowden: To ask the Secretary of State for Transport what discussions he has had with British Rail about a code of compensation for local residents affected by the development of the King's Cross railway lands.

Mr. Freeman: None.

Radioactive Substances (Air Transport)

Mr. Simon Hughes: To ask the Secretary of State for Transport how many flights carrying radioactive fuel, spent or otherwise, occurred between Carlisle and

Dounreay in 1989; what was the total of fuel transported; what was the purpose of such flights; and if he will make a statement.

Mr. McLoughlin: Spent fuel has to be transported in packages which are too heavy to be economically transported by air. The Department does not collect data of the kind requested but I understand that an average of around eight flights per year from Carlisle carry fresh fuel to Dounreay to supply the nuclear facility there.

Baggage Checks, Gatwick

Mr. Bowis: To ask the Secretary of State for Transport when the thermal neutron analysis machine for the detection of explosives in passengers' baggage will be installed at Gatwick; and whether he will make a statement.

Mr. McLoughlin: A thermal neutron analysis machine made by Science Applications International Corporation of Santa Clara, California will be installed at Gatwick over the next few days for a one year trial. The machine has been lent to the Department by the United States Federal Aviation Administration. I am pleased that we are able to carry out a one-year trial of this explosives detection machine. We have taken many initiatives to improve the security of air travel in the past 16 months and we are exploring new techniques for explosive detection. I am grateful to Mr. Samuel Skinner, the United States Secretary for Transportation, and to the Federal Aviation Administration for offering to let us try one of their first thermal neutron analysis machines in the United Kingdom so that we can see at first hand how effective it is.

I am also grateful to British Airports Authority for agreeing to install the machine at Gatwick and for making the necessary arrangements with the manufacturers. I shall watch the progress of the trial with great interest, but of course I cannot say at this stage whether we shall require the use of such machines at our airports in future as part of the national programme of aviation security measures.

NATIONAL FINANCE

Friendly Societies

Mr. Wigley: To ask the Chancellor of the Exchequer how many friendly societies are currently registered as having their headquarters in Wales.

Mr. Ryder: There are six friendly societies registered as having their registered office in Wales.

Mr. Wigley: To ask the Chancellor of the Exchequer how many friendly societies there are currently registered with the registrar of friendly societies; and what is the corresponding figure 10 years previously.

Mr. Ryder: There are 474 friendly societies currently registered. The corresponding figure on 31 December 1979 was 519 societies.

Mr. Wigley: To ask the Chancellor of the Exchequer what was the asset value of those friendly societies which became defunct during the past 10 years; and in what ways those assets were dissipated.

Mr. Ryder: In the 10 years 1980 to 1989 the number of friendly societies (excluding branches of orders) removed from the register following dissolution, cancellation or winding up, totalled 182. The aggregate assets of those societies and method of dissipation are not readily available. In general the assets after meeting all liabilities would have been distributed to the members on an equitable basis determined by an actuary.

Mr. Wigley: To ask the Chancellor of the Exchequer what is the total cost of running the department of the registrar of friendly societies; and how many employees there are in this department.

Mr. Ryder: Details of the cost of running the department of the registrar of friendly societies are given on pages 52-54 of Supply Estimates 1990-91, class XVIII, a copy of which is available in the Library.

One hundred and forty staff are employed in the department, half of whom are engaged on Building Society Commission work. The remaining 70 employees are engaged in work connected with the 16,500 mutual organisations, 468 of which are friendly societies.

Mr. Wigley: To ask the Chancellor of the Exchequer how many persons are employed in the office of the registrar for friendly societies for Scotland; and what is the annual cost of running this office.

Mr. Ryder: Three and a half persons are employed in the registry of friendly societies (Scotland). The cost of running this office in 1990-91 is expected to be about £55,000.

Mr. Wigley: To ask the Chancellor of the Exchequer how many friendly societies are registered with their headquarters in Scotland.

Mr. Ryder: There are currently 85 friendly societies on the register in Scotland.

Mortgage Tax Relief

Mr. Wells: To ask the Chancellor of the Exchequer what is the amount of tax revenue forgone because of the payment of mortgage interest relief at the higher rate of income tax in the financial years 1988-89 and 1989-90.

Mr. Lilley: The cost of mortgage relief at excess over the basic rate of income tax is provisionally estimated at £310 million in 1988-89 and £430 million in 1989-90.

Income Tax

Mr. Tim Smith: To ask the Chancellor of the Exchequer on what legal authority the Inland Revenue has sent to married women a tax return seeking details of their income for the year ended 5 April 1990.

Mr. Lilley *[holding answer 26 April 1990]:* Some married women are being sent special forms this year which ask for details of their income for 1989-90. As Inland Revenue booklet IR83 "Independent Taxation—A guide for tax practitioners" explains, this is a transitional arrangement designed to help with the introduction of independent taxation. The forms will give a married women's own tax office information it needs to calculate the correct amount of tax she must pay in 1990-91—in particular where income arising in 1989-90 is assessable on her for 1990-91. The forms also enable married women to claim the allowances due to them for 1990-91.

These special forms are a request for information rather than a normal statutory tax return. There is no penalty for non-completion. Nevertheless, I hope that any married woman who has received one will complete it and send it to her tax office as that will help to ensure that the transition to independent taxation goes as smoothly as possible.

FOREIGN AND COMMONWEALTH AFFAIRS

Peru

Mr. Dunnachie: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he intends to take to encourage the Government of Peru to take action to bring to an end the attacks being made upon human rights workers and organisations.

Mr. Sainsbury: We frequently raise with the Peruvian Government individual cases involving alleged human rights abuses. We are considering with our European partners what further action we may usefully take.

Hong Kong

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs when the reservation on behalf of Hong Kong's ivory stock is due to expire; and whether it will be extended.

Mr. Maude: The six-month reservation entered by the United Kingdom on Hong Kong's behalf will be withdrawn on 18 July 1990. The reservation will not be extended.

Falkland Islands

Mr. Kirkhope: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received about the illex fishing season in Falkland Islands waters.

Mr. Sainsbury: I am informed that, after analysis of all available biological and commercial data, the Falkland Islands Government decided to close the fishery for illex squid on 10 May, three weeks early. I understand that this was necessary to meet their scientifically determined conservation goals. This should ensure that sufficient breeding stocks survive for future seasons. Effective conservation is the first priority for the management of the Falkland Islands interim conservation and management zone.

Hazardous Wastes

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what arrangements exist respectively in *(a)* the Crown Territories of Hong Kong, *(b)* the Falkland Islands, *(c)* Belize and *(d)* Gibraltar for the disposal of (i) hazardous and toxic wastes and (ii) radioactive wastes from medical or industrial uses; and what is the relationship between these arrangements and the environmental standards applying in the United Kingdom.

Mr. Waldegrave *[holding answer 1 May 1990]:* In Hong Kong toxic and hazardous wastes are disposed of together as landfill. Medical or industrial radioactive wastes are either stored, returned to suppliers, or disposed of under the Hong Kong radiation ordinance.

So far as we know, there is no radioactive waste in the Falkland Islands, neither is hazardous nor toxic waste produced there.

Belize is an independent country. Its civilian disposal policies are a matter for the Belize Government.

Gibraltar produces no medical or industrial radioactive waste, and very little hazardous or toxic waste. When required, however, advice about the disposal is sought from the Department of the Environment.

At United Kingdom establishments in these territories, and in Belize, hazardous, toxic and radioactive wastes are either disposed of in accordance with local regulations, or returned to the United Kingdom for disposal.

There is no direct link between methods of disposal and United Kingdom environmental standards.

SCOTLAND

Lochinver Harbour

Mr. Maclennan: To ask the Secretary of State for Scotland when he anticipates responding to the application submitted by Highland regional council for grant aid to enable the development of Lochinver harbour.

Mr. Lang *[holding answer 4 May 1990]:* Consideration of this application is now well advanced and I hope that it will be possible to announce a decision shortly.

Loft Insulation

Mr. Ron Davies: To ask the Secretary of State for Scotland what was the total expenditure by his Department on grants towards the cost of loft insulation under the homes insulation scheme for *(a)* 1988-89 and *(b)* 1989-90.

Lord James Douglas-Hamilton *[holding answer 4 May 1990]:* The total expenditure through specific grants made to local authorities under the homes insulation scheme for 1988-89 and 1989-90 was £0·929 million and £0·368 million respectively. This scheme covers the costs of loft, tank and pipe insulation work and it is not possible to identify a figure for loft insulation alone.

SOCIAL SECURITY

Housing Benefit (Students)

Mr. Dewar: To ask the Secretary of State for Social Security (1) what was the cost of paying housing benefit to students in Scotland in the latest year for which figures are available;

(2) how many students in Scotland currently receive housing benefit.

Mrs. Gillian Shephard: Estimates of the numbers of students receiving housing benefit and of the level of expenditure are made on a Great Britain basis and no disaggregation for individual countries is possible. I regret that it is not, therefore, possible to provide information in the form requested.

Community Care Grant

Mr. Barry Jones: To ask the Secretary of State for Social Security when he proposes to respond to the request by Clwyd county council for community care grants to those not on income support and affected by the north Wales sea floods; and if he will make a statement.

Mr. Scott: I wrote to the chief executive of Clwyd on 7 March explaining the help available under the social fund scheme and, in particular, that community care grants are intended to help people re-establish themselves in the community. I will be replying to his further letter shortly. I also explained that our policy of restricting eligibility to the grants to those receiving income support was to target resources on those most in need.

HEALTH

Hospital Beds

Mr. John D. Taylor: To ask the Secretary of State for Health what was the total of hospital beds in each of the past five years within the constituency of Richmond and Barnes.

Mr. Dorrell: Information about hospital beds is collected centrally by district health authority, and is not available for individual parliamentary constituencies. The figures for Richmond, Twickenham and Roehampton health authority are given in the table. The recent fall is due to the closure of St. John's hospital in Twickenham.

Average number of beds available daily: Richmond, Twickenham and Roehampton district health authority

Year	*Number of beds*
1984	916
1985	868
1986	860
1987-88	834
1988-89	684

Source: SH3 1984-86, KHO3 1987-88-89.

Food Poisoning

Mr. Martyn Jones: To ask the Secretary of State for Health what are the latest figures published for the incidence of salmonella food poisoning of all types; and what is the year on year percentage change for each type.

Mr. Dorrell: The latest figures for England and Wales published for the incidence of salmonella infection of all types appear in the PHLS-SVS Update on Salmonella Infection, Edition 3, April 1990 copies of which are available in the Library. These show that there were 3,768 human isolations of salmonella (all serotypes) in the first quarter of 1990; the comparable figure for 1989 is 3,946.

There are over 2,200 serotypes of salmonella. Each year in England and Wales about 200 of these different serotypes are isolated from humans. The information requested is given in the table for the 10 most prevalent serotypes in each of the years 1987, 1988 and 1989. The remaining serotypes are isolated in small numbers only and have a negligible contribution to the burden of food poisoning in this country.

Salmonella from humans—England and Wales

1987		*1988*		*Percentage change*	*1989*		*Percentage change*
S. Typhimurium	7,660	S. Enteritidis	15,427	+125	S. Enteritidis	15,773	+2·2
S. Enteritidis	6,858	S. Typhimurium	6,444	−15·9	S. Typhimurium	7,306	+13·4
S. Virchow	1,529	S. Virchow	1,120	−26·7	S. Virchow	1,835	+63·8
S. Thompson	409	S. Agona	262	+75·8	S. Hadar	378	+58·8
S. Hadar	297	S. Newport	253	+5·0	S. Infantis	322	+34·2
S. Heidelberg	261	S. Infantis	240	+41·2	S. Newport	299	+18·2
S. Newport	241	S. Hadar	238	−19·9	S. Kedougou	273	+680·0
S. Stanley	180	S. Saint Paul	235	+132·7	S. Panama	239	+43·9
S. Infantis	170	S. Heidelberg	209	−19·9	S. Heidelberg	216	+3·3
S. Montevideo	162	S. Thompson	190	−53·5	S. Agona	161	−38·5
Total 10 serotypes	17,767	Total 10 serotypes	24,618	+38·6	Total 10 serotypes	26,822	+8·9
Other 196 serotypes	2,765	Other 177 serotypes	2,860	+3·4	Other 202 serotypes	3,176	+11·0
Total	20,532	Total 187 serotypes	27,478	+33·8	Total 212 serotypes	29,998	+9·2
S. Agona	149	S. Kedougou	35		These serotypes did not appear amongst the 10 most common until the subsequent year		
S. Saint Paul	101	S. Panama	180				

Source: Strains referred to Division of Enteric Pathogens, CPHL.

Accident and Emergency Units

Mrs. Gordon: To ask the Secretary of State for Health (1) what is the number of hospital accident and emergency units planned to be closed during 1990;

(2) how many hospital accident and emergency units have been closed in the last three years in England and Wales.

Mr. Dorrell: The information requested is not collected centrally. Information relating to Wales is the responsibility of my right hon. Friend the Secretary of State for Wales.

Dental Checks

Mr. Hayward: To ask the Secretary of State for Health what are the latest figures for the change in dental check-ups since the introduction of charges and prior to charges.

Mr. Dorrell: For England and Wales the total number of dental examinations for which fees were scheduled for payment by the Dental Practice Board was 30·5 million in 1989 by comparison with 31·2 million in 1988.

Eye Tests

Mr. Kirkwood: To ask the Secretary of State for Health if he will give details of the wording of the questions asked in the survey of eye tests conducted by NOP on behalf of the Government.

Mrs. Virginia Bottomley: The wording of the questions in the NOP sight test volume survey is as follows:

Question 1. "Have you had your eye sight tested at an opticians—not at a hospital and not at your own doctor's—since Christmas?" If yes,

Question 2. "Was this an NHS sight test or did you pay for a private sight test?"

In framing these questions, the Department took professional advice from NOP's market researchers.

Mr. Kirkwood: To ask the Secretary of State for Health if he will give details of the publicity campaign on entitlement to free National Health Service eye tests which his Department intend to launch, the launch date, duration and cost of the campaign.

Mrs. Virginia Bottomley: Arrangements will be finalised after we have received the results of the NOP survey on sight test demand.

Renown Management Initiative

Mr. Atkinson: To ask the Secretary of State for Health if he will make a statement of progress on the Renown management initiative.

Mr. Dorrell: We are now more than half way to fulfilling the Government's White Paper commitment announced in January 1989, to have all the larger acute hospitals in the resource management programme by the end of financial year 1991-92. In March 1989 we announced the names of the first 50 hospitals in England to join the programme. The names of 50 more hospitals to join the programme in this financial year were announced in Janaury. These 100 hospitals with the initial six pilot sites were joined by a further 30 announced on 2 May by my hon. Friend the then Parliamentary Under-Secretary of State. In this financial year the Government have made available an additional £78 million for resource management.

Stillbirths

Miss Emma Nicholson: To ask the Secretary of State for Health what proportion of births in hospitals have been stillborn in each of the last 10 years.

Mr. Dorrell: The percentage of births in hospitals in England and Wales which have been stillborn over the last 10 years are as follows:

Year	*Stillbirths as a percentage of all births in hospital*
1978	0·84
1979	0·79
1980	0·71
1981	0·65
1982	0·62
1983	0·57
1984	0·56
1985	0·55
1986	0·53
1987	0·49
1988	0·48

PRIME MINISTER

Lottery Tickets

Mr. Teddy Taylor: To ask the Prime Minister if she will raise at the next meeting of the European Council the practice of West German state and institutional lottery organisations of sending lottery tickets to United Kingdom citizens in breach of United Kingdom law; and if she will make a statement.

The Prime Minister: No. As my right hon. Friend the Minister of State at the Home Office explained to my hon. Friend on 8 May at column *30*, the measures which we are taking to curtail the postal promotion here of lotteries based in the Federal Republic of Germany contrary to the Lotteries and Amusements Act 1976 already include bilateral exchanges with relevant authorities in the Federal Republic.

Conference on Security and Co-operation

Dr. Thomas: To ask the Prime Minister what measures Her Majesty's Government propose to place on the agenda at the forthcoming conference on security and co-operation in Europe.

The Prime Minister: Her Majesty's Government want the CSCE summit to be linked to signature of a CFE agreement and to explore the way ahead on arms control in Europe, to establish conciliation machinery within CSCE, to reaffirm the Helsinki Final Act's commitments on frontiers, to enshrine the principles of democracy and the rule of law, to encourage market-oriented economic reforms and to intensify political consultation among the 35 participants.

Nautical Archaeology

Mr. Onslow: To ask the Prime Minister when she expects that Ministers will be able to consider a collective response to the recommendations of the joint nautical archaeology committee; and if she will make a statement.

The Prime Minister: Good progress is being made and Ministers expect to be reaching conclusions during the course of the summer.

Voluntary Bodies

Mr. Hayes: To ask the Prime Minister if she will list the total amount paid in grants by Government Departments to voluntary bodies during the financial year 1988-89; and if she will make a statement.

The Prime Minister: Government funding to voluntary organisations in 1988-89 amounted to £2·1 billion. Of this,

£1,075 million was payments to housing associations; £510 million was payments under a variety of employment programmes; and £344 million went to support the provision of services and a wide range of activities and projects by a variety of voluntary organisations. The amount spent under individual departmental programmes is as follows:

	£
Agriculture, Fisheries and Food	150,811
Defence	6,695,827
Education and Science	5,022,802
Employment	
—Direct grants	47,324,589
—Community programme	345,000,000
—Voluntary projects programme	7,620,000
—Employment training	65,100,000
—Youth training scheme	92,000,000
Energy	896,294
Environment	
—Direct grants	46,785,788
—Indirect grants total	908,932,000
including the following:	
—Urban programme	68,700,000
—Housing associations and societies	809,808,000
—Countryside Commission	1,900,000
—Nature Conservancy Council	2,100,000
—Sports Council	16,174,000
Foreign and Commonwealth Office	1,196,800
Overseas Development Administration	63,024,299
Health	
—Direct grants	38,050,333
—Health Education Authority	595,997
Home Office	
—Direct grants	24,422,338
—Equal Opportunities Commission	40,269
—Commission for Racial Equality	1,807,670
Lord Chancellor's Department	745,000
Northern Ireland Office	
—Direct grants	13,642,973
—Housing associations and societies	45,333,856
Economic Development Grants:	
—Action for community employment	41,500,000
—Community workshops	17,152,378
—Community volunteer scheme	798,000
—Youth community project	785,688
—Youth Help	753,313
—Sports Council for Northern Ireland	392,475
Scottish Office	
—Direct grants	14,771,542
—Urban programme	27,729,000
—Housing associations and societies	151,000,000
—Countryside Commission for Scotland	695,692
—Highlands and Islands Development Board	878,480
—Sports Council for Scotland	1,417,969
Social Security	3,782,736
Trade and Industry	9,576,000
Transport	608,000
Welsh Office	
—Direct grants	6,176,552
—Urban programme	2,840,000
—Joint finance	330,000
—Housing associations and societies	69,040,000
—Sports Council for Wales	1,184,977
Grand total	2,065,800,448

Direct grants, other than those under employment programmes and to housing associations and societies, have increased by 17·5 per cent. over the level of provision in 1987-88. In the period between 1979-80 and 1988-89 the level of this Government support for voluntary bodies has risen by 110 per cent. in real terms.

I am placing in the Library of the House a list of voluntary bodies funded by Government in 1988-89, other than those funded under employment and housing programmes and the urban programme or via non-departmental public bodies.

Energy Consumption

Mr. Dobson: To ask the Prime Minister if she will give the energy consumption, broken down by fuel, of the buildings occupied by the Cabinet Office for the latest year available in units of consumption, kilowatt hours, therms and litres.

The Prime Minister *[holding answer 10 May 1990]:* Comprehensive energy consumption figures in the form requested by the hon. Member for each of the buildings occupied by the Cabinet Office are not available.

TRADE AND INDUSTRY

EC Import Bans

Mr. Ron Davies: To ask the Secretary of State for Trade and Industry on how many occasions in each of the last five years article 36 has been used by other European Community states, and by which countries, to ban imports from the United Kingdom.

Mr. Redwood: This information is not available. There is no general requirement under the treaty of Rome for EC member states to notify the European Commission of prohibitions or restrictions on imports justified on the grounds specified in article 36 of the treaty of Rome. Prohibitions or restrictions on the free movement of goods within the Community normally come to light as a result of complaints by the firms or individuals affected by them. The European Commission examines over a thousand such cases each year, although by no means all of them relate to prohibitions or restrictions justified under article 36 itself.

For their part, the Government are keen to promote free movement of goods throughout the Community, and to that end has set up a single market compliance unit within the Department of Trade and Industry. The compliance unit stands ready to pursue vigorously any well-founded complaints about prohibitions or restrictions elsewhere in the Community which affect import from the United Kingdom. In some cases, however, we would accept that certain prohibitions or restrictions, such as those on pornography, are fully justified under article 36 and we would not therefore press for their removal.

Auditors

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether he will describe the manner in which his Department scrutinises the annual report and accounts published by the Institute of Chartered Accountants in England and Wales.

Mr. Redwood: There is no requirement for the institute to submit its annual report and accounts to my Department.

Bryanston Insurance

Mr. Campbell-Savours: To ask the Secretary of State for Trade and Industry what consideration he has given to the public interest issues raised by the purchase of *(a)* Bryanston Insurance and *(b)* Trident by Mr. Grant Fowler.

Mr. Redwood: Before Trinity Insurance (formerly Trident) and Bryanston Insurance were purchased by Mr. Grant Fowler and companies associated with or controlled by him, prior notice was served on the Department as required by section 61 of the Insurance Companies Act 1982. The Department, in deciding not to object, took fully into account the interests of policyholders.

Mr. Campbell-Savours: To ask the Secretary of State for Trade and Industry what representations his Department has received in relation to the conduct of Bryanston Insurance and the payment of claims over the last three years; and if he will make a statement.

Mr. Redwood: None.

Airport (Hong Kong)

Mr. Hayward: To ask the Secretary of State for Trade and Industry what representations he has made to the Hong Kong Government concerning the allocation of contracts for the construction of a new airport in Hong Kong.

Mr. Redwood: The award of contracts for the construction of the new airport in Hong Kong is a matter for the Hong Kong Government.

United Kingdom firms have outstanding capabilities in this sector. The Hong Kong authorities are well aware of this.

Mr. Hayward: To ask the Secretary of State for Trade and Industry if he has received any request for assistance from British companies in their submission of tenders to the Hong Kong Government for the new Hong Kong airport.

Mr. Redwood: My Department is fully supporting the efforts of British companies pursuing this project, but particular approaches by companies are regarded as confidential.

Supply Index

Mr. Devlin: To ask the Secretary of State for Trade and Industry if he will make a statement about his Department's decision not to participate in the Government's supply index.

Mr. Forth: Two of the Department's research establishments were early participants in this scheme but found that in practice the contents of the index did not meet their requirements and the benefits were at best marginal. A more targeted modular version of the scheme has been drawn up and is currently under consideration.

Accounting Standards Board

Mr. Cousins: To ask the Secretary of State for Trade and Industry (1) what steps he has taken to assure himself that written representations to the Accounting Standards Board are placed on public record;

(2) what steps he has taken to assure himself that voting on accounting standards will be recorded by the Accounting Standards Board;

(3) what steps he has taken to assure himself that internal working papers and proposals in draft of the Accounting Standards Board are available to all on an equal basis;

(4) what steps he has taken to assure himself that access to internal working papers and proposals in draft of the Accounting Standards Board are restricted to major accountancy firms;

(5) what steps he has taken to assure himself that meetings of the Accounting Standards Board are open to outside observers;

(6) what steps he has taken to assure himself that the membership of working parties set up by the Accounting Standards Board will be published.

Mr. Redwood: None. These are matters which the Financial Reporting Council and the proposed Accounting Standards Board will no doubt consider.

Mr. Cousins: To ask the Secretary of State for Trade and Industry what steps he proposes to take to inform himself and the House if and when members of accountancy firms criticised in reports by his Department's inspectors are appointed to membership of working parties set up by the Accounting Standards Board.

Mr. Redwood: None.

Mr. Cousins: To ask the Secretary of State for Trade and Industry whether he proposes to make it his policy that members of the Accounting Standards Board sever links with accountancy firms during their term of office.

Mr. Redwood *[holding answer 8 May 1990]:* The terms of appointment of members of the proposed Accounting Standards Board will be a matter for the Financial Reporting Council. It is envisaged that most of the members of the Board will serve on a part-time basis and it would therefore be both unreasonable and impracticable to require members of the board to sever links with the organisations from which they are drawn.

Mr. Cousins: To ask the Secretary of State for Trade and Industry whether he will place a copy of any guidelines that govern potential conflicts of interest between members of the Accounting Standards Board and other firms, partnerships or businesses in the Library.

Mr. Redwood *[holding answer 8 May 1990]:* Detailed procedures for dealing with matters of this kind have yet to be determined, but I am sure that the Finance Reporting Council and the proposed Accounting Standards Board will be conscious of the desirability of the greatest possible openness in such matters.

Mr. Cousins: To ask the Secretary of State for Trade and Industry whether any non-accountants will be represented on the Accounting Standards Board.

Mr. Redwood *[holding answer 8 May 1990]:* I understand that the composition of the proposed Accounting Standards Board has yet to be decided.

Mr. Cousins: To ask the Secretary of State for Trade and Industry (1) what steps he is taking to ensure that the Accounting Standards Board attends to the users and readers of both the conventional and the short corporate reports created under the Companies Act 1989;

(2) how he proposes to ensure a reflection of the views and interests of the consumer and personal shareholder in the workings of the Accounting Standards Board;

(3) if he will list the members of the Accounting Standards Board.

Mr. Redwood *[holding answer 8 May 1990]:* The ASB does not yet exist but I am sure that the Financial Reporting Council and the chairman designate of the board will have taken note of the hon. Member's question and will consider the issue he addresses.

Mr. Cousins: To ask the Secretary of State for Trade and Industry whether the deliberations of the Accounting Standards Board will be in public; and what guidance he has offered on this point.

Mr. Redwood *[holding answer 8 May 1990]:* The procedural arrangements of the proposed Accounting Standards Board will be a matter for the board to decide. I am sure that the board will be fully conscious of the need to maximise public understanding of and involvement in its work.

Atlantic Computers

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry (1) whether he will make a statement on the collapse of Atlantic Computers;

(2) how and when his Department became aware of the financial difficulties at Atlantic Computers and British and Commonwealth Holdings;

(3) whether the Government will offer any financial aid to British and Commonwealth Holdings.

Mr. Redwood *[holding answer 8 May 1990]:* My Department became aware of financial difficulties at Atlantic Computers when it was announced early on 17 April that administrators had been appointed by British Commonwealth Holdings. I have no plans to offer financial aid.

Arms Exports

Mr. Matthew Taylor: To ask the Secretary of State for Trade and Industry whether he will make it his policy to compile an annual register of arms exporters to be placed in the Library and made available outside the House.

Mr. Redwood: No.

WALES

Housing

Mr. Gwilym Jones: To ask the Secretary of State for Wales if he will state the number of households and numbers of houses in Wales and the ratio between each at the end of each of the five-year periods for the last 30 years.

Mr. Grist: The available information is as follows:

	Estimated number of households (000's)	*Estimate stock of dwellings (000's)*	*Households as percentage of stock*
1961	804	824	97·6
1966	835	897	93·1
1971	910	967	94·1
1976	959	1,029	93·2
1981	1,012	1,089	92·9
1986	1,049	1,128	93·0
1989	1,078	1,159	93·0

Notes:

1. *Estimates of households* given for 1961 and 1966 are the number of private households enumerated at the 1961 census and 1966 sample census, each of which took place in April. Estimates of households for 1971 and later years are taken from the latest relevant household projections and relate to usually resident households at 31 June. Such household projections are based on the most recently preceding census of population and take account of household formation and dissolution and migration. For the 1981 Census household was taken as either one person living alone or a group of people who share either common housekeeping or a living room. In previous censuses people who catered separately were counted as separate households even if they shared a living room. 1989 estimates are calculated from 1987 based projections by interpolation.

2. *Dwelling stock estimates* (at December each year) are based on information collected in the most recently preceding Census of Population and take into account subsequent housebuilding and demolition. Due to changes in the census information collected, stock figures based on different censuses are not strictly comparable.

Mr. Gwilym Jones: To ask the Secretary of State for Wales what were the numbers of the population and the numbers of habitable rooms in Wales and the ratio between each at the end of each of the five-year periods for the last 30 years.

Mr. Grist: The available information is as follows:

Year	*Population*[1]	*Number of rooms*[2,3]	*Persons per room*
1961	2,567,900	4,125,575	0·62
1966	2,594,390	4,717,230	0·55
1971	2,647,015	4,769,835	0·55
1981	2,727,220	5,287,914	0·52

Source:

1961, 1971, 1981; census of population. 1966; sample census.

[1] Enumerated population in private households.

[2] Rooms in private households enumerated on census night.

[3] 1961-1981 excludes bathrooms, WCs, lobbies and those rooms used solely for business etc.; 1961 kitchens were counted only if they were used regularly for meals; 1966 all kitchens were counted; 1971 and 1981 kitchens under 2 metres wide were not counted.

Local Government Finance

Mr. Gwilym Jones: To ask the Secretary of State for Wales, pursuant to his answer to the hon. Member for Cardiff, North, *Official Report*, column *20*, of 26 March, if he will now state in the *Official Report* for each county and district council in Wales *(a)* the current community charge, *(b)* the equivalent of raising the same sum by the rating system and *(c)* the increase for each of those equivalent rates over last year's rates.

Mr. Grist: I wrote to my hon. Friend on 3 May 1990 in response to his original question. The table placed in the House of Commons Library contained the figures that he has requested.

Flexi-ownership

Mrs. Gorman: To ask the Secretary of State for Wales how much has been spent to date to promote his housing flexi-ownership scheme.

Mr. Grist: The Department has provided an explanatory booklet, a leaflet and application forms at a cost of some £9,896 and the Development Board for Rural Wales, who administer the scheme, have incurred costs of between £150 and £200, mainly on the delivery of a letter from my right hon. Friend to the tenants.

Health Service

Mr. Wigley: To ask the Secretary of State for Wales (1) what are the implications of paragraph 40 of annex A of his letter of 20 April sent by P. R. Gregory to the general managers of Gwynedd health authority for that authority's consideration of further hospital closure programmes; and if he will make a statement;

(2) if he will make a statement on paragraph 10 of annex A of his letter sent by P.R. Gregory of his Department to the general manager of Gwynedd health authority concerning changing circumstances causing a delayed implementation of plans for improved provisions of community hospitals in the county; and what circumstances caused this change of policy;

(3) if he will take steps to assess the adequacy of arrangements made by general practitioners in Caernarfon for the transfer to them of responsibility for aspects of casualty cover following the proposed closure of Caernarfon cottage hospital before agreeing to the final closure; and if he will make a statement.

Mr. Grist: I shall write to the hon. Gentleman and place a copy of my letter in the Library of the House.

Mr. Wigley: To ask the Secretary of State for Wales what potential deficit Gwynedd health authority has identified for the current financial year; and if he will make a statement.

Mr. Grist: As noted in my reply to the hon. Gentleman of 9 May, the Gwynedd health authority has identified a deficit of some £4 million on its budget requirements for 1990-91 by comparison with its notified revenue cash allocation.

Mr. Wigley: To ask the Secretary of State for Wales whether the non-dental services at the cottage hospital, Caernarfon may be deemed to be closed prior to the three conditions laid down by the Welsh Office being met.

Mr. Grist: My right hon. Friend would have no objection to Gwynedd health authority closing the non-dental services at the cottage hospital prior to meeting the three conditions relating to dental services.

A55

Mr. Morgan: To ask the Secretary of State for Wales what is his most up-to-date estimate of the out-turn cost of *(a)* the A55 Conwy crossing project and *(b)* its adjoining westward extension to Penry-Clip; and what is his best estimate of the overspend on these contracts.

Mr. Roberts: The estimated total out-turn costs for the A55 Conwy crossing and Pen-y-Clip schemes, as set out in the Welsh Office commentary on public expenditure in Wales 1990-91 to 1992-93, are £170·8 million and £85·3 million respectively. These estimates are in line with expectations at the time the contracts were let.

Computerisation

Mr. Morgan: To ask the Secretary of State for Wales pursuant to his answer of 8 May what penalty clause will be triggered or exacted from IBM UK in request of the computerised management information system ordered in August 1986 for delivery in April 1987 being three years late on stream.

Mr. David Hunt: This matter has been settled. I refer the hon. Gentleman to the reply that I gave him on 8 May.

Mr. Morgan: To ask the Secretary of State for Wales whether he contemplates awarding any further contracts in respect of computerised financial management systems for his Department.

Mr. David Hunt: There are no plans to do so.

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 8 May, what further payment was made to IBM UK in January for the computerised finance system for his Department.

Mr. David Hunt: A total of £102,827 was paid to IBM UK Ltd. in January 1990 for goods and services provided in accordance with the terms of the contract between my Department and the company.

Floods

Mr. Barry Jones: To ask the Secretary of State for Wales when he proposes to respond to the request by Clwyd county council for funding of a social work support team following the flood disaster on the north Wales coast; and if he will make a statement.

Mr. David Hunt: Clwyd county council's request for financial assistance towards a social work support team has been discussed with the director of social services. The council is aware that expenditure on social services incurred in dealing with the emergency falls to be considered under the Bellwin arrangements.

HOME DEPARTMENT

Drugs

Mr. Butler: To ask the Secretary of State for the Home Department if, pursuant to his answer of 2 May to the hon. Member for Sheffield, Heeley (Mr. Michie), *Official Report*, column *564*, Ministers are considering recycling confiscated money from drug traffickers towards schemes designed to reduce demand run under the auspices of local health authorities.

Mr. John Patten: Ministers are still considering the detailed arrangements for the proposed scheme and how priorities might best be determined between the possible candidates for the use of such monies.

Sir Dudley Smith: To ask the Secretary of State for the Home Department what new initiatives are being pursued in an effort to prevent the laundering of illegal drug profits by reputable banks and financial institutions in the United Kingdom.

Mr. John Patten: The Drug Trafficking Offences Act 1986 created a criminal offence of money laundering,

punishable by up to 14 years' imprisonment. The Government recently extended the scope of this offence through new provisions contained in the Criminal Justice (International Co-operation) Act 1990. The new Act will enable us to ratify the United Nations convention against illicit trafficking in narcotic drugs and psychotropic substances later this year. It also introduced a new power to prevent evasion of the controls on money laundering by those attempting to import or export the proceeds of drug trafficking as cash. The Act meets a number of specific proposals in the recent Home Affairs Committee report on Drug Trafficking and Related Serious Crime. In response to a further recommendation by the Committee the Government has set up a working party to consider how the provisions on the confiscation of drug traffickers' assets have worked since their introduction, and to identify any changes to the law that may be necessary.

In addition to this, we are involved in a number of other initiatives, both domestically and internationally, aimed at ensuring that the measures taken to combat money laundering are as effective as possible.

On 19 April my right hon. Friend the Chancellor of the Exchequer announced the publication of the report of the financial action task force on money laundering, a copy of which is in the Library. The United Kingdom were active contributors to the work of the task force; the priority is now on the implementation of its recommendations. In the light of the report a working group has been established, bringing together representatives of banks, building societies and the enforcement agencies, under the chairmanship of the Bank of England, to take forward those recommendations of the task force which relate to banks and building societies.

We are seeking to negotiate further international agreements under the 1986 Act to trace, freeze and confiscate the proceeds of drug trafficking. Thirteen such agreements or arrangements have already been concluded. That with the United States of America came into force in April 1989; an Order in Council currently before Parliament will designate the remaining countries with whom agreements of arrangements have already been made, together with the Channel Islands and the Isle of Man.

Within Europe, the United Kingdom is involved in developing a draft Council of Europe convention on tracing, freezing and confiscating the proceeds of crime. The European Commission has recently published a draft directive on money laundering, and the United Kingdom looks forward to taking an active part in its consideration.

Ms. Ruddock: To ask the Secretary of State for the Home Department how many women from Nigeria and Colombia have been convicted for drug smuggling offences in the last five years.

Mr. John Patten: The number of women convicted of unlawful import or export of controlled drugs whose country of birth was recorded as Nigeria and Colombia was as follows:

United Kingdom

Number of women

Country of birth	*1984*	*1985*	*1986*	*1987*	*1988*
Nigeria	53	12	23	54	42
Colombia	6	3	2	6	4

Motoring Offences

Mr. Ralph Howell: To ask the Secretary of State for the Home Department in each of the financial years 1987-88, 1988-89 and 1989-90, how many motorists the Crown prosecution service prosecuted who were acquitted because of a Magill type defence; and how much such cases cost to *(a)* the Crown prosecution service, *(b)* the legal aid fund, *(c)* central funds and *(d)* the magistrates court.

Mr. John Patten: The information requested is not collected centrally.

Prison Incidents

Mr. Cox: To ask the Secretary of State for the Home Department what has been the number of serious incidents in prisons in England and Wales for 1990 to date.

Mr. Mellor: The following numbers of incidents are recorded as having been reported by prison service establishments between 1 January and 8 May 1990 under the broad headings shown, excluding incidents under headings categorised as minor:

	Number
Escapes	32
Attempted escapes	4
Escapes from escort	35
Attempted escapes from escort	3
Recapture/surrender of escaped inmates	35
Assaults—on staff	24
—on inmates	57
—on others	6
Deaths of inmates believed to be suicide	14
Other deaths of inmates	13
Deaths of staff	2
Fires causing personal injury, or serious and/or extensive damage to property	7
Acts of concerted indiscipline	48
Barricade incidents	7
Rooftop demonstrations	21
Food refusals	28
Key/lock compromises	4
Hostage incidents	8
Bomb threats/explosions	17
Other miscellaneous incidents	25

Television Licences

Mr. Winnick: To ask the Secretary of State for the Home Department when he will reply to the letters from the hon. Member for Walsall, North of 6 March, 12 March and 22 March, regarding the concessionary television licence fee.

Mr. Mellor: I hope to be able to reply to all three letters shortly.

Power Cut, West London

Mr. Morgan: To ask the Secretary of State for the Home Department if he will call for a report from the Commissioner of Police of the Metropolis on the disruption to traffic caused by the power cut in west London on the morning of 8 May.

Mr. Peter Lloyd: I understand from the commissioner that no significant additional traffic disruption was caused in west London by the power cut on 8 May.

Electronic Tagging

Mr. Butler: To ask the Secretary of State for the Home Department what is the average cost of electronic tagging per offender.

Mr. John Patten: The total cost of the electronic monitoring trials to date is £602,000 and the number of defendants monitored has been 50. But the former figure includes the cost of setting up three different schemes on an experimental basis and the special production of the different equipment needed. It would not be sensible to take the figure yielded by dividing the latter figure into the former as a realistic average cost for the use of electronic monitoring on a larger scale. The evaluation of the trials now being prepared will attempt to identify the factors which ought to be counted for longer-term cost purposes.

DEFENCE

Bases (Wales)

Mr. Nicholas Bennett: To ask the Secretary of State for Defence how many *(a)* service men and *(b)* civilian employees are based in establishments situated in (i) the former county of Pembroke, (ii) Dyfed and (iii) Wales.

Mr. Archie Hamilton: The total numbers of military and civilian personnel in the areas specified, as at 1 January 1990, are as follows:

	Service	*Civilian*	*Total*
Former county of Pembroke	763	984·5	1,747·5
Dyfed	790	1,638·5	2,428·5
Wales	5,403	5,395·5	10,798·5

The figures for the former county of Pembroke cover establishments in the Preseli and South Pembrokeshire local authority areas.

Defence Lands (Multiple Use)

Mr. Boswell: To ask the Secretary of State for Defence to what extent he makes multiple use of defence lands.

Mr. Archie Hamilton: The Ministry of Defence owns or leases 241,000 hectares, of which 110,000 hectares are let to tenants for agricultural use. This is in line with the Department's policy of allowing public access to our land and facilities for recreation, social or commercial purposes wherever this is consistent with operational, safety and security requirements and does not conflict with the interests of tenants or have a detrimental effect on local amenities and the environment.

WRNS

Mr. Viggers: To ask the Secretary of State for Defence how many Wrens have volunteered for sea-going duties; and what is the current number of WRNS personnel.

Mr. Archie Hamilton: As at 9 May 283 ratings and 90 officers had volunteered to go to sea this year.

The number of WRNS officers and ratings serving on 1 April 1990 were 320 and 2,904 respectively.

Early Release (Royal Navy)

Mr. Viggers: To ask the Secretary of State for Defence if he will list the numbers of applications for early release from the Royal Navy for each month in the last two years.

Mr. Archie Hamilton: The numbers of applications for early release from the Royal Navy by month over the last 24 months have been as follows:

	Royal Navy applications	
	Officers	*Ratings*
April 1988	15	188
May 1988	29	217
June 1988	24	271
July 1988	36	204
August 1988	12	97
September 1988	29	303
October 1988	24	277
November 1988	16	367
December 1988	11	301
January 1989	27	165
February 1989	45	281
March 1989	28	218
FY 1988-89 Total	296	2,889
April 1989	21	452
May 1989	21	265
June 1989	14	294
July 1989	18	305
August 1989	15	143
September 1989	21	346
October 1989	23	195
November 1989	13	209
December 1989	18	481
January 1990	23	233
February 1990	24	310
March 1990	36	468
FY 1989-90 Total	247	3,701

Applications to leave are not the same as actual departures because there is a fairly lengthy period of notice during which people may change their minds and withdraw their applications.

Shiplift (Faslane)

Mr. McFall: To ask the Secretary of State for Defence when the decision to build the shiplift facility at Faslane was taken.

Mr. Archie Hamilton: In 1983.

Mr. McFall: To ask the Secretary of State for Defence if the shiplift contract at Faslane was awarded as a single tender contract.

Mr. Archie Hamilton: The shiplift is being constructed as part of a larger contract package which was awarded through competitive tender. The manufacturer of the syncrolift platform is a nominated sub-contractor and was selected by single tender action.

Mr. McFall: To ask the Secretary of State for Defence (1) what consideration was given by the Nuclear Safety Committee to the merits of marine chain as opposed to wire rope for the shiplift facility at Faslane;

(2) on what grounds the decision was taken to proceed with marine chain as opposed to wire rope for the shiplift facility at Faslane.

Mr. Archie Hamilton: The Ministry of Defence nuclear safety authorities assessed all aspects of the Faslane shiplift design including the platform components and the means by which it is raised and supported. The particular syncrolift mechanism being incorporated in the Faslane shiplift makes use of wire ropes rather than marine chains.

The company responsible for the design and manufacture of the syncrolift mechanism was selected because of its competence and unique experience with shiplifts of this size and function. The Ministry of Defence nuclear safety authorities recognise the importance of adopting a well proven system and design used in other comparable shiplifts.

Mr. McFall: To ask the Secretary of State for Defence (1) what representations he has received from the safety and reliability directorate of the United Kingdom Atomic Energy Authority on an acceptable safety case for the shiplift project at Faslane;

(2) if any representations have been made by the United Kingdom Atomic Energy Authority or its safety and reliability directorate regarding fundamental concerns by this body on the shiplift project at Faslane.

Mr. Archie Hamilton: The safety and reliability directorate advises MOD's nuclear safety authorities. In this role it has submitted a number of observations on the shiplift programme. These are being taken into account in its design development and construction. The safety and reliability directorate has not questioned the fundamental ability of a shiplift to meet nuclear safety requirements.

Mr. McFall: To ask the Secretary of State for Defence if he will provide the costs to date and the latest estimate for the completed shiplift project at Faslane.

Mr. Archie Hamilton: The latest approved costs of the shiplift which, along with some other major projects, forms part of the shiplift contract package, is £147 million. It is not our policy to discuss estimated costs of individual projects or contract packages.

Mr. McFall: To ask the Secretary of State for Defence (1) on what grounds the construction of a dry dock facility at Faslane was rejected;

(2) if he will provide the estimated cost of *(a)* a dry dock facility and *(b)* a shiplift at Faslane; and on what grounds the decision was made to go for the latter.

Mr. Archie Hamilton: When the decision was taken in 1983 that a shiplift was the preferred docking solution, on the basis of comparable provision the estimated capital costs of a dry dock facility were significantly greater than a shiplift. The shiplift met programme requirements and combined the greatest operational flexibility with both the lowest capital and running costs.

Shiplift Systems

Mr. McFall: To ask the Secretary of State for Defence what statistics are held by his Department on *(a)* the failure of wire rope shiplifts and *(b)* accidents involving failure of shiplift systems around the world.

Mr. Archie Hamilton: A variety of data has been collected on an in confidence basis from a number of sources on both the reported failures of wire rope shiplifts and accidents involving the failure of shiplift systems.

Community Charge

Mr. Rooker: To ask the Secretary of State for Defence what advice he has issued regarding duties of commanding officers to issue certificates for the purposes of regulation 4 of the Community Charge (Students) Regulations 1989.

Mr. Archie Hamilton: None.

Military Bands

Mr. Fisher: To ask the Secretary of State for Defence what information he has on the number of public performances undertaken by military bands in 1989.

Mr. Archie Hamilton: Details of public performances carried out by Army bands in 1989 are not held centrally and could only be produced at disproportionate cost.

The Royal Marines gave a total of 596 public performances in 1989 and the Royal Air Force gave 389.

Mr. Fisher: To ask the Secretary of State for Defence whether he will publish a table showing the case of military bands in each of the last 10 years.

Mr. Archie Hamilton: Full details of all the costs of maintaining Service bands are not held centrally and could not be obtained without disproportionate cost and effort. The table shows estimated staff costs (including overheads) based on the numbers serving in the bands in each year.

Year	*Total of Service bands £ million*
1980-81	42·3
1981-82	46·0
1982-83	49·5
1983-84	51·3
1984-85	46·6
1985-86	48·2
1986-87	50·1
1987-88	51·2
1988-89	52·7
1989-90	55·2

Sports

Mr. Hinchliffe: To ask the Secretary of State for Defence if he will list the sports which are recognised by the Combined Services Sports Board.

Mr. Archie Hamilton: There is no Combined Services Sport Board list of recognised games and sport. However, there are 18 sports which are played at combined services level:

Association Football
Athletics
Badminton
Basketball
Boxing
Cricket
Cycling
Fencing
Golf
Hockey
Judo
Lawn Tennis
Rugby Union
Squash
Swimming
Volleyball
Water Polo
Winter Sports

EMPLOYMENT

Tourism

Mr. Simon Coombs: To ask the Secretary of State for Employment what has been the value to date given by the European investment bank to tourism projects in the United Kingdom.

Mr. Nicholls: The European investment bank offers loans to eligible projects within the European Community. It does not offer grants. Information on the value of loans given by the EIB to tourism projects in the United Kingdom is not readily available and could be obtained only at disproportionate cost.

Supply Index

Mr. Devlin: To ask the Secretary of State for Employment if he will make a statement about his Department's decision not to participate in the Government supply index.

Mr. Eggar: Purchasing arrangements in the Department of Employment are devolved to the constituent parts of the group. The Training Agency and the Health and Safety Executive have joined the supply index because they consider it appropriate to do so; other parts of the group do not consider that the index is suitable for their organisation.

Departmental Purchases

Mr. Andrew Mitchell: To ask the Secretary of State for Employment what measures he is taking to encourage Government Departments to increase the proportion of purchases they make from small firms.

Mr. Eggar: Following the publication of a widely distributed booklet "Think Big, Buy Small" addressed to Government purchasers, my Department is now supporting a purchasing specialist to work with the Treasury's central unit on purchasing on encouraging Government Departments to improve both small firms access to them, and opportunities for small firms to bid for Government contracts. The specialist is advising on better information systems and improved purchasing procedures, and is also seeking feedback from small firms themselves. Later this year I hope to meet the heads of Government purchasing Departments to reinforce this work and demonstrate the benefits to Government of using small firm suppliers.

Environment Protection.

Ms. Walley: To ask the Secretary of State for Employment what initiatives he is undertaking regarding training for environmental protection-related careers.

Mr. Nicholls: A range of opportunities for such training is available to young people and unemployed people, particularly the long-term unemployed, through youth training and employment training. A number of training places in high technology environmental skills are also supported through the high technology national training programme.

Action for Jobs

Mr. Terry Davies: To ask the Secretary of State for Employment what were the main headings of expenditure on action for jobs in 1985-86.

Mr. Eggar: The main headings for expenditure on action for jobs in 1985-86 were press and radio advertising.

Grain Silos (Gases)

Mr. Simon Hughes: To ask the Secretary of State for Employment if he has made an assessment of the implications for the health of workers in grain silos arising from the presence of harmful gases; and if he will make a statement.

Mr. Nicholls: The Health and Safety Executive is well aware of the hazards to the health of workers who may have to enter grain silos. The main hazards are the presence of carbon dioxide together with an oxygen-deficient atmosphere and the Health and Safety Executive has published guidance on the precautions which should be taken before workers enter such silos.

Restart

Mr. Andrew MacKay: To ask the Secretary of State for Employment if he plans to make any further changes to the restart programme; and whether he will make a statement.

Mr. Howard: My right hon. Friend the Secretary of State for Social Security and I have been considering whether the current position whereby a claimant's failure to attend a restart interview results in a disallowance for unemployment benefits should be extended to restart courses.

Such courses are already a very successful extension of the interview process designed to help those hardest hit by unemployment to regain confidence, identify potential and plan a route back to work. We believe that the very long term unemployed, whose length of time without a job clearly shows that they have been unable or unwilling to take full advantage of the wide range of available opportunities, clearly have much to gain from such a course.

My right hon. Friend therefore intends to introduce regulations later this year which will enable employment service staff to require the attendance at a restart course of those who have been unemployed for two years or more and who, at subsequent restart interviews, refused to participate in any of my Department's employment and training programmes.

Earnings Statistics

Mr. Barry Jones: To ask the Secretary of State for Employment how many full-time employees on adult rates *(a)* earned less and *(b)* earned more than two-thirds of average male earnings in Great Britain in 1979 and 1989; and how many of these were employed in Wales.

Mr. Nicholls *[holding answer 10 May 1990]:* Figures of the average earnings of full-time adult male employees in Great Britain in 1979 and 1989 are published in table 1 of part A of the 1979 and 1989 new earnings survey reports, copies of which are in the Library. The estimated numbers of full-time adult employees earning below specified amounts weekly are published in table 14 part A of the same reports. Comparable figures are not available by region but data on the percentage distribution of gross weekly earnings of full-time adult employees in Wales are published in table 114 of part E of the reports.

AGRICULTURE, FISHERIES AND FOOD

Slaughtering

Mr. Matthew Taylor: To ask the Minister of Agriculture, Fisheries and Food what steps he takes to ensure animals in knackers' yards are given the same protection as animals at abattoirs in respect of *(a)* feeding and watering, *(b)* lairage and *(c)* slaughtering techniques; and if he will make a statement.

Mr. Maclean: Extensive legislation already exists to provide for the welfare of animals in abattoirs and knackers' yards. It affords the same level of protection as regards feeding, watering, lairaging and slaughtering for animals in knackers' yards as for those in abattoirs.

Local authorities are responsible for enforcing the legislation and officers of the state veterinary service visit abattoirs and knackers' yards to monitor standards and to give advice.

Mr. Matthew Taylor: To ask the Minister of Agriculture, Fisheries and Food if he has made an assessment of the animal welfare implications of the ritual slaughtering of animals; and if he will make a statement.

Mr. Maclean: The Farm Animal Welfare Council reported in 1985 on the welfare of animals when slaughtered by religious methods. The Government's response, accepting 15 of the Council's 17 recommendations, was published in October 1987. Proposals for new regulations on the welfare of animals at slaughter, including religious slaughter, were issued to interested parties for comment on 20 June 1989. Copies of all these documents are available in the Library of the House. We are considering representations on the proposed regulations which will be laid before Parliament shortly.

Mr. Matthew Taylor: To ask the Minister of Agriculture, Fisheries and Food what percentage, and how many in actual numbers, of animals were subject to ritual slaughter in 1989; and if he will give a breakdown by species.

Mr. Maclean: Statistics of animals slaughtered by religious methods are not maintained centrally. However our most recent estimates are that less than 2 per cent. of cattle, 4 per cent. of sheep and goats and 1 per cent. of poultry slaughtered in Great Britain are slaughtered under the exemption from prior stunning.

Written Answers to Questions

Monday 14 May 1990

NATIONAL FINANCE

Retail Prices Index

Mr. Marlow: To ask the Chancellor of the Exchequer if he will make it his policy that on each future occasion when he publicises the retail prices index he will also publicise the annual increase in the cost of living excluding mortgage rate and such taxes as the community charge.

Mr. Lilley: A series is already published in the monthly press notice for "all items excluding housing" which is very close to the index requested, since two thirds of the weight for housing is accounted for by mortgage payments and domestic rates/community charges.

Inland Revenue Officers

Mr. Cox: To ask the Chancellor of the Exchequer what was the number of Inland Revenue executive officers who resigned from the service in the years 1988 and 1989.

Mr. Lilley: One hundred and eighteen and 92 respectively.

Mr. Cox: To ask the Chancellor of the Exchequer how many Inland Revenue executive officers applied for the internal trawl for the AT-HEO'D' scheme in the months of May and June 1989; and how many were successful.

Mr. Lilley: Ten executive officers from the Inland Revenue applied for this scheme, of whom one was successful.

Value Added Tax

Mr. Stern: To ask the Chancellor of the Exchequer (1) what was the annual cost to Her Majesty's Customs and Excise of administering the value added tax on the sale of gold coins and bars in the latest available year;

(2) what was the annual value added tax revenue accruing from the sales of gold *(a)* coins and *(b)* bars in the latest available year;

(3) what was the annual value added tax revenue accruing from the sale of Britannia gold coins in the latest available year.

Mr. Ryder: I regret that the information requested by my hon. Friend is not available.

Correspondence

Mr. Pawsey: To ask the Chancellor of the Exchequer when the hon. Member for Rugby and Kenilworth will receive a reply to his letter dated 6 March referring to Mr. Allan Gear of the Henry Doubleday Research Association.

Mr. Lilley: I replied to my hon. Friend's letter on 11 May.

Energy Consumption

Mr. Dobson: To ask the Chancellor of the Exchequer, pursuant to his answer of 30 April, *Official Report*, column *444*, if he will give the expenditure on energy consumption, broken down by fuel, of the buildings occupied by his Department, for the latest year available.

Mr. Ryder *[holding answer 10 May 1990]:* The information, which covers major offices only, is as follows:

	Gas £000	*Electricity* £000	*Solid/Liquid Fuel* £000
Government Offices, Great George Street, London, SW1	38·6	189·6	4·4
Chessington Computer Centre, Surrey	0·3	39·7	10·3
Alencon Link, Basingstoke, Hampshire	0·2	5·8	2·6
Grosvenor House, Basingstoke, Hampshire	1·8	3·1	—
Riverwalk House, London, SW1	13·7	73·3	—

Note: All figures reflect consumption in calendar year 1989.

I regret that a figure given to the hon. Member in response to his previous question was incorrect. The figure for gas consumption for Chessington should be 1,000 therms not 71,000 as quoted.

THE ARTS

Royal Opera House

Mr. Soley: To ask the Minister for the Arts whether the Royal Opera house has applied for additional funds.

Mr. Luce *[holding answer 11 May 1990]:* The Royal Opera house has consistently argued for additional Government funding. At the end of last year it alerted the chairman of the Arts Council and me to the prospect of a £2 million deficit in the coming year. This was despite an 11 per cent. increase in its grant from the Arts Council and a severe pruning of projected expenditure plans. I recognise the excellent record of the Royal Opera house in increasing its self-generated income but, in reply, I made it clear that all arts organisations must, like any other business, demonstrate a commitment to good housekeeping and to controlling costs. It is also an important part of Arts Council policy that all arts organisations receiving grant-in-aid should balance their books over a three year period. I expect the Royal Opera house to discuss with the Arts Council how that policy can be complied with.

TRADE AND INDUSTRY

Iraq (Arms Component Exports)

Mr. Gordon Brown: To ask the Secretary of State for Trade and Industry (1) when his Department first knew that Dr. Gerald Bull had a connection with SRC;

(2) to which Iraqi Government agency the order seized by Customs and Excise was being sent;

(3) what action was taken in respect of the Iraqi armaments order after it was known that the Space Research Corporation was involved in the order;

(4) what is now known of the destination of the Iraqi pipe order now in Iraq;

(5) what information he has on the intended use of the armament being produced for the Iraqis;

(6) what action was taken to investigate the Iraqi export order after the death was reported of Gerald Bull of the Space Research Corporation;

(7) what information he has as to *(a)* the military purpose of the armaments order of Iraq and *(b)* the possible uses of the completed order.

Mr. Ridley: In the light of the criminal charges laid against individuals and in the light of the continuing investigations by Customs and Excise, it would be inappropriate to give any further information on these matters.

Mr. Gordon Brown: To ask the Secretary of State for Trade and Industry (1) when his Department was first made aware of a meeting in Brussels between Sheffield Forgemasters and the Space Research Corporation in June 1988, and of additional meetings that took place in Brussels in July 1988 between those parties;

(2) if he has any information on the fire-testing in Iraq of any equipment provided for Iraq by Sheffield Forgemasters and Walter Somers.

Mr. Ridley *[holding answer 26 April 1990]:* In the light of the criminal charges laid against individuals and in the light of the continuing investigations by Customs and Excise, it would be inappropriate to give any further information on these matters.

Mr. Gordon Brown: To ask the Secretary of State for Trade and Industry (1) when he first received information about the activities of SRC Composites;

(2) when he became aware of the project of SRC Composites to develop in Northern Ireland;

(3) when he was first aware of SRC Composites' involvement with Iraq;

(4) what investigations took place into Space Research Corporation after its involvement in the Iraqi export order became known.

Mr. Ridley *[holding answer 30 April 1990]:* In the light of the criminal charges laid against individuals and in the light of the continuing investigations by Customs and Excise, it would be inappropriate to give any further information on these matters.

Export Finance Scheme

Mr. Thurnham: To ask the Secretary of State for Trade and Industry what further steps he will take to raise funds from the capital markets to reduce the costs of the fixed rate export finance scheme; and if he will make a statement.

Mr. Redwood: As part of a programme of measures to reduce the cost of ECGD's fixed rate export finance scheme, the Guaranteed Export Finance Corporation plc (GEFCO) issued a second £250 million bond issue on 8 May which again carried the guarantee of the Secretary of State. The previous issue was launched last July and further periodic issues are envisaged.

Financial Services

Mr. Cousins: To ask the Secretary of State for Trade and Industry what recent representations he has received on the working of *(a)* the Securities and Investments Board, *(b)* FIMBRA, *(c)* the Financial Services Act 1986 and *(d)* recognised professional bodies in the financial services industry; and from whom.

Mr. Redwood: My right hon. Friend and I regularly receive a variety of representations on these matters from a wide range of sources.

Mr. Cousins: To ask the Secretary of State for Trade and Industry if he will visit the state of California to study its regulatory system in the financial services industry.

Mr. Redwood: Neither my right hon. Friend nor I have any plans at present to visit California.

Mr. Colin Shepherd: To ask the Secretary of State for Trade and Industry what representations he has received concerning the nature and level of capital adequacy for firms involved in the small independent intermediary sector of the financial services industry.

Mr. Redwood: I have received a number of representations from organisations and firms in the independent financial intermediaries sector about capital adequacy requirements. Their views will be taken into account during the forthcoming negotiations on the proposed capital adequacy directive.

Mr. Colin Shepherd: To ask the Secretary of State for Trade and Industry if he will set out in the *Official Report* an outline of the nature of the stance he will be adopting with regard to any European Commission proposals in respect of the harmonisation of the financial services industry prior to 1992 with particular regard to the small independent intermediary sector.

Mr. Redwood: The Government welcome proposals from the European Commission which are designed to create a single market in financial services and which are based upon mutual recognition of member states' competent authorities and agreement on key standards. Our response to such proposals will be based upon two principles: first, that such measures should not undermine the Community's international competitiveness and, secondly, that they should not erect unnecessary barriers to market entry.

British American Tobacco

Mr. Cousins: To ask the Secretary of State for Trade and Industry what recent representations he has received on the Hoylake bid for British American Tobacco; and from whom.

Mr. Redwood: I have received many representations from hon. Members and others about various aspects of Hoylake Investments' bid for BAT Industries, but none since Hoylake announced on 23 April that it would not renew its offer for BAT.

South Africa

Mrs. Clwyd: To ask the Secretary of State for Trade and Industry what is the number and value of grants made by the Export Credits Guarantee Department to South Africa for each year since 1985.

Mr. Redwood *[holding answer 10 May 1990]:* The ECGD has not made any grants to South Africa in the period in question.

Since ECGD's normal fixed-rate export finance arrangements apply to medium and long-term export credits to South Africa, some grants to banks in Britain supporting such export credits will have been made as part of the overall arrangements.

National Measurement Accreditation Service

Mr. Flynn: To ask the Secretary of State for Trade and Industry, pursuant to his reply to the hon. Member for Gateshead, East (Ms. Quin), *Official Report*, 30 April, column *386*, what steps he is taking to increase the number of laboratories accredited by the NAMAS scheme, in the north-east, Wales, Scotland and Northern Ireland.

Mr. Douglas Hogg *[holding answer 10 May 1990]:* The national measurement accreditation service, NAMAS, actively encourages laboratories to become accredited for calibration and testing measurements. In conjunction with the Department's regional offices, promotional seminars have already been held in the north-east, Wales and Scotland. A seminar in Northern Ireland is currently being planned.

Mr. Flynn: To ask the Secretary of State for Trade and Industry what steps he has taken or has suggested that the National Physical Laboratory takes to increase the number of laboratories accredited with the national measurement accreditation service for radiological calibration; and if he will name the accredited laboratory.

Mr. Douglas Hogg *[holding answer 10 May 1990]:* Discussions are taking place between the national measurement accreditation service (NAMAS), involved in the radiological field of measurements both for calibration and testing with the view of increasing the number of accreditations in this area. The laboratory currently accredited for radiological calibration is Amersham International plc. Three further laboratories are currently being assessed prior to accreditation.

Mr. Flynn: To ask the Secretary of State for Trade and Industry what staff committment is devoted through the National Physical Laboratory to ensuring as wide as possible membership to the national measurement accreditation service; and how this staff commitment is broken down between accreditations awards to calibration laboratories and testing facilities.

Mr. Douglas Hogg *[holding answer 10 May 1990]:* The total number of staff currently employed in the national measurement accreditation service is 52. Of these, eight are directly involved in the accreditation of calibration laboratories and 25 in the accreditation of testing laboratories. In addition, three further staff are directly involved in accreditation of both calibration and testing laboratories.

Energy Consumption

Mr. Dobson: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 30 April, *Official Report*, column *387*, if he will give the expenditure on energy consumption, broken down by fuel, of the buildings occupied by his Department for the latest year available.

Mr. Forth *[holding answer 10 May 1990]:* Expenditure on energy consumption in buildings occupied by the Department of Trade and Industry in 1988-89, the latest full year for which figures are available, was as follows:

	£ million
Electricity	2·3
Gas	0·7
Oil	0·3

May I also apologise for an error in my answer to the hon. Gentleman on 30 April at column *387*. The figure for gas consumption in the Department of Trade and Industry in 1988-89 should have read 2·3 million therms.

ATTORNEY-GENERAL

Perjury

48. **Mr. Teddy Taylor:** To ask the Attorney-General what information he has on the number of prosecutions which have been initiated under the provisions of the Perjury Act of 1911 relating to persons wilfully making statements false in a material particular to judges or persons with the legal status of judges.

The Attorney-General: The only information available to me relates to convictions rather than proceedings instituted. Eighty-four persons were convicted for offences contrary to section 1 of the Perjury Act 1911 during 1988. All such convictions related to false statements made in judicial proceedings.

Courts

49. **Mr. Rathbone:** To ask the Attorney-General what representations he has received recently about the operations of the courts.

The Attorney-General: The Lord Chancellor frequently receives correspondence from Members of this House, legal practitioners and members of the public about the operations of the courts. All these are responded to by the Lord Chancellor or his officials.

Director of Public Prosecutions

50. **Mr. Winnick:** To ask the Attorney-General when he last met the Director of Public Prosecutions to discuss prosecution policy.

53. **Mr. Greville Janner:** To ask the Attorney-General when he last met the Director of Public Prosecutions; and what matters were discussed.

The Attorney-General: I refer to the answer I gave today to the hon. Member for Bolsover (Mr. Skinner).

Covenants

51. **Mr. Thurnham:** To ask the Attorney-General whether he plans to have any discussions with the Law Reform Committee on the length of time for which covenants should be in force; and if he will make a statement.

The Attorney-General: There are no plans to refer any aspect of the law relating to covenants to the Law Reform Committee.

Crown Prosecution Service

52. **Mr. Tony Banks:** To ask the Attorney-General if he will make a statement about the operation of the Crown prosecution service.

The Attorney-General: The operation of the Crown prosecution service has been the subject of very recent scrutiny and report by the Home Affairs Select Committee of this House. The Committee recognised the impressive progress made by the Crown prosecution service despite its initial difficulties and confirmed our confidence that by proper assertion of its independence the CPS has contributed to a fairer and more just prosecution system. The Government will be responding to its recommendations in the normal manner.

Professor Wilhelm Feldberg

Mr. Campbell-Savours: To ask the Attorney-General whether he will prosecute Professor Wilhelm Feldberg for a contravention of section 1 of the Protection of Animals Act 1911.

The Attorney-General: A decision about the commencement of a prosecution could be properly taken only on the basis of evidence assembled through a criminal investigation. The investigation of an alleged criminal offence is a matter for the police service. The proper course for any person having evidence suggesting the commission of an offence is to make the evidence available to the police.

It is to be noted that by virtue of section 1(3) of the Protection of Animals Act 1911 and section 27(2) and schedule 3 to the Animals (Scientific Procedures) Act 1986 the provision to which hon. Member refers does not apply to anything lawfully done in accordance with the 1986 Act.

Criminal Law Jurisdiction

Mr. McNamara: To ask the Attorney-General how many prosecutions have been mounted in *(a)* the Republic of Ireland, *(b)* Northern Ireland and *(c)* Great Britain under the terms of the Criminal Law Jurisdiction Acts; and what is the outcome of each prosecution for each year since the passing of the legislation for 1990 until the earliest convenient date.

The Attorney-General: I refer the hon. Member to the answer I gave my hon. Friend the Member for Orpington (Mr. Stanbrook) on 19 December 1988, at column 92. All the prosecutions listed in that answer as having taken place in the United Kingdom took place in Northern Ireland. Those trials took place in the following years:

1978
Fearon
Morgan
O'Rourke

1981
Gormley

1982
Smyth
Hannigan
Callaghan
Ward
Patterson

1986
McCormack

1987
Collins

1988
Ellis
Orr
Clements
Verner
McKenna

Since my previous answer another person has been tried in Northern Ireland, in 1990, for offences allegedly committed in the Republic of Ireland:

Offence	*Sentence*
John William Gilmour	
Counselling and Procuring and causing an explosion	Convicted—16 years imprisonment
Possession of Explosives with intent (1)	Convicted—16 years imprisonment
Possession of Explosives (2)	Left on file
Possession of firearm with intent (1)	Convicted—10 years imprisonment
Possession of Firearms (2)	Left on file
Carrying of Firearm with intent	Convicted—10 years imprisonment

The trials in the Republic of Ireland listed in my previous answer took place in the following years:

1980
Lynagh
McGurk
McNally

1981
Campbell
Ryan

1982
McKee
Sloan
Magee
Fusco
Tuite

1983
Flynn
Soraghan

One trial which took place in the Republic of Ireland in 1978 and was omitted from my previous answer was:

Offence	Sentence
John Brendan Brady	
Control of firearms and ammunition	Convicted—2 years imprisonment
Possession of explosive substances	Convicted—6 years imprisonment
Unlawful seizure of a vehicle	Convicted—4 years imprisonment

Since my previous answer four further persons have been tried in the Republic of Ireland for offences allegedly committed in the United Kingdom:

Offence	Sentence
198922	
Gerard Michael Sloan	
Escape Lawful Custody	Convicted—5 years imprisonment
Gerald Bernard Hamilton	
Possession of Explosives	Convicted—7 years imprisonment
1990	
Damien Martin Harkin	
Possession of Explosives	Acquitted
Brian McQuade	
Causing an Explosion	Convicted—3 years imprisonment
Possession of Explosives	Convicted—3 years imprisonment

NORTHERN IRELAND

Sewage Sludge

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what proposals he has to allow the spreading on land of human sewage sludge for fertilisation purposes; and if he will make a statement.

Mr. Peter Bottomley: Sewage sludge is used as a fertiliser in Northern Ireland in accordance with the advice contained in the "Code of Practice for Agricultural Use of Sewage Sludge", published by the Department of the Environment in 1989.

Police Liaison Committees

Mr. Ashdown: To ask the Secretary of State for Northern Ireland if he will list the local councils which have police liaison committees; and if he will make a statement.

Mr. Cope: The following councils have police liaison committees:

Ards
Antrim
Ballymena
Ballymoney
Banbridge
Belfast
Carrickfergus
Castlereagh
Coleraine
Craigavon
Derry
Down
Dungannon
Fermanagh
Larne
Limavady
Lisburn
Magherafelt
Moyle
Newtownabbey
North Down
Strabane

I understand that the Police Authority for Northern Ireland is hopeful that further committees will be established. But if this is not possible alternative arrangements will be considered to ensure that there is effective consultation between the RUC and the community.

Fishing Vessels

Mr. Austin Mitchell: To ask the Secretary of State for Northern Ireland if he will supply figures for the costs and earnings of United Kingdom fishing vessels in the Province for the period 1983 to 1989, broken down by vessel size *(a)* under 40 ft., *(b)* 40 to 79·9 ft., *(c)* 80 to 109·9 ft., *(d)* 110 to 139·9 ft., and *(e)* 10 ft. and over.

Mr. Peter Bottomley: The information requested is not readily available. I will write to the hon. Member as soon as possible.

Meat and Livestock

Mr. Beggs: To ask the Secretary of State for Northern Ireland (1) what percentage of the meat and livestock produce of Northern Ireland is required for Northern Ireland consumption;

(2) what percentage of the meat and livestock produce of Northern Ireland is exported to *(a)* Great Britain, *(b)* other European Community countries and *(c)* countries outside the European Community.

Mr. Peter Bottomley *[holding answer 8 May 1990]:* The table sets out the estimated utilisation of cattle, sheep and pig slaughterings in Northern Ireland in 1989.

Percentages

	Northern Ireland consumption	*Great Britain*	*Exports European Community*	*Countries outside European Community*
Cattle	25	54	19	2
Sheep	4	1	95	Nil
Pigs	45	35	20	[1]

[1] Negligible.

Mr. Beggs: To ask the Secretary of State for Northern Ireland what percentage of the Livestock Marketing Commission budget for advertising is used to promote the consumption of Northern Ireland meat and livestock produce in Northern Ireland.

Mr. Peter Bottomley *[holding answer 8 May 1990]:* Approximately 30 per cent. of the commission's development budget is used for such promotion.

PRIME MINISTER

Lithuania

Mr. Atkinson: To ask the Prime Minister if she will make a statement on her discussions with the Prime Minister of Lithuania.

The Prime Minister: I had talks with Mrs. Prunskiene on 9 May. We stressed that the Lithuanian people have the right to self-determination. We also shared the view that the gains that have been made in east-west relations must be preserved and strengthened. The present situation should and can be resolved through discussion.

Local Government Finance

Mr. Rooker: To ask the Prime Minister if she will identify the community charge regulation she referred to on 3 May, *Official Report*, column 1204, relating to the sending out and writing-off of small accounts.

The Prime Minister: The regulation I referred to on 3 May at column 1204 is regulation 61 of the Community Charges (Administration and Enforcement) Regulations 1989, Statutory Instrument No. 438.

EDUCATION AND SCIENCE

Learning Difficulties

Dr. Goodson-Wickes: To ask the Secretary of State for Education and Science how many representations he has received on the subject of specific learning difficulties in reading, writing, and spelling, dyslexia, since 23 January; and if he will make a statement.

Mr. Alan Howarth: The Department has received a number of such representations since the British Dyslexia Association began its dyslexia awareness campaign on 23 January. I shall be meeting representatives of the BDA shortly to discuss this important area of special educational needs.

Under the Education Act 1981, it is the responsibility of LEAs to make appropriate provision for all pupils with special educational needs in their area. It is therefore for LEAs and schools to ensure that suitable provision is made for children with specific learning difficulties, including the teaching of reading and writing by methods appropriate to their needs.

Nuclear Engineering

Mr. Dalyell: To ask the Secretary of State for Education and Science, pursuant to his answer to the hon. Member for Meirionnydd Nant Conwy (Dr. Thomas), *Official Report*, 10 January, columns *621-22*, what is the relationship between the nuclear engineering course which commenced at Queen Mary college in autumn 1989 and courses which closed in nuclear engineering in 1988.

Mr. Jackson: My reply to the hon. Member for Meirionnydd Nant Conwy (Dr. Thomas) on 10 January reflected the position stated in the handbook for 1989 entry produced by the Universities Central Council on Admissions. I regret that this was incorrect. Further investigations have shown that Queen Mary and Westfield college, London university decided not to proceed with the indicated first-degree course in mechanical and nuclear engineering.

Higher Education Statistics

Mr. Andrew Smith: To ask the Secretary of State for Education and Science if he will make a statement on his Department's decision no longer to collect advanced courses early statistics, with the reasons for this decision; and what assessment he has made of the impact of this decision on planning for higher education provision on a regional basis.

Mr. Jackson: Some 80 per cent. of enrolments in higher education in England outside the universities are in institutions funded by the Polytechnic and College Funding Council. That body is planning its own early statistics survey for next October, which should enable trends in enrolments to be estimated within broad subject-groups.

Displaced Persons

Ms. Armstrong: To ask the Secretary of State for Education and Science which local education authorities made applications for funding under section 210 of the Education Reform Act 1988 for displaced persons and refugees but were refused grants which *(a)* had reception centres-hostels for refugees and displaced people and *(b)* had a significant number of refugees in other accommodation; and on what grounds these applications were rejected.

Mr. Alan Howarth: The bids for funding in 1990-91 under section 210 of the Education Reform Act 1988 exceeded the total resources available. In accordance with the advice contained in the draft circular issued in July 1989 priority was given, as far as possible, to the maintenance of existing special provision. It was consequently not possible to allocate any grant in response to the applications from the London boroughs of Lambeth and Wandsworth in respect of new provision for displaced persons and refugees in reception centres-hostels and in other accommodation.

Ms. Armstrong: To ask the Secretary of State for Education and Science what proportion of funding

granted under section 210 of the Education Reform Act 1988 for displaced people and refugees was for *(a)* adults and *(b)* children; and what proportion was for (i) English language provision and (ii) advice and careers counselling.

Mr. Alan Howarth: About half the funding in 1990-91 is for adults and about half for children. Some 90 per cent. of the funding is for teaching provision including English language provision. Advice and careers counselling account for the remainder.

Ms. Armstrong: To ask the Secretary of State for Education and Science what proportion of funding under section 210 of the Education Reform Act 1988 was made available for refugees as opposed to travellers for the year 1990-91.

Mr. Alan Howarth: The proportion of funding to be made available for refugees in 1990-91 is some 4 per cent. of the total.

Ms. Armstrong: To ask the Secretary of State for Education and Science what funding has been made available under section 210 of the Education Reform Act 1988 for newly arrived refugees and asylum seekers from all nationalities who are living in reception centres or other accommodation in London; and if he will make a statement.

Mr. Alan Howarth: The London borough of Richmond-upon-Thames has been allocated grant to support expenditure of £54,100 in 1990-91.

Local Management of Schools

Mr. Madden: To ask the Secretary of State for Education and Science what adjustments and flexibility he has approved in respect of the implementation of LMS; and if he will list those local education authorities where such adjustment or flexibility has been agreed.

Mrs. Rumbold: I refer the hon. Member to the reply that I gave to the hon. Member for Carlisle (Mr. Martlew) on 8 May, *Official Report*, column *11*.

Mr. Madden: To ask the Secretary of State for Education and Science if he will list those local education authorities implementing LMS in *(a)* 1990-91 and *(b)* 1991-92.

Mrs. Rumbold: A total of 87 local authorities' schemes for LMS were approved to start from 1 April 1990. The 87 authorities are:

Avon
Barking and Dagenham
Barnet
Barnsley
Bedfordshire
Berkshire
Bexley
Birmingham
Bolton
Bradford
Brent
Bromley
Buckinghamshire
Bury
Calderdale
Cambridgeshire
Cheshire
Cleveland
Cornwall
Coventry
Cumbria
Derbyshire
Devon
Doncaster
Dorset
Dudley
Durham
Ealing
East Sussex
Enfield
Essex
Gateshead
Gloucestershire
Hampshire
Haringey
Harrow
Havering
Hounslow
Humberside
Isle of Wight
Kent
Kingston
Kirklees
Knowsley
Lancashire
Leeds
Lincolnshire
Liverpool
Merton
Newcastle
Norfolk
North Tyneside
North Yorkshire
Northamptonshire
Northumberland
Nottinghamshire
Oldham
Oxfordshire
Redbridge
Richmond
Rochdale
Rotherham
Sandwell
Salford
Sefton
Sheffield
Shropshire
Solihull
Somerset
South Tyneside
Staffordshire
St. Helens
Suffolk
Sunderland
Surrey
Sutton
Tameside
Trafford
Wakefield
Walsall
Waltham Forest
Warwickshire
West Sussex
Westminster
Wigan
Wiltshire
Wolverhampton

We shall continue to work with the 10 authorities, outside of inner London, that we were not able to approve this year, with the aim of getting approved schemes in place by April 1991. We want to keep delays to a minimum and will expect those authorities to phase in LMS according to the original timetable. Those 10 authorities are

Croydon, Hereford and Worcester, Hertfordshire, Hillingdon, Isles of Scilly, Leicestershire, Manchester, Newham, Stockport, and Wirral.

Mr. Madden: To ask the Secretary of State for Education and Science if he will list those local education authorities which have submitted requests to defer the implementation of LMS by *(a)* six months; *(b)* a year, and *(c)* for any other period.

Mrs. Rumbold: Of the 87 LEAs that have approved LMS schemes in force from 1 April 1990, we have received a representation from one seeking to defer implementation of the scheme.

Mr. Madden: To ask the Secretary of State for Education and Science what arrangements there are in cases where a school, under LMS, requires a teacher to accept redundancy to determine who is liable to pay the appropriate redundancy payments.

Mrs. Rumbold: Section 46(5) of the Education Reform Act 1988 specifies that the costs incurred by a local education authority in respect of the dismissal or premature retirement, or for the purpose of securing the resignation, of any member of the staff of a school within the scope of an LMS scheme shall not be met from the school's budget except in so far as the authority has good reason for deducting those costs, or any part of those costs, from that share.

Mr. Madden: To ask the Secretary of State for Education and Science if he will list the statutory provisions that relate to his duties in respect of implementation of a local management scheme by a local education authority; and if he will make a statement.

Mrs. Rumbold: The statutory provisions that relate to the duties of my right hon. Friend in respect of implementation of a local management scheme by a local education authority are:

(i) to consider the approval of a scheme prepared by a local education authority under section 33 of the Education Reform Act which—

(a) replaces a previous scheme; or
(b) makes a significant variation to a previous scheme;
(ii) to determine within 2 months of notification, whether a variation proposed by a local education authority as a minor variation, falls within the description of a minor variation;
(iii) to consult the local education authority in question before varying a scheme by direction;
(iv) to consider any appeal made by a governing body against—
(a) the imposition of any suspension of delegation;
(b) the refusal of a local education authority to revoke any such suspension of delegation or any review required;
(v) in the event of an appeal made by a governing body as described in (iv) above; a duty to;
(a) allow or reject the appeal;
(b) have regard to the gravity of the default on the part of the governing body and the likelihood of its continuance or recurrence;
(vi) to make Regulations under section 42 of the Education Reform Act.

British Airstrip, Antarctic

Ms. Walley: To ask the Secretary of State for Education and Science whether the new British airstrip in the Antarctic will be used for purposes other than scientific research, except in cases of emergencies.

Mr. Jackson: I refer the hon. Member to the reply I gave to the hon. Member for Southwark and Bermondsey (Mr. Hughes) on 11 May.

Emphysema and Bronchitis

Mr. Strang: To ask the Secretary of State for Education and Science how much has been spent by the Medical Research Council on research into emphysema and bronchitis since 1988.

Mr. Jackson *[holding answer 8 May 1990]:* The expenditure on research into respiratory diseases which is in whole or part relevant to bronchitis and emphysema was as follows:

	£
1987-88	1,845,301
1988-89	1,832,953

Figures for the financial year 1989-90 will be available in July from the Medical Research Council.

WALES

Gwynedd Health Authority

42. **Mr. Wigley:** To ask the Secretary of State for Wales whether he is satisfied with the financial control exercised by Gwynedd health authority in each of the two most recent financial years; and if he will make a statement.

Mr. Grist: Subject to submission of the authority's accounts for 1989-90, it would appear that the authority has continued to keep its cash spending within the sums allotted by my right hon. Friend. However, it would also appear from reports received from the authority that its underlying financial position, as measured in terms of the balance between its income and expenditure in accruals terms, is once again deteriorating, following the limited progress which was made towards restoring financial balance during 1987-88 and 1988-89. This is, of course, disappointing; but my right hon. Friend will not be in a position to comment more substantially on the authority's performance in exercising financial control until (i) the authority has had an opportunity to consider the results of the study which its general manager is currently undertaking with the assistance of management consultants, (ii) the authority's response to that study has been discussed with Welsh Office officials as part of the next round of annual performance reviews and (iii) the statutory auditor's audit of the authority's 1989-90 accounts has been completed.

Mr. Wigley: To ask the Secretary of State for Wales what discussions his Department has had with Gwynedd health authority concerning the effects of the recent secretarial strike on the delivery of services in the county; and if he will make a statement.

Mr. Grist: The effect of the secretarial strike on the delivery of health services in Gwynedd is a matter for the district health authority and Welsh Office officials have not been in discussion on this aspect.

Mr. Wigley: To ask the Secretary of State for Wales if he will publish in the *Official Report* the amount of capital expenditure on new facilities by Gwynedd health authority in 1988-89, 1989-90 and the projected level for such spending in 1990-91.

Mr. David Hunt: The information is not centrally available in the form requested since neither the annual accounts nor the 10-year capital programmes prepared by health authorities provide expenditure figures under the heading of "new facilities".

Mr. Wigley: To ask the Secretary of State for Wales if he will publish a list of the repayable loans made by the Welsh Office to Gwynedd health authority over the past five years indicating for each such loan the sum involved, the period for repayment and the interest charged.

Mr. David Hunt: The information requested is as follows:

Date of loan	*Amount of loan £ million*	*Date repaid*
1985-86	0·200	1986-87
1986-87	—	—
1987-88	1·450	1988-89
1988-89	0·738	1989-90
1989-90	—	—

No interest was charged on any of these loans.

Mr. Wigley: To ask the Secretary of State for Wales what are the terms of reference given to the current team of consultants appointed by the Welsh Office to study the problem facing Gwynedd health authority; and by what date they are required to present their report.

Mr. Grist: In common with other district health authorities in Wales, Gwynedd has been asked to submit a pathfinder procurement plan in June and has commissioned management consultants to help it prepare this plan. Together with other health authorities, Gwynedd has secured a measure of Welsh Office funding for this exercise.

In addition to the procurement plan project, Gwynedd health authority has asked the management consultants to

assist in its review of its finances and services. I understand that the authority's report on the outcome of the review is likely to be considered by its members in June.

As the study is being carried out by Gwynedd health authority, details of its management consultants' terms of reference should be obtained from the DHA.

Mr. Wigley: To ask the Secretary of State for Wales by what date Gwynedd health authority was due to attain a financial balance following the Welsh Office consultant's investigation undertaken in 1987; and if he will make a statement on progress to date.

Mr. David Hunt: The action plan which was drawn up by the general manager of the authority early in 1988 with the help of the management consultants, Deloitte, Haskins and Sells was aimed at bringing the authority back into financial balance by 1991-92. This action plan remains the basic strategy for the financial restructuring of the authority. However, in view of the length of time taken to realise some of the planned savings associated with service rationalisation measures within the action plan, some slippage on this target would seem inevitable. The question of a revised target date will be considered in due course in the light of the review of the authority's financial position which is currently being undertaken by the authority with the assistance of management consultants.

Mr. Wigley: To ask the Secretary of State for Wales what was the *(a)* revenue budget and *(b)* capital budget allocated by the Welsh Office to Gwynedd health authority for each of the years 1986-87, 1987-88, 1988-89 and 1989-90; and for each year what was the actual revenue and capital expenditure of the authority.

Mr. David Hunt: The information requested is as follows:

	Revenue cash limit £ million	*Revenue charge against cash limit* £ million	*Capital cash limit* £ million	*Capital charge against cash limit*[1] £ million
1986-87	49·905	49·903	1·388	1·389
1987-88	55·855	55·841	3·433	3·434
1988-89	62·614	62·637	1·860	1·859
1989-90	65·436	[2]65·397	2·829	[2]2·829

[1]Source: Health Authority Annual Accounts
[2]Source: Form FIS(HA)2 Cumulative Cash Flow Statement for period ending March 1990.

Mr. Wigley: To ask the Secretary of State for Wales on how many occasions during the past 12 months a minister of his Department has *(a)* visited Gwynedd for purposes related to Gwynedd health authority or *(b)* met the chairman or members of Gwynedd health authority at a location other than in Gwynedd.

Mr. Grist: Ministers have met the chairman of the authority on four occasions during the last 12 months in London and south Wales. In addition, senior officials of the Welsh Office have visited and met the authority's chairman and officers frequently, and briefed me comprehensively on the key issues involved.

Mr. Wigley: To ask the Secretary of State for Wales whether his Department approved the discontinuation by Gwynedd health authority of the nursing surveillance service.

Mr. Grist: No approval was needed or sought.

Sewage Discharges

Mr. John P. Smith: To ask the Secretary of State for Wales (1) whether the announcement made on 5 March that the discharge of new sewage into the sea would be stopped will apply with equal force to discharges from Wales;

(2) whether he will make it his policy to ban the discharge of new sewage from Wales into the estuaries and seas round Wales and to set a timetable for completing the implementation of such a policy.

Mr. Michael: To ask the Secretary of State for Wales (1) whether he will make it his policy to ban the discharge of new sewage from Wales into the estuaries and seas around Wales and to set a timetable for completing the implementation of such a policy;

(2) whether the announcement made on 5 March that the discharge of new sewage into the sea would be stopped will apply with equal force to discharges from Wales.

Mr. Grist: The policies set out by my right hon. Friend the Secretary of State for the Environment on 5 March will apply to discharges from Wales. Discussions will be held with the National Rivers Authority, the Office of Water Services and the sewerage undertaker to work out the detailed arrangements for implementing this policy as soon as is practicable.

Mr. John P. Smith: To ask the Secretary of State for Wales whether he will make it his policy that the new sewage outfall into the Severn estuary at Lavernock will include full secondary treatment works, and to require that design work takes into account this policy to avoid delay in the implementation of the scheme.

Mr. Michael: To ask the Secretary of State for Wales whether he will make it his policy that the new sewage outfall into the Severn estuary at Lavernock will include full secondary treatment works, and require that design work takes into account this policy to avoid delay in the implementation of the scheme.

Mr. Ian Grist: This is a matter for Dwr Cymru and the National Rivers Authority which are fully aware of and will take into account relevant Government policies.

Red Slime, Blackpill

Mr. Alan Williams: To ask the Secretary of State for Wales if he will seek urgent advice on the occurrence of a red slime on the beach at Blackpill, Swansea, on 7 May; and if he will make a statement.

Mr. Grist: I am advised by the National Rivers Authority that it has analysed a sample of the slime which was found to comprise diatoms and flocs of iron particles. The iron flocs, which gave the slime an orange-brown colour, emanated from the River Clyne which receives a significant proportion of drainage from abandoned coal mines in the Dunvant and Killay areas and enters the sea at Blackpill. The ferruginous inputs from these mines are of relatively constant flow and thus have a much greater impact on the appearance of the river when river levels are low, as has been the case during the recent dry spell. The slime, though aesthetically unpleasant, does not in the opinion of environmental health officials threaten human or animal health.

Optical Services

Mr. Michael: To ask the Secretary of State for Wales if he will commission research into the identification of cases of glaucoma in Wales in the past five years, the effectiveness of measures taken by opticians, general practitioners and hospitals in preventing deterioration of eyesight in patients during the same period, and the effect of Government policy on these matters with particular reference to the period from 1 April 1989.

Mr. David Hunt: I shall write to the hon. Gentleman and place a copy of my letter in the Library of the House.

Mr. Michael: To ask the Secretary of State for Wales how many new out-patient attendances at ophthalmic clinics were recorded in each quarter of *(a)* 1986, *(b)* 1987 and *(c)* 1988 in Wales as a whole.

Mr. David Hunt: The following table shows the number of new ophthalmology out-patients recorded in NHS hospitals in Wales:

Quarter Ended	*Number*
March 1986	9,247
June 1986	9,905
September 1986	9,678
December 1986	10,383
March 1987	9,616
June 1987	9,825
September 1987	9,531
December 1987	10,263
March 1988	11,545
June 1988	10,280
September 1988	10,242
December 1988	10,771

Mr. Michael: To ask the Secretary of State for Wales how many new out-patient attendances at ophthalmic clinics were recorded *(a)* in South Glamorgan and *(b)* in Wales in the last quarter of 1989.

Mr. David Hunt: The information is not yet available.

Mrs. Noreen Edwards

Mr. Wigley: To ask the Secretary of State for Wales on what date Mrs. Noreen Edwards was first appointed to the chair of Gwynedd health authority and for what period; on what subsequent dates and for what periods of time she was reappointed; and on what date her present appointment terminates.

Mr. Grist: Mrs. Edwards was first appointed to chair the authority on 1 August 1982 for four years. She was reappointed on 1 August 1986 for a further four years to 31 July 1990.

Health Authorities

Mr. Wigley: To ask the Secretary of State for Wales if he will publish in the *Official Report* the acreage of land and the price realised for such land, arising from the sale of the land by each of the district health authorities in Wales since 1979.

Mr. Grist: The information is not immediately available in the form requested. I will write to the hon. Gentleman as soon as possible and will place a copy of my letter in the Library of the House.

Mr. Wigley: To ask the Secretary of State for Wales what is his estimate of the actual cost of wage and salary increases for each of the district health authorities in Wales in the financial year 1989-90; and what was the financial provision made by the Welsh Office in his revenue funding of each authority to meet wage and salary inflation in that year.

Mr. David Hunt: It is for each authority to decide how much of its annual increase in discretionary cash provision should be set aside for pay settlements in the light of the Chancellor of the Exchequer's Industry Act forecast of general inflation in the economy for the year in question and in the light of the particular composition of its work force. For 1989-90 the forecast of general inflation was 5 per cent. and the initial percentage increase in cash provision of district health authorities in Wales (by comparison with their 1988-89 final allocations) were as follows:

	per cent. increase
Clwyd	6·5
East Dyfed	8·8
Gwent	5·8
Gwynedd	5·8
Mid Glamorgan	6·1
Pembrokeshire	6·8
Powys	8·6
South Glamorgan	5·8
West Glamorgan	5·8

However, it should be noted that these initial discretionary cash increases were subsequently enhanced to take account of the contribution which the Government made towards the cost of meeting the recommendations of the pay review bodies covering doctors and dentists, nurses and professions allied to medicine. This supplementary funding was distributed by reference to paybill data for those categories of staff in authorities 1988-89 accounts and resulted in revised discretionary cash increases for Welsh district health authorities, prior to further enhancement in respect of White Paper requirements, as follows:

	Increase Per cent.
Clwyd	7·4
East Dyfed	9·6
Gwent	6·6
Gwynedd	6·6
Mid Glamorgan	7·0
Pembrokeshire	7·6
Powys	9·5
South Glamorgan	6·6
West Glamorgan	6·6

It is not possible to estimate the actual cost of pay settlements in 1989-90 without details of the number, grades, and so on of staff employed by each of the district health authorities in Wales during that year. Acccounts data will be submitted to the Welsh Office in June but these will give only the increase in total expenditure on the various categories of staff and will not distinguish the increase in pay levels from changes in the number or composition of staff.

Mr. Wigley: To ask the Secretary of State for Wales how many established posts are currently frozen in each of the nine district health authorities in Wales; and if he will make a statement.

Mr. Grist: The information requested is not held centrally. Staffing levels are operational issues for health authorities.

Mr. Wigley: To ask the Secretary of State for Wales if he has any plans to improve the reporting procedures which enable him to monitor the financial performance and delivery of services of district health authorities in Wales; and if he will make a statement.

Mr. Grist: The main mechanism for monitoring the performance of individual district health authorities is the annual review undertaken each autumn by the executive committee of the Health Policy Board. This provides the opportunity for a rigorous central assessment of local management action and performance, and constitutes a key channel of accountability to the Secretary of State in relation to each health authority's stewardship of health care services and the public moneys which fund them.

The annual review process is being developed to reflect the distinction between the purchaser and provider roles of district health authorities proposed in the White Paper "Working for Patients".

In addition to the annual review, health authorities are required to submit a wide range of financial and service specific returns within the year. These are analysed carefully, and kept under continuous review to ensure that they remain fit for purpose.

Mr. Wigley: To ask the Secretary of State for Wales what was the salary or fee paid to each of the chair persons of district health authorities in Wales during 1989-90; and what were the expenses paid to each of these persons.

Mr. Grist: In 1989-90, the chairmen of district health authorities in Wales received a flat-rate taxable honorarium of £12,462. Information about other expenses which may have been drawn from their own authorities is not held centrally.

Mr. Wigley: To ask the Secretary of State for Wales if he will publish a table showing the total sums paid by way of performance-related pay to senior managers in each of the new Welsh district health authorities in 1989-90; and if he will make a statement.

Mr. Grist: No. I refer the hon. Gentleman to the reply I gave him on 15 March at column *346*. Particulars of actual performance-related pay additions to salary made by employing authorities are confidential and information thereon is not held centrally.

Mr. Wigley: To ask the Secretary of State for Wales if, pursuant to his answer of 18 April to the right hon. and learned Member for Aberavon (Mr. Morris), *Official Report*, columns *932-33*, he will publish a table showing for each of the district health authorities in Wales the level of capital allocation in 1990-91 and the corresponding figure in real terms for 1982-83; and what has been the percentage change in each instance.

Mr. David Hunt: The information requested is given in the table:

	Discretionary capital allocations 1990-91 £ *million*	*Discretionary capital allocations 1982-83 expressed at 1990-91 prices* £ *million*	*Percentage change in allocation in period 1982-83 to 1990-91 percentage*
Clwyd	6·277	1·520	313
East Dyfed	3·205	0·956	235
Gwent	6·184	1·924	221
Gwynedd	1·710	0·870	97
Mid Glamorgan	8·054	2·170	271
Pembrokeshire	1·968	0·306	543
Powys	1·113	0·454	145
South Glamorgan	7·938	2·574	208
West Glamorgan	8·072	1·483	444

Note:

The methodology used since 1984-85 in the distribution of capital resources for the discretionary use of district health authorities (which is reflected in the table above) is not comparable to that used previously. Prior to 1984-85 the distribution of discretionary capital resources between authorities was pro rata to the distribution of their recurrent revenue allocations. Since 1984-85, authorities; discretionary capital allocations have been determined by reference to a formula which was specifically devised for this purpose. The formula, which is population based, also takes into account the distribution of NHS capital stock throughout Wales. The distribution of the resources available for 1990-91 reflects the implementation of the second update of this capital formula.

Mr. Wigley: To ask the Secretary of State for Wales if he will make it his policy to meet jointly the chairman of a district health authority in Wales together with hon. Members whose constituencies are served by that health authority when circumstances justify; and if he will make a statement.

Mr. Grist: My right hon. Friend will continue to consider each request for a meeting on its individual merits.

Mr. Wigley: To ask the Secretary of State for Wales if he will publish a table showing the most recent figures available on the death rate for each district health authority in Wales with corresponding figures for five and 10 years previously.

Mr. David Hunt: The information requested is given in the table:

Welsh district health authorities	*Crude death rate*[1] *1988*	*1983*	*1978*
Clwyd	12·6	12·9	13·6
East Dyfed	12·4	14·2	[2]14·3
Pembrokeshire	11·8	11·6	
Gwent	11·7	11·9	11·9

Welsh district health authorities	Crude death rate[1] 1988	1983	1978
Gwynedd	12·5	14·0	14·3
Mid Glamorgan	11·6	12·4	12·8
Powys	12·2	13·2	13·4
South Glamorgan	10·7	11·5	11·6
West Glamorgan	12·2	12·5	13·4
Wales	11·9	12·6	13·0

Source: Office of Population Censuses and Surveys.

[1] Registered deaths of residents (excluding still-births) per 1,000 population.

[2] Heatlh Authorities were reorganised into nine District Health Authorities in 1982. For 1978 Pembrokeshire figures are shown with East Dyfed.

Mr. Wigley: To ask the Secretary of State for Wales if he will publish in the *Official Report* a table showing for each health authority area in Wales the number of cancer cases newly diagnosed in each of the last five years; and if he will show these figures as a proportion of the base population in each health authority district.

Mr. Grist: The most recently available information on cancer incidence rates in Wales is presented in "Cancer Registration in Wales, 1974-84" published in 1988. It is intended that full data in respect of the period 1984 to 1986 together with a commentary will be published during 1990.

Felinheli Bypass

Mr. Wigley: To ask the Secretary of State for Wales why the engineer from his Department who had agreed to attend a public meeting at Felinheli on Friday 4 May failed to arrive at that meeting; why the person who did attend was not authorised to inform the meeting of the Welsh Office's latest information on the Felinheli bypass; and if he will review the workings of his Department to avoid the public being let down in this manner in future.

Mr. David Hunt: The terms of reference for the attendance of an official at the meeting were explained to those who made the request.

Mr. Wigley: To ask the Secretary of State for Wales what is the latest estimate of his Department of the date of commencement of work on the Felinheli bypass; by what date it is expected that land purchase will be completed; and if he will make a statement.

Mr. David Hunt: Felinheli bypass is programmed to start in the period April 1991 to March 1994 as shown in "Roads in Wales: Progress and Plans for the 1990s". Land purchase is programmed to meet this timetable.

Caernarfon Cottage Hospital

Mr. Wigley: To ask the Secretary of State for Wales what is the estimated cost of complying with each of the three conditions for closure of the Caernarfon cottage hospital laid down by the Welsh Office in its letter of 20 April, concerning alternative dental provision for the area; and by what date he expects each of these conditions to be met.

Mr. Grist: I shall write to the hon. Gentleman and place a copy of my letter in the Library of the House.

Madog Memorial Hospital

Mr. Wigley: To ask the Secretary of State for Wales what are the latest estimated annual savings of closing the Madog memorial hospital; and if he will make a statement.

Mr. Grist: Following the issue of the Welsh Office's letters of 3 and 22 March 1989 which conveyed approval of Gwynedd health authority's proposals to close Madog memorial hospital, detailed issues relating to the closure are a matter for the health authority, subject to compliance with the relevant conditions set out in the letter of 3 March. The hon. Gentleman should therefore contact the health authority for further information.

Charities

Mr. Michael: To ask the Secretary of State for Wales if he will commission research into the effect of Government funding in the Health Service on *(a)* the approach of NHS managers to charitable contributions, *(b)* the degree to which fund-raising is attracted to different areas of need within the Health Service and *(c)* the attitudes of fund-raising and charitable groups.

Mr. Grist: My right hon. Friend has no plans to do so.

NHS Trusts

Mr. Wigley: To ask the Secretary of State for Wales whether he will take steps to ensure that in circumstances in which former trust hospitals are to be closed notwithstanding the provisions of section 88(2) of the National Health Service Act 1977, those hospital buildings will first be offered back to trustees, or acting trustees in the area, and that if such trustees wish to take over the hospital building, they shall not be required to pay more for them than was paid, if at all, by the National Health Service for them when they were taken over from the trustees.

Mr. Grist: No.

Mr. Wigley: To ask the Secretary of State for Wales if he will list the hospitals and other units in Wales which have expressed an interest in seeking National Health Service trust status once the current legislation has reached the statute book.

Mr. Grist: No firm expressions of interest have been received to date.

Hospital Travel Costs

Mr. Wigley: To ask the Secretary of State for Wales what has been his expenditure in each of the last five years on the National Health Service hospital travel costs scheme in each of the district health authority areas in Wales.

Mr. David Hunt: The information requested was not identified separately in health authorities' accounts until 1985-86. The figures for the years since then are shown in the table:

£000

	1985-86	1986-87	1987-88	1988-89
Clwyd	26·7	29·0	28·7	38·4
East Dyfed	13·4	12·2	12·0	18·0
Gwent	31·4	28·1	28·3	39·6

	1985-86	1986-87	1987-88	1988-89
Gwynedd	15·2	17·0	16·2	20·4
Mid Glamorgan	40·3	45·7	35·8	38·3
Pembrokeshire	6·5	7·6	7·9	9·1
Powys	0·3	0·3	0·0	0·9
South Glamorgan	61·6	54·9	60·2	77·7
West Glamorgan	23·9	31·1	28·0	34·9
Wales	219·3	225·9	217·1	277·3

Source: Health Authorities Annual Accounts.

However, it should be noted that prior to 1 April 1988 when responsibility for administering the scheme transferred wholly to district health authorities in Wales, some of the claims made under this scheme were met by local offices of the DHSS. The figures for 1985-86, 1986-87 and 1987-88 are therefore not directly comparable with those for 1988-89.

Hospital Services, Llangefni

Mr. Wigley: To ask the Secretary of State for Wales what was the average cost per in-patient day at *(a)* the Cefni hospital, Llangefni and *(b)* the Druid hospital, Llangefni, on the basis of the most recently available information.

Mr. David Hunt: Information on average costs per in-patient day is not centrally available. However, the average treatment costs per day per patient using a bed (both in-patients and day cases) are given on page 208 of "Welsh Health Costing Returns 1988-89" a copy of which is in the Library of the House. These costs exclude general services—catering, laundry, cleaning, administration, and so on—it being not possible to distribute these costs between patients using a bed and out-patients.

Sports Council for Wales

Mr. William Ross: To ask the Secretary of State for Wales who appoints the members of the Sports Council for Wales.

Mr. Grist: The members are appointed by the Secretary of State for Wales.

Flooding, Towyn

Sir Anthony Meyer: To ask the Secretary of State for Wales what help will be available to Towyn and the flood-affected areas to renovate their homes to a proper standard.

Mr. David Hunt: Owners of homes damaged by the floods will be eligible for up to 100 per cent. grants for approved expenditure subject to the test of resources under the new grant scheme to be introduced in seven weeks' time.

The test of resources for owner-occupiers will be similar to that for housing benefit.

Savings of £5,000 or less will be completely disregarded. Over £5,000 every £250 of savings will be treated as if it were £1 income. There will be no upper limit on capital or savings.

Below a certain income an owner will qualify for 100 per cent. grant on eligible works. The threshold will depend on individual family circumstances—for example a couple with two children would have a different threshold from a single person. In every case this income threshold will be £20 per week higher than housing benefit levels.

Where income exceeds the threshold, 20p in the pound of that excess will be regarded as available to help finance the works through a notional loan. The amount of grant will be the excess of the cost of works over the notional loan.

My Department has been holding discussions with Colwyn borough council to assist it in ensuring that the preparatory work is done now to enable applications to be processed and work to be undertaken immediately the scheme takes effect after 1 July 1990.

SOCIAL SECURITY

Incomes

Mr. Matthew Taylor: To ask the Secretary of State for Social Security if he will list the average income for each county in England and Wales.

Mrs. Gillian Shephard: Provisional estimates for 1987 were published by the Central Statistical Office in the July edition of "Economic Trends" (pages 116 and 117). Revised estimates for the same year will be published later this month in the April 1990 "Economic Trends".

Social Security Appeals

Mr. Flynn: To ask the Secretary of State for Social Security what is the average interval, in each region, between a social security appeal tribunal's oral hearing at which a decision is made and the notification of the decision to the claimant; and how much of this is attributable to administrative delay.

Mrs. Gillian Shephard: The administration of social security appeal tribunals is the responsibility of the president of the Social Security Appeal Tribunals, His Honour Judge Holden, and the hon. Member may care to contact him direct.

Housing Benefit

Mr. Frank Field: To ask the Secretary of State for Social Security if he will list each of the *(a)* inquiries and *(b)* research products initiated by his Department into the housing benefit scheme.

Mrs. Gillian Shephard *[holding answer 3 May 1990]:* When the reformed housing benefit scheme was introduced in April 1988, the Department established, in conjunction with local authorities, the housing benefit management information system (HBMIS). This system enables the Department to collect information about housing benefit caseload on a regular basis. Caseload counts are carried out at quarterly intervals, and a survey of 1 per cent. of the housing benefit caseload is conducted on an annual basis.

In addition, the Department's officials make regular visits to local authorities to obtain feedback about the operation of the housing benefit scheme, and meet representatives of the local authority associations quarterly at the housing benefit standing committee.

In the period following the implementation of the reforms a number of research projects have been commissioned as follows:

(i) the reform of housing benefit—a project commissioned in 1986 which resulted in the publication by the Housing Centre Trust entitled 'Housing Benefit: A Discussion About Reform';

(ii) a special survey of amenity charges conducted by the social policy research unit at the university of York in 1986, the results of which formed part of the above mentioned publication and produced a working paper;

(iii) research into the housing benefit review system, commissioned from the social policy research unit, university of York in 1988, and due to report in the autumn of 1990;

(iv) research recently commissioned from the Institute of Public Finance, in relation to the formula used for distributing housing benefit administration costs subsidy, and due to be completed in the summer.

HEALTH

Hospital Catering

Mr. Robin Cook: To ask the Secretary of State for Health what was the cost of catering provisions per patient per day in each regional health authority in each year since 1979, expressed in cash and constant prices.

Mr. Dorrell: The information requested for the financial years 1979-80 to 1987-88 is shown in the table.

Hospital costs—average cost of catering provisions per patient day

£ cash

	1979-80	*1980-81*	*1981-82*	*1982-83*	*1983-84*	*1984-85*	*1985-86*	*1986-87*	*1987-88*
Northern	1·01	1·10	1·22	1·27	1·30	1·36	1·38	1·43	1·56
Yorkshire	1·00	1·09	1·18	1·26	1·26	1·32	1·33	1·42	1·53
Trent	1·03	1·08	1·16	1·28	1·31	1·35	1·41	1·50	1·59
East Anglia	1·02	1·09	1·17	1·23	1·27	1·33	1·32	1·35	1·46
North West Thames	1·05	1·11	1·21	1·22	1·29	1·37	1·44	1·38	1·51
North East Thames	1·01	1·07	1·17	1·24	1·28	1·33	1·41	1·49	1·58
South East Thames	10·3	1·12	1·21	1·21	1·25	1·36	1·41	1·44	1·62
South West Thames	1·02	1·09	1·16	1·19	1·24	1·30	1·37	1·43	1·55
Wessex	1·02	1·07	1·17	1·23	1·22	1·36	1·43	1·49	1·52
Oxford	1·10	1·20	1·29	1·25	1·30	1·34	1·36	1·53	1·68
South Western	1·00	1·05	1·14	1·21	1·22	1·30	1·31	1·31	1·50
West Midlands	1·00	1·06	1·15	1·22	1·20	1·26	1·28	1·31	1·42
Mersey	1·01	1·07	1·17	1·23	1·20	1·26	1·31	1·33	1·39
North Western	1·01	1·11	1·19	1·26	1·24	1·27	1·29	1·35	1·40
SHAs	1·29	1·34	1·53	1·57	1·64	1·74	1·68	1·89	1·96
England	1·02	1·09	1·18	1·24	1·26	1·32	1·36	1·41	1·52

Hospital costs—average cost of catering provisions per patient day

£ at 1989-90 prices

	1979-80	*1980-81*	*1981-82*	*1982-83*	*1983-84*	*1984-85*	*1985-86*	*1986-87*	*1987-88*
Northern	2·02	1·86	1·88	1·83	1·79	1·78	1·72	1·72	1·78
Yorkshire	2·00	1·85	1·82	1·81	1·73	1·73	1·65	1·71	1·75
Trent	2·06	1·83	1·79	1·84	1·80	1·77	1·75	1·80	1·81
East Anglia	2·04	1·85	1·80	1·77	1·75	1·74	1·64	1·62	1·67
North West Thames	2·10	1·88	1·87	1·76	1·77	1·79	1·79	1·66	1·72
North East Thames	2·02	1·81	1·80	1·78	1·76	1·74	1·75	1·79	1·80
South East Thames	2·06	1·90	1·87	1·74	1·72	1·78	1·75	1·73	1·85
South West Thames	2·04	1·85	1·79	1·71	1·70	1·70	1·70	1·72	1·77
Wessex	2·04	1·81	1·80	1·77	1·68	1·78	1·78	1·79	1·73
Oxford	2·20	2·03	1·99	1·80	1·79	1·75	1·69	1·84	1·92
South Western	2·00	1·78	1·76	1·74	1·68	1·70	1·63	1·57	1·71
West Midlands	2·00	1·80	1·77	1·76	1·65	1·65	1·59	1·57	1·62
Mersey	2·02	1·81	1·80	1·77	1·65	1·65	1·63	1·60	1·59
North Western	2·02	1·88	1·84	1·81	1·70	1·66	1·60	1·62	1·60
SHAs	2·59	2·27	2·36	2·26	2·25	2·28	2·09	2·27	2·24
England	2·04	1·85	1·82	1·78	1·73	1·73	1·69	1·69	1·73

Source: The annual costing returns (financial returns for 1987-88) of the district health authorities in England and those of the special health authorities for the London postgraduate teaching hospitals. (Predecessor authorities prior to 1982-83).

Hospital Beds (Statistics)

Mr. Battle: To ask the Secretary of State for Health what was the total available medical patient beds, not including beds for those with mental illness or mental handicap, for each year since 1979 for each Yorkshire and Humberside health authority.

Mr. Dorrell: The tables set out the available information on bed availability and in-patients treated.

Average daily acute[2] beds, NHS hospitals, Yorkshire and Humberside standard region, 1979 to 1988-89

District code and health authority	*1979*	*1980*	*1981*	*1982*	*1983*	*1984*	*1985*	*1986*	*1987-88*	*1988-89*
B12 Hull	1,058	1,061	1,061	1,020	1,045	1,053	1,039	983	1,012	1,020
B13 East Yorkshire	657	654	627	623	649	633	630	497	481	487
B14 Grimsby	471	468	473	471	483	469	477	478	450	420
B15 Scunthorpe	450	447	430	433	443	441	446	442	399	371
B22 Northallerton	276	287	287	281	247	237	239	241	259	242
B23 York	763	767	771	750	743	726	725	716	691	689
B24 Scarborough	391	389	368	382	387	380	371	362	351	349
B25 Harrogate	679	637	656	646	633	606	577	546	501	471
B32 Bradford	1,248	1,238	1,230	1,226	1,219	1,201	1,188	1,183	1,129	1,105
B33 Airedale	513	512	512	502	489	479	451	424	425	411

District code and health authority	1979	1980	1981	1982	1983	1984	1985	1986	1987-88	1988-89
B42 Calderdale	580	591	588	581	557	539	510	501	472	458
B52 Huddersfield	592	587	593	594	586	574	525	524	445	432
B53 Dewsbury	408	406	415	387	402	406	412	411	394	358
B62 Leeds Western	[1]	[1]	[1]	1,494	1,425	1,407	1,388	1,378	1,337	1,327
B63 Leeds Eastern	[1]	[1]	[1]	1,301	1,301	1,273	1,261	1,231	1,235	1,203
B72 Wakefield	726	680	695	661	688	659	626	593	584	540
B73 Pontefract	439	452	432	433	449	469	449	413	373	358
C09 Barnsley	513	532	530	480	542	535	534	525	524	521
C10 Doncaster	[1]	[1]	[1]	739	737	745	740	763	738	743
C11 Rotherham	[1]	[1]	[1]	556	558	558	571	569	567	575
C12 Sheffield	[1]	[1]	[1]	2,144	2,135	2,143	2,170	2,206	2,278	2,020

[1] Comparable figures not available due to National Health Service restructuring in 1982.
[2] Units for the younger physically disabled included.
Source: SH3 return, 1979-1986.
KHO3 return, 1987-88 onwards.

In-patient cases treated, acute[2] sector, Yorkshire and Humberside standard region, 1979 to 1988-89

District health authority	1979	1980	1981	1982	1983	1984	1985	1986	1987-88	1988-89
Hull	31,919	31,883	32,954	31,080	35,794	35,575	37,012	36,693	40,966	40,968
East Yorkshire	13,970	15,181	15,209	14,427	16,158	15,932	16,157	15,982	16,128	17,811
Grimsby	13,878	14,395	15,735	15,736	16,744	17,327	18,859	19,963	19,585	18,832
Scunthorpe	16,224	17,057	17,359	15,864	17,194	17,627	18,187	18,508	20,510	20,878
Northallerton	6,242	6,391	6,456	6,445	6,382	6,474	6,844	7,191	8,028	7,883
York	21,024	21,752	22,125	20,879	22,950	23,034	24,246	25,033	25,595	27,221
Scarborough	15,117	15,652	15,856	15,747	16,318	16,004	16,983	16,763	17,034	16,985
Harrogate	14,440	15,571	15,966	16,076	16,380	15,538	15,733	15,661	16,162	15,621
Bradford	39,102	42,582	43,379	40,815	44,856	45,506	45,078	45,688	48,551	48,374
Airedale	13,149	13,342	13,607	14,163	14,241	14,895	15,140	15,700	15,403	16,844
Calderdale	15,982	15,996	16,293	16,162	17,152	17,066	16,781	17,205	17,867	17,950
Huddersfield	14,817	16,079	16,614	15,564	17,328	17,800	18,703	19,373	21,434	19,407
Dewsbury	11,810	12,016	12,133	11,555	12,856	13,066	13,853	14,185	13,764	12,907
Leeds Western	[1]	[1]	[1]	43,873	43,992	45,924	47,182	47,031	47,440	48,980
Leeds Eastern	[1]	[1]	[1]	39,123	45,131	45,246	46,515	48,187	48,452	50,158
Wakefield	17,867	17,930	19,564	17,465	19,635	19,970	19,811	20,135	20,832	20,621
Pontefract	14,554	16,417	15,702	14,069	15,935	16,534	16,856	16,382	16,512	16,172
Barnsley	16,637	17,972	19,202	16,852	19,437	19,463	20,913	20,766	21,648	22,383
Doncaster	[1]	[1]	[1]	25,621	29,332	29,553	29,973	30,824	32,554	32,530
Rotherham	[1]	[1]	[1]	17,268	20,108	20,581	21,596	21,946	22,966	24,177
Sheffield	[1]	[1]	[1]	68,779	75,181	75,610	77,820	77,939	87,878	90,952

Source: SH3 return, 1979-1986.
SH3a return, 1987-88 onwards.
[1] Comparable figures not available due to National Health Service restructuring in 1982.
[2] GP maternity and younger physically disabled.

Salmonella

Mrs. Gorman: To ask the Secretary of State for Health if he will make a statement regarding the ending of the practice of publishing weekly the salmonella food poisoning figures, by the communicable disease surveillance centre in the PHLS communicable disease reports.

Mr. Dorrell: The change to monthly reporting of gastro-intestinal illness in the communicable disease report is part of a programme of general operational changes designed to produce more detailed and comprehensive reports.

Mrs. Gorman: To ask the Secretary of State for Health how the figures for salmonella infections published in the PHLS-SVS update on salmonella infections are calculated; and whether the basis for calculation is different from that used for the communicable disease reports.

Mrs. Virginia Bottomley: To obtain the most complete picture possible, the public health laboratory service monitors the frequency of food poisoning in this country via a number of different surveillance systems. The figures published in the PHLS-SVS update on salmonella infection and those in the communicable disease report are both elements of PHLS surveillance. The two sets of figures are obtained in different ways. It is clearly noted in the "Update" that they cannot be directly compared. Moreover, trends cannot be deduced from any single set of figures but only by comparison of data over a prolonged period of time.

The "Update" figures relate to human isolates of salmonella sent to the PHLS Division of enteric pathogens for detailed identification and phage typing. The data in the CDR are derived from reports sent to the PHLS communicable disease surveillance centre.

Low Vision Clinics

Mr. Kirkwood: To ask the Secretary of State for Health if he will list, by region, those hospitals which have special low vision clinics.

Mrs. Virginia Bottomley: This information is not held centrally.

Funding (South West Thames)

Mr. Nelson: To ask the Secretary of State for Health (1) whether he has received representations or discussed with the chairman of the South West Thames regional health

authority the redistribution of funds within the region to assist underfunded district health authorities such as Chichester;

(2) whether he will list the financial allocations for current expenditure from the South West Thames regional health authority to each district health authority in the region for the years 1989-90 and 1990-91.

Mr. Dorrell: We have not received any representations or held discussions with the chairman of South West Thames regional health authority about these matters, although the chairman has kept the Department informed about Chichester health authority's financial position. The distribution of funds within the region is a matter for the regional health authority and information on the revenue allocations to individual districts is not held centrally. My hon. Friend may like to write to South West Thames regional health authority for this information.

Ambulance Service

Mr. Evennett: To ask the Secretary of State for Health what consideration he has given to transfering responsibility for emergency ambulance services to the fire service.

Mr. Dorrell: My right hon. and learned Friend the Secretary of State has recently considered this suggestion but concluded that the emergency service is and must remain an integral part of the National Health Service.

Maternity Care

Mr. Evennett: To ask the Secretary of State for Health (1) if he will list in the *Official Report* the unit cost per birth for in-patient maternity care in *(a)* Bexley health district and *(b)* the South East Thames health region for the last year for which figures are available; and if he will make a statement;

(2) if he will list in the *Official Report* the unit cost per birth for maternity services in *(a)* Bexley and *(b)* Dartford and Gravesham health districts for the last year for which figures are available; and if he will make a statement.

Mr. Dorrell: I regret that the information is not available in the form requested.

Mr. Evennett: To ask the Secretary of State for Health if he will list in the *Official Report* the revenue expenditure on maternity services in *(a)* Bexley and *(b)* Dartford and Gravesham health districts for the last year for which figures are available; and if he will make a statement.

Mr. Dorrell: Revenue expenditure on maternity services (excluding general services overheads) for the financial year 1988-89 totalled £3·16 million for Bexley health authority and £3·74 million for Dartford and Gravesham health authority.

I understand that, because of the pattern of hospital provision in this part of Kent, and resultant attendance patterns, the expenditure of these districts do not relate solely to their resident populations.

Computer Costs

Mr. Worthington: To ask the Secretary of State for Health (1) whether general practices which submit applications for the reimbursement of computer costs which meet Government criteria will automatically be paid in the current financial year if they submit their application in the next few months;

(2) how much money is in his 1990-91 budget for the reimbursement of computer costs for general practice; and what happens to applications for reimbursement if the budget is exhausted.

Mr. Dorrell: There has been made available £24 million in 1990-91 for direct reimbursement of general practice computing costs in England, the balance of expenditure being reimbursed indirectly through fees and allowances. Claims which meet the criteria will be paid in this financial year. Should funds become fully committed valid claims which are not paid in 1990-91 may be resubmitted in the next financial year. The resources available in Wales and Scotland are matters for my right hon. Friend the Secretary of State for Wales and my right hon. and learned Friend the Secretary of State for Scotland.

Mr. Worthington: To ask the Secretary of State for Health how many general practice budgets qualify for the fund for the reimbursement of computer costs.

Mr. Dorrell: All GP practices are entitled to claim up to 50 per cent. reimbursement of the costs of purchasing, upgrading or leasing computers. In addition, those practices which formally commit themselves to participation in the practice funding scheme will be eligible for a further 25 per cent. reimbursement of these costs.

Child Abuse

Miss Lestor: To ask the Secretary of State for Health what was the number of children in England and Wales on the at risk register for each of the last 10 years.

Mrs. Virginia Bottomley: The regular collection of information about children on all child protection registers in England and Wales commenced in 1989. The provisional number on the registers at 31 March 1989 was 42,800. Final figures for 1989 will be published in the summer. An initial survey of all registers was carried out in March 1988. The estimated number on the registers was 41,100 but there is some evidence of under-reporting in this total.

Cancer Patients, Yorkshire

Mr. O'Brien: To ask the Secretary of State for Health what information his Department has on the number of people in the Yorkshire region who are registered on the Yorkshire regional cancer register for each of the health districts in the Yorkshire region.

Mr. Dorrell: This is a matter for the Yorkshire regional cancer registry.

Sugar

Miss Lestor: To ask the Secretary of State for Health what steps he is taking to publicise the findings of the Health Education Authority and the Committee on Medical Aspects of Food report on sugar consumption; and what steps he is taking to promote the reduction of dental caries by restraining the promotion of sweet substances through television advertisements aimed at children.

Mr. Dorrell: The Committee on Medical Aspects of Food report "Dietary Sugars and Human Disease" published on 12 December 1989 was accompanied by a

press briefing and press release. Written answers to questions were given in both Houses and copies of the report were placed in the Library. Action on the report's recommendations is being taken forward by this and other Departments. The Health Education Authority has produced a detailed briefing paper for health professionals based on the report. The Health Education Authority is taking account of the recommendations in all its nutrition and dental education activities.

The Committee on Medical Aspects of Food report did not make any recommendations regarding the advertising of sweet substances. Responsibility for television advertising lies with my right hon. and learned Friend the Secretary of State for the Home Department.

Children (Employment)

Miss Lestor: To ask the Secretary of State for Health when he expects to implement the Employment of Children Act 1973; and if he will make a statement.

Mrs. Virginia Bottomley: The Government have no plans to implement the Employment of Children Act 1973. All local authorities (except Isles of Scilly) have byelaws which regulate the hours and conditions of children's employment. The majority of byelaws follow departmental guidance of 1976 which is based on the proposed content of regulations under the 1973 Act.

HOME DEPARTMENT

Correspondence

Mr. Pawsey: To ask the Secretary of State for the Home Department when the hon. Member for Rugby and Kenilworth will receive a reply to his letter dated 26 March referring to Mr. H. S. Richards of Harborough Magna near Rugby.

Mr. Peter Lloyd: My right hon. and noble Friend Lord Ferrers replied to this letter on 4 May.

Mr. Pawsey: To ask the Secretary of State for the Home Department when the hon. Member for Rugby and Kenilworth will receive a reply to his letter dated 28 March referring to PC 241 C. R. Hall of Rugby police station.

Mr. Peter Lloyd: My right hon. and noble Friend Lord Ferrers replied to this letter on 10 May.

Mr. Kaufman: To ask the Secretary of State for the Home Department, pursuant to his answer of 30 April, *Official Report*, column *401*, when he intends to write to the right hon. Member for Manchester, Gorton about Mrs. R. Sarwar, 209 Northmear road.

Mr. Waddington: I have written to the right hon. Member today.

Mounted Police Officers

Mr. Marlow: To ask the Secretary of State for the Home Department how many mounted officers were involved in the charge during the recent community charge riots in London; and how many of these were female officers.

Mr. Peter Lloyd: I understand from the Commissioner of Police of the Metropolis that 49 mounted officers were deployed during the disturbances in central London on 31 March; nine of these officers were women.

Police (Capital Allocations)

Mr. Flynn: To ask the Secretary of State for the Home Department (1) if he will clarify the definition of equipment needed by police authorities and provided by their capital allocations;

(2) when he will publish a definition of the difference between revenue and capital in police authority spending on items costing less than £6,000.

Mr. Peter Lloyd: Expenditure for capital purposes is defined by section 40(2) of the Local Government and Housing Act 1989. Neither the Act nor the regulations made under it contain any 'de minimis' provision under which items below a certain value can be excluded from the definition of expenditure for capital purposes.

Consideration is being given to the need for further guidance to police authorities on police capital expenditure.

Mr. Flynn: To ask the Secretary of State for the Home Department if he will provide police authorities with longer prior notice of their capital allocations than the period given to Gwent police authority in February in the current year.

Mr. Peter Lloyd: Every effort will be made to provide this information as early as possible.

Mr. Flynn: To ask the Secretary of State for the Home Department (1) when funds for site acquisition for Monmouth police station will be received by the Gwent police authority;

(2) when the capital approval for fees for the Abertillery police station will be made.

Mr. Peter Lloyd: No application has been received from the Gwent police authority for approval to the acquisition of a site for Monmouth police station or for approval of the planning fees in respect of Abertiliery police station.

Mr. Flynn: To ask the Secretary of State for the Home Department if he will review the Home Office minor works cost limits for police authorities' budgets.

Mr. Peter Lloyd: My right hon. and learned Friend has no present plans to review these limits.

Mr. Flynn: To ask the Secretary of State for the Home Department if he has any plans to assist police authorities in their planned purchase of capital items in the current year, based on 1989 capital spending.

Mr. Peter Lloyd: The provision made in the Government's expenditure plans for grant and credit approvals for police capital expenditure in the current financial year has been allocated to police authorities in proportion to their planned spending with full allowance made for expenditure which has been contractually committed.

Birmingham Pub Bombings

Mr. Mullin: To ask the Secretary of State for the Home Department to whom the inquiry by the Devon and Cornwall police into aspects of the Birmingham pub bombings inquiry will report in the first instance.

Mr. Waddington: The Devon and Cornwall constabulary will report the outcome of its inquiries into this case to

the chief constable of the West Midlands police, on whose behalf the inquiries are being undertaken. The chief constable of the West Midlands police will, in turn, report to me.

Football Licensing Authority

Mr. Ashton: To ask the Secretary of State for the Home Department when he expects the Football Licensing Authority to be functioning; and what is the reason for the delay in setting it up.

Mr. John Patten: My right hon. and learned Friend made a commencement order under the Football Spectators Act 1989 on 21 March providing for the Football Licensing Authority to be set up from 1 June 1990. Appointments to the authority in the light of its role following the final report by Lord Justice Taylor will be made as quickly as possible.

Mr. Ashton: To ask the Secretary of State for the Home Department what powers he expects the proposed Football Licensing Authority to have with regard to the prevention of hooliganism.

Mr. John Patten: When considering the issue, renewal, suspension or revocation of a licence to admit spectators to a football ground the Football Licensing Authority will have regard to whether the equipment provided, procedures used and other arrangements in force on the premises are such as are reasonably required to prevent the commission or minimise the effects of offences at designated football matches held there.

Sugar

Miss Lestor: To ask the Secretary of State for the Home Department if he will bring forward proposals to restrict the promotion of sugary substances through advertising on television aimed at children.

Mr. Mellor: Responsibility for what is advertised on independent television is a matter for the Independent Broadcasting Authority, principally through its code of advertising standards and practice. It was drawn up in consultation with the IBA's medical advisory panel, and contains guidance on the advertising of confectionery and snack foods.

Forensic Pathology

Mr. Gareth Wardell: To ask the Secretary of State for the Home Department if he has now received the working party report on forensic pathology to which he referred on 16 February 1989, *Official Report*, column *310*.

Mr. Waddington: I have received the report and expect to announce my response to it shortly.

Obscene and Threatening Phone Calls

Mr. Michael: To ask the Secretary of State for the Home Department (1) if he will give immediate consideration to the value to crime prevention and nuisance prevention of the system operated in New Jersey which enables a customer to order the number of the last call to be recorded;

(2) whether he has been able to consider American evidence on the reduction of crime as a result of the operation of calling line identity systems particularly in relation to obscene and threatening phone calls; and if he will make a statement;

(3) if he will sponsor immediate research into the likely benefits to criminal investigation and crime prevention of calling line identity systems, particularly in respect to obscene and threatening phone calls in the United Kingdom.

Mr. John Patten: We are watching closely the latest technological advances aimed at curbing obscene or threatening telephone calls, and are aware of the recently published American research into caller-ID or call trace systems. The research has emphasised the importance of carefully monitoring the effects of the new technology on reducing obscene and threatening phone calls. The Home Office is planning appropriate action along precisely these lines, as part of the Hull safer cities project, where funding of over £19,000 has been approved for an assessment of the effects of a modest call-tracing system to be operated in Hull by Kingston Communications, the local telephone company. The work will start next year.

Demonstrations

Mr. Winnick: To ask the Secretary of State for the Home Department (1) what are the criteria that determine which organisations' marches and demonstrations are normally photographed by the police;

(2) what is the policy of police forces on photographs being taken of those involved in peaceful marches and demonstrations; and if he will ensure that such practices cease unless there is overwhelming need on grounds of public security for such photographs being taken.

Mr. Peter Lloyd: Guidelines issued by the Home Office on the use of equipment in police surveillance operations which are available in the Library make it clear that photographs and video surveillance equipment should be used by the police only when it is necessary for the efficient conduct of police operations and with due regard for the invasion of privacy which may result in particular circumstances.

Subject to the advice given in the guidelines, the use of surveillance devices is an operational matter for the police.

Mr. Winnick: To ask the Secretary of State for the Home Department, pursuant to his reply of 10 May, on how many occasions in each of the last five years his Department has requested a report from a police force about a public procession or assembly held in the force area.

Mr. Peter Lloyd: The Department has contracts at various levels within police forces which may be asked to provide information about public processions and assemblies where there is a risk of public disorder or where disorder has occurred. Reports may be obtained by phone or by correspondence depending on the circumstances. No central record is kept of the number of occasions when information about processions and assemblies has been requested from the police.

FOREIGN AND COMMONWEALTH AFFAIRS

Hong Kong

Mr. Leighton: To ask the Secretary of State for Foreign and Commonwealth Affairs what were the numbers of people immigrating into and emigrating out of Hong Kong in each of the last 10 years.

Mr. Maude: According to Hong Kong Government statistics, the figures for immigration into Hong Kong in each of the last 10 years were as follows:

	For Settlement	*For other purposes*[1]
1980	55,313	42,440
1981	54,267	31,035
1982	53,847	36,121
1983	26,701	23,361
1984	27,755	23,454
1985	27,285	28,475
1986	27,111	30,559
1987	27,268	34,394
1988	28,137	44,009
1989	27,263	54,055

[1] Employment, study, training, etc.

The estimated figures for emigration from Hong Kong were as follows:

	Numbers
1980	22,400
1981	18,300
1982	20,300
1983	19,800
1984	22,400
1985	22,300
1986	19,000
1987	30,000
1988	45,800
1989	42,000

Most of those who immigrated for settlement were family reunification cases from the mainland. Those who immigrated for employment were mainly unskilled and semi-skilled labour.

By contrast, 50 per cent. of those who emigrated in the last five years were managerial, professional, administrative and technical staff and their families. There is, therefore, a net outflow of key staff.

EC Voting

Mr. Leighton: To ask the Secretary of State for Foreign and Commonwealth Affairs which matters within the European Community Council of Ministers are decided by qualified majority vote and which by unanimity.

Mr. Maude: Certain articles of the treaty of Rome require unanimity—for example, article 99 on tax—others qualified majority—for example, article 100A on the single market or article 43 on agriculture. The Commission proposal should be based on whichever article is appropriate for the subject matter in question. The treaty base proposed by the Commission can be altered by the unanimous decision of member states.

Soviet Union

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the oral answer of the right hon. Member for Bristol, West (Mr. Waldegrave) of 4 April, *Official Report*, column *1187*, which section of the Helsinki Accord recognises, de facto, the existing borders in the Soviet Union; and which section of the Accord states that any boundary changes should be conducted by negotiation.

Mr. Maude: The first of the principles guiding relations between participating states, the first substantive section of the Helsinki Final Act, states that the frontiers of participating states

"can be changed, in accordance with international law, by peaceful means and by agreement".

Principle III covers the inviolability of frontiers.

Mark Kotlyar

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Russians about their repeated refusal to grant an exit visa to Mark Kotlyar of Kiev who first applied for an exit visa in 1978.

Mr. Maude: None. However, we shall in future include this case among those on which we press the Soviet authorities. We shall not let up until the case is resolved satisfactorily.

Antarctica

Mr. Wigley: To ask the Secretary of State for Foreign and Commonwealth Affairs how many representations he has received from *(a)* hon. Members and *(b)* others with regard to conservation policies for Antarctica; and if he will make a statement.

Mr. Sainsbury: Her Majesty's Government have received 485 letters from right hon. and hon. Members on behalf of constituents and a further 280 direct from members of the public. The Government share the widespread concern to ensure protection of the Antarctic environment and believe that the convention on the regulation of Antarctic mineral resource activities will make an important contribution to this objective.

Global and Technical Management Services

Mr. Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs if there was any contact between Her Majesty's embassy, Baghdad and Global and Technical Management Services (International) Ltd., registered in Edinburgh, regarding possible contracts.

Mr. Sainsbury: In the light of the continuing investigations by Customs and Excise into certain exports to Iraq, it would be wrong for me to comment further.

HOUSE OF COMMONS

Television Experiment

Mr. Tony Banks: To ask the Lord President of the Council if he will make a statement on the progress of the television experiment.

Sir Geoffrey Howe: The televising experiment has now been under way for some five months and has so far proceeded with very few technical problems. The Select Committee on Televising of Proceedings of the House,

which I chair, is currently reviewing the experiment and has sought the views of the broadcasters, the political parties represented in the House, Chairmen of Select and Standing Committees, and individual Members. The Committee will consider carefully all the evidence before coming to its conclusions. It is expected that the Committee's Report will be published in time to enable the House to reach a decision on the question of permanent televising before the start of the summer Adjournment.

Payroll Giving

Mr. Hanley: To ask the Lord President of the Council, how many hon. Members currently take advantage of the payroll giving scheme by deduction from their parliamentary salaries.

Sir Geoffrey Howe: There are currently 51 Members who have authorised deductions from their parliamentary salaries under the payroll giving scheme.

Stationery

Ms. Walley: To ask the Lord President of the Council what urgent measures are being introduced to increase the recycled component of stationery in the House.

Sir Geoffrey Howe: A number of steps have already been taken to increase the use of recycled paper in stationery used by the House. Further measures are at present being considered by the Accommodation and Administration Sub-Committee.

ENERGY

Electricity Prices

13. **Mr. Murphy:** To ask the Secretary of State for Energy what representations he has received regarding price increases for electricity in England and Wales in 1990, 1991 and 1992.

Mr. Baldry: I have received a number of representations about prices.

22. **Mr. Harry Greenway:** To ask the Secretary of State for Energy what has been the average increase in electricity prices since 1979; what was the increase between 1974 and 1979; and if he will make a statement.

Mr. Baldry: For domestic customers the average increase since 1979 has been 8 per cent. a year and for industrial customers it was 6 per cent. a year. Between 1974 and 1979 the increases were 20 per cent. a year for domestic customers and 17 per cent. a year for industrial customers.

The last five years of this Government have seen industrial prices decrease by some 7 per cent. in real terms. Under the last five years of Labour they increased by 1 per cent.

Under the last five years of Labour domestic prices increased by 22 per cent. in real terms. Under the last five years of this Government—even after the April increase—they will have fallen by approximately 4 per cent. in real terms.

Home Energy Conservation

14. **Mr. Ray Powell:** To ask the Secretary of State for Energy what policies he has to encourage further progress in home energy conservation.

Mr. Peter Morrison: My Energy Efficiency Office is pursuing a number of initiatives to encourage the more efficient use of energy in the home.

40. **Mr. Rathbone:** To ask the Secretary of State forEnergy what representations he has received recently about Government plans to encourage energy conservation in existing housing in Britain.

Mr. Peter Morrison: I have received a number of representations, including responses to my Department's consultation paper on the proposals for the home energy efficiency scheme.

Offshore Oil and Gas

15. **Mr. David Nicholson:** To ask the Secretary of State for Energy what is his estimate of the stock of fixed capital investment in offshore oil and gas fields.

33. **Mr. Michael Brown:** To ask the Secretary of State for Energy what is his estimate of the stock of fixed capital investment on offshore oil and gas fields.

Mr. Peter Morrison: Some £65,000 million, at today's prices, has been invested in offshore oil and gas fields.

Gas Prices

16. **Mr. Jack:** To ask the Secretary of State for Energy by how much gas prices for industrial customers have increased during the last five years.

Mr. Peter Morrison: My hon. Friend will be delighted to hear that in the last five years gas prices to industrial consumers are estimated to have fallen by 41 per cent. in real terms.

Energy Efficiency

17. **Mr. Beith:** To ask the Secretary of State for Energy what contribution increases in energy efficency are expected to make to reducing the greenhouse effect and reducing the rate of depletion of fossil fuels.

Mr. Peter Morrison: Improvements in energy efficiency make a substantial contribution to the containment of the world's emissions of greenhouse gases and to limiting the rate of depletion of fossil fuels.

31. **Mr. Wallace:** To ask the Secretary of State for Energy what steps have been taken to maximise energy efficiency measures within his Department.

Mr. Peter Morrison: My Department's new headquarters, to which it moved in September 1989, has an up-to-date electronic building energy management system designed to optimise the operation of all the electrical and mechanical services. Staff in my Department, PSA building maintenance and their contractors have been trained to enable them to get the best out of the system and optimise energy efficiency within the building. In other buildings in which the Department is an occupant, energy managers have been appointed to identify cost-effective measures for improving energy efficiency.

Colliery Employment

18. **Mr. Hood:** To ask the Secretary of State for Energy what is his most up-to-date estimate of United Kingdom colliery employment in the year 2003; and if he will make a statement.

24. **Mr. Meale:** To ask the Secretary of State for Energy what is his most up-to-date estimate of United Kingdom colliery employment in the year 1998; and if he will make a statement.

Mr. Baldry: The Government do not make estimates of future manpower levels in the coal industry.

Energy Sources

19. **Mr. Knox:** To ask the Secretary of State for Energy when he next proposes to have discussions with the European Council of Ministers about alternative sources of energy.

Mr. Peter Morrison: My right hon. Friend expects to attend the Council of Energy Ministers on 21 May. That Council will consider the Commission's communication on energy and the environment and the proposed Thermie scheme for promoting energy technology which is substantially concerned with alternative energy sources.

Greenhouse Effect

20. **Mrs. Gorman:** To ask the Secretary of State for Energy if he will obtain for his Department's library copies of the books, "The Greenhouse Trap" by John L. Daly and "Scientific Perspectives on the Greenhouse Problem", produced by the George C. Marshall Institute in Washington DC.

Mr. Peter Morrison: Primary United Kingdom responsibility for assessing the scientific basis of the greenhouse effect rests with the Department of the Environment, the Meteorological Office, and the Department of Education and Science. The main world forum for considering the implications of the enhanced greenhouse effect is the UN-based Intergovernmental Panel on Climate Change (IPCC), whose science working group report is the most up-to-date assessment of the problem and is due to be finalised at the end of this month. The Department of the Environment and the Meteorological Office are aware of the Marshall Institute report, and have ensured that it was taken into account by the IPCC science working group. My right hon. Friend does not intend to obtain the books mentioned for his own Department's library.

British Gas

21. **Mr. Riddick:** To ask the Secretary of State for Energy if he will list the principal regular subjects of discussion at meetings between himself and the chairman of British Gas on which he answers to Parliament.

Mr. Peter Morrison: My right hon. Friend and I meet the chairman of British Gas regularly to discuss a range of issues in relation to the gas industry.

Pollutant Gases

23. **Mr. Simon Hughes:** To ask the Secretary of State for Energy what plans he has to limit emissions of pollutant gases.

Mr. Peter Morrison: Emissions of acid gases by the electricity generators are governed by the requirement to comply with the European Community large combustion plant directive.

Renewable Energy Sources

25. **Mr. Livsey:** To ask the Secretary of State for Energy if he will make a further statement on the projections contained within Energy Paper 55.

Mr. Peter Morrison: As I told the Hon. Member for Gordon (Mr. Bruce) on 19 February, *Official Report*, column *527*, the projections for the long-term contributions to energy supply from different renewables contained in Energy Paper 55 are kept under review. As results from the Department's R and D programme become available and circumstances change estimates are revised.

41. **Mr. Flynn:** To ask the Secretary of State for Energy what percentage of power generation he expects to come from renewable sources in 1995 and 1998.

Mr. Peter Morrison: Renewable energy technologies are at an early stage of development. No estimates are available for the 1990s. Estimates of the longer-term contribution that could be made by each renewable energy source in the year 2025 have been published in Energy Paper 55, copies of which are in the Library of the House.

Mr. Barry Field: To ask the Secretary of State for Energy what resources are being provided by his Department for 1990-91 for research into developing alternative and renewable sources of energy.

Mr. Peter Morrison: I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Wyre (Mr. Mans) earlier today.

Margam New Mine

26. **Mr. Win Griffiths:** To ask the Secretary of State for Energy when he expects to see progress on developing the Margam new mine.

Mr. Baldry: The timing and priority of major coal industry projects such as the Margam new mine is a matter for British Coal in the light of the overall capital allocation available to it and the commercial objectives agreed with the Government.

Sizewell B

27. **Dr. Kim Howells:** To ask the Secretary of State for Energy what is his most up-to-date estimate of the cost of completing Sizewell B nuclear power station and the cost of electricity from it per kilowatt hour.

Mr. Baldry: The most recent estimate for the capital cost of Sizewell B, derived from evidence given to the Hinkley Point C inquiry in September 1989 by the CEGB, is £1,870 million at 1987 prices. The cost of electricity from the station is a matter for Nuclear Electric plc, which operates the station.

Mr. Malcolm Bruce: To ask the Secretary of State for Energy how much public money to date has been spent on the Sizewell B project.

Mr. Baldry: A total of £841 million has been spent on the construction of Sizewell B to date and £1,496 million has been committed. Both figures are at April 1987 prices.

Cornwall Hot Rocks Project

28. **Mr. Matthew Taylor:** To ask the Secretary of State for Energy what progress has been made with the Cornwall hot rocks project.

Mr. Peter Morrison: The research on geothermal hot dry rocks being carried out by the Camborne school of mines in Cornwall is progressing to schedule. The current programme is conducting experimental work on the existing reservoir at 2·5km depth and undertaking a conceptual design study for a 6km deep system which will be required to give the necessary temperatures for electricity generation.

A review of progress of the programme and future possibilities is currently in train.

National Power

29. **Mr. Allen McKay:** To ask the Secretary of State for Energy when he expects to announce the name of the new chairman of National Power; and what remuneration he will have.

Mr. Baldry: I hope to make an announcement shortly. Remuneration will need to be appropriate for the post.

34. **Mr. Redmond:** To ask the Secretary of State for Energy when he expects to announce the appointment of a chairman of National Power; and what are his criteria for making the appointment.

Mr. Baldry: I hope to make an announcement shortly. Appropriate experience, leadership qualities and management skills are the main criteria for appointment.

Homes Insulation

30. **Mr. David Martin:** To ask the Secretary of State for Energy how many houses have been insulated since 1982 as a result of Government grants.

Mr. Peter Morrison: Some 3·5 million homes have benefited from grants to loft, tank and pipe insulation under the homes insulation scheme since 1982. Over the same period, community insulation projects, which provide a low-cost insulation—mainly draughtproofing —service for low-income households, have insulated over three quarters of a million homes.

Nuclear Electric

32. **Mr. Cunliffe:** To ask the Secretary of State for Energy when he expects to announce the conclusion of his review into the accounts of Nuclear Electric plc.

Mr. Baldry: This review is the responsibility of the company and its auditors, although the Department is, of course, involved in the discussions. The company's accounting policies will be explained in the annual report and accounts, which will be published in the summer.

Lead-free Petrol

35. **Mr. Burns:** To ask the Secretary of State for Energy what figures he has for sales of lead-free petrol *(a)* in the United Kingdom and *(b)* in other European countries.

Mr. Peter Morrison: The latest figures available for the United Kingdom are for March 1990 and these show that about 31 per cent. of petrol sold was unleaded. The Department does not collect information on sales of unleaded petrol in other European countries. However, the July 1990 issue of *Petroleum Review* is expected to publish figures on the market share of unleaded petrol in member states of the European Communities in 1989.

Sulphur Emissions

36. **Mr. Patchett:** To ask the Secretary of State for Energy what representations he has received on his proposals to meet the EEC regulations for the reduction of sulphur emissions from large combustion plants.

Mr. Baldry: I have received a number of representations on the manner in which the electricity industry should meet its share of the reductions required by the directive.

Oil Yard Platform Construction, Kishorn

37. **Mr. Kennedy:** To ask the Secretary of State for Energy if he will assess the potential for the oil yard platform construction site at Kishorn, Wester Ross; and if he will make a statement.

Mr. Peter Morrison: It is not possible for me to assess the potential for individual yards as contracts will be won by those who meet the technical and commercial criteria of the operators. However, the prospects for the United Kingdom supplies industry, including the fabrication yards, look very good for the foreseeable future with new investment for 1990 alone estimated at £3·7 billion.

Electricity Privatisation

38. **Mr. Mullin:** To ask the Secretary of State for Energy what is his most up-to-date assessment of the gross Exchequer cost of privatising the electricity supply industry.

Mr. Baldry: I refer the hon. Member to the reply I gave to the hon. Member for Rutherglen (Mr. McAvoy) on 26 March 1990 at column *85*.

British Coal

39. **Mr. Buckley:** To ask the Secretary of State for Energy when he last met the chairman of British Coal to discuss the coal industry.

Mr. Baldry: My right hon. Friend meets the chairman of British Coal regularly to discuss all aspects of the coal industry.

Mr. Dobson: To ask the Secretary of State for Energy if he will list the members of the board of British Coal, giving in each case the date of their appointment and its duration.

Mr. Wakeham: The original dates of appointment of each of the members of the British Coal Corporation and the duration of their appointments are as follows:

Sir Robert Haslam *Chairman*, 1 November 1985 to 31 December 1990 (five years).

Mr. J. H. Northard CBE *Deputy Chairman*, 1 April 1986 to 31 March 1991 (five years).

Mr. D. Kendall *Deputy Chairman*, 1 April 1989 to 31 December 1990 (one year, nine months).

Mr. M. J. Edwards (full-time), 1 April 1986 to 31 March 1991 (five years).

Mr. M. H. Butler (full-time), 1 April 1986 to 31 March 1991 (five years).

Mr. K. Moses (full-time), 1 April 1986 to 31 March 1991 (five years).

Mr. C. Barker (part-time), 13 February 1984 to 12 February 1991 (seven years).

Sir Ronald Dearing (part-time), 1 June 1988 to 31 May 1991 (three years).

Dr. T. J. Parker (part-time), 1 September 1986 to 31 August 1992 (six years).
Dr. D. Atterton (part-time), 1 September 1986 to 31 August 1992 (six years).
Mr. D. Walker (part-time), 1 July 1988 to 30 June 1991 (three years).
Mr. J. P. Erbe (part-time), 1 June 1989 to 31 May 1992 (three years).

United Kingdom Continental Shelf

Mr. John Marshall: To ask the Secretary of State for Energy if he will make a statement on the forecast level of drilling activity on the United Kingdom continental shelf during the coming year.

Mr. Peter Morrison: I refer my hon. Friend to my reply to my hon. Friends the Members for Battersea (Mr. Bowis) and for Wanstead and Woodford (Mr. Arbuthnot) on 26 March 1990, at columns *89-90*.

Mr. Boswell: To ask the Secretary of State for Energy what is his estimate of how much gas has been produced on the United Kingdom continental shelf since the first significant discoveries.

Mr. Peter Morrison: The cumulative total production of gas from the United Kingdom continental shelf up to the end of 1989 was 735,724 million cu m, of which 170 million cu m have been produced onshore.

Electrical Appliances

Mr. McAvoy: To ask the Secretary of State for Energy what assessment he has carried out of the progress being made towards more efficient home electrical appliances.

Mr. Peter Morrison: My Energy Efficiency Office recently received the report of the study of the electrical appliances which it commissioned last year. The report is now being considered.

Landfill Gas

Mr. Stern: To ask the Secretary of State for Energy how large a United Kingdom market he now envisages for the use of landfill gas.

Mr. Peter Morrison: At the present time, 35 landfill gas schemes are operational and a further 30 are at the planning stage. Of the existing schemes, 13 are generating electricity with a capacity of 16 MW. The additional schemes planned will increase such capacity to about 60 MW.

Leukaemia, Sellafield

Mr. McFall: To ask the Secretary of State for Energy what consultations he has carried out on the Gardner report on the cause and effect of leukaemia at and around Sellafield and its implications for the electricity generation industry.

Mr. Baldry: I have discussed the results of the case control study by Professor Gardner with a number of representatives from the nuclear industry including British Nuclear Fuels plc and associated trade unions.

In view of the importance of this complex matter the Government referred Professor Gardner's study to the Committee on the Medical Aspects of Radiation in the Environment (COMARE). Its preliminary advice was given on 2 April and I refer the hon. Member to the answer given by my hon. Friend the Parliamentary Under-Secretary of State for Health on that day to the question from the hon. Member for Copeland (Dr. Cunningham), at columns *430-34*.

Further studies following on from the Black report and from recommendations made by COMARE and accepted by Government are, I understand, currently under way or are being planned. The Health and Safety Executive and the nuclear industries, British Nuclear Fuels in particular, have also commissioned a series of other complementary studies.

Mr. Frank Cook: To ask the Secretary of State for Energy if he intends to introduce measures to amend the Nuclear Installations Act 1965 to extend the 30-year statute of limitation on claims for compensation for injury and for death caused by breach of duty by any site licensee under that Act, in the light of the Gardner report's indication that there may be a causal relationship between radiation doses received by workers at Sellafield and the excess of leukaemias among their children.

Mr. Baldry: The Government have no plans to do so.

Power Stations

Mr. Teddy Taylor: To ask the Secretary of State for Energy what progress has been made in reducing the level of those emissions from power stations which are regarded as being damaging to the environment; and if he will make a statement.

Mr. Baldry: Latest available published information shows that for the period 1980 to 1988 SO_2 emissions from coal-fired power stations in the United Kingdom fell from 3,007,000 tonnes to 2,618,000 tonnes. Similarly, NO_2 emissions fell from 880,000 tonnes to 792,000 tonnes. In compliance with the European Community large combustion plants directive, further reductions in SO_2 and NO_2 levels can be expected.

[*Source:* Digest of Environmental Statistics.]

Electricity Supply Industry

Mr. Dobson: To ask the Secretary of State for Energy whether he has yet appointed the advertising agency for the electricity supply industry flotation.

Mr. Wakeham: In conjunction with the regional electricity companies, I jointly appointed WCRS Mathews Marcantonio on 10 May 1990 to handle the advertising campaign to publicise the forthcoming flotations of the regional electricity companies, planned for November 1990.

Mr. Dobson: To ask the Secretary of State for Energy if he will list those electricity supply industry companies which have current Treasury guarantees, giving the amount guaranteed and the dates the guarantee was given in each case.

Mr. Wakeham: Guarantees, given under section 79(1) of the Electricity Act 1989, are as follows:

Company	*Amount £ million*	*Date*
PowerGen	25	30 March 1990
	50	4 April 1990

Company	Amount £ million	Date
Southern Electric plc	5	30 March 1990
	10	30 March 1990
South Western Electricity plc	5	18 April 1990
	5	18 April 1990
Eastern Electricity plc	5	18 April 1990
South Wales Electricity plc	10	18 April 1990
	15	18 April 1990
	3	18 April 1990
Manweb plc	40	30 March 1990
	10	30 March 1990
Norweb plc	25	25 April 1990
	25	25 April 1990
Nuclear Electric plc	10	4 April 1990

Similar arrangements applied prior to vesting day and continue to apply to nationalised industries. The provision of a Government guarantee enables the borrower to negotiate finer terms and reduces the cost to the public sector as a whole. A list of public sector bodies whose borrowings are guaranteed by the Treasury is published each year in the supplementary statement to the Consolidated Fund and National Loan Fund accounts.

Mr. Dobson: To ask the Secretary of State for Energy whether the appointment of the advertising agency for the electricity supply industry flotation is the subject of competitive tender.

Mr. Wakeham: Yes.

Cash Limits

Mr. Andy Stewart: To ask the Secretary of State for Energy whether any changes will be made to his Department's cash limit or running cost limit for 1990-91.

Mr. Peter Morrison: Subject to parliamentary approval of the necessary revised estimate, the cash limit for class V, vote 3 and the running costs limit for the Department of Energy will be reduced by £200,000 from £39,517,000 to £39,317,000 and from £42,170,000 to £41,970,000 respectively. The reduction follows recent agreement that the Department of Energy should no longer take financial provision for that part of the United Kingdom mission in Vienna which deals with the affairs of the International Atomic Energy Agency. Responsibility for these costs will in future rest with the FCO.

SCOTLAND

Supply Index

Mr. Devlin: To ask the Secretary of State for Scotland if he will make a statement about his Department's decision not to participate in the Government supply index.

Lord James Douglas-Hamilton: The Scottish Office has monitored the development of this commercially produced information system, which is based on the exchange of information on prices paid by Government Departments and others for a range of specified products. Having regard to the range of items covered and the particular nature of Scottish Office purchasing, it concluded that subscription to the index was not a priority. The Scottish Office is however currently exploring the introduction of improved management information and operating systems for purchasing. As part of this, consideration will be given to the use of price indices, of which the Government supply index is one option.

Local Enterprise Companies

Mr. Worthington: To ask the Secretary of State for Scotland if he will make a statement on the implications of the establishment of LECs for the opportunities for hon. and right hon. Members to refer matters relating to training provision to the Parliamentary Commissioner for Administration.

Mr. Lang: As private companies under the Companies Acts, local enterprise companies are outwith the jurisdiction of the Parliamentary Commissioner for Administration. Complaints about matters relating to training provision made by local enterprise companies should therefore be referred to the companies themselves, which will be obliged by the terms of their contracts to operate a complaints procedure, under which an individual with a complaint can be assured that his or her case will be duly considered by the chief executive of the local enterprise company, and if necessary by the chairman.

Social Work Departments

Mr. Worthington: To ask the Secretary of State for Scotland what reports he has received about the adverse performance of any regional social work departments; and whether they are publicly available.

Mr. Lang: The only reports received on the performance of regional social work departments are those of investigations carried out by staff and requested by authorities themselves. They are confidential to the local authorities concerned.

Mr. Worthington: To ask the Secretary of State for Scotland what resources he has to monitor performance levels and standards of care in regional social work departments.

Mr. Lang: I have the services of 21 professional staff in the Scottish Office's social work services group for such advice on aspects of regional social work departments' performance as is required.

Mr. Worthington: To ask the Secretary of State for Scotland what powers he has to intervene in the operations of a regional social work department.

Mr. Lang: My right hon. and learned Friend has powers in the Social Work (Scotland) Act 1968 to make regulations governing the performance of local authorities' functions under that Act and for certain other purposes. In terms of section 5 of that Act local authorities are required to operate under his general guidance, and, finally, he has default powers under section 211 of the Local Government (Scotland) Act 1973 where a local authority fails to carry out its statutory functions.

Training

Mr. Worthington: To ask the Secretary of State for Scotland, pursuant to his answer of Tuesday 8 May, what considerations lead him to regard information about the number of placements with particular placement providers as commercially confidential.

Mr. Lang: Details of YTS and employment training placements are the subject of commercial contracts between the firms or organisations offering placements and managing agents or training managers. My right hon. and learned Friend is not a party to such contracts and he is therefore not at liberty to divulge the contents of these contracts without the consent of the contracting parties.

Social Work Services Group

Mr. Worthington: To ask the Secretary of State for Scotland what is the Social Work Services Group's inspection role; how it fulfils that role; and what publicly available reports it has produced.

Mr. Lang: Regular inspections of social work services are confined to those services directly registered with the Secretary of State (adoption agencies and secure accommodation for children). Reports on these services are confidential to the Secretary of State.

Explosives (Clyde)

Mr. Foulkes: To ask the Secretary of State for Scotland, further to his statement on the dumping of explosives in the Clyde, *Official Report*, 8 May, columns 28-32, when and how the cleaning up of the dumped explosives will take place; whom he expects to pay for the clear-up; what consideration he has given to arrangements for compensation to fishermen for loss of income due to abandoned catches; and if he will make a statement.

Mr. Lang: A DAFS research vessel has begun a survey of the Birch Point site, and its surrounding area. Any further action required will be determined in the light of the results of that survey.

Mr. Wilson: To ask the Secretary of State for Scotland if he will make a statement on the discovery of quantities of explosive devices and materials in areas of the Firth of Clyde not designated for dumping.

Mr. Lang *[holding answer 10 May 1990]:* I refer the hon. Gentleman to the statement I made on 8 May in response to a private notice question from the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes).

A DAFS research vessel will begin a survey of the Birch Point dump site, and the surrounding area, on 14 May. Any further action required will be determined in the light of the results of that survey.

Dumping of explosive material at Birch Point, under licence issued by my right hon. and learned Friend, ceased in 1989. No further licences will be issued.

Mr. Wilson: To ask the Secretary of State for Scotland if the Lord Advocate will institute inquiries into the disposal of explosive devices and materials in areas of the Firth of Clyde not designated for dumping.

Mr. Lang: *[holding answer 10 May 1990]:* Evidence of dumping of explosive or other material in contravention of the Food and Environment Protection Act 1985 should be referred to the appropriate procurator fiscal, but I am not aware of any such evidence.

A DAFS research vessel will begin a survey of the Birch Point dump site and its surrounding area on 14 May. Any further action required will be determined once that survey and other investigations are completed.

Mr. Foulkes: To ask the Secretary of State for Scotland what information he has about the location and containment of explosive material dumped by ICI in the Firth of Clyde; if he will institute an inquiry into the circumstances of the dumping; if he will ensure that action is taken to remove the danger and that those responsible bear the cost of the clearing up; if he will now reconsider the arrangements for dumping of explosive material in the Clyde estuary; and if he will make a statement.

Mr. Lang *[holding answer 10 May 1990]:* I refer the hon. Gentleman to the statement I made in response to his private notice question on 8 May.

A DAFS research vessel will begin a survey of the Birch Point dump site, and the surrounding area, on 14 May. Any further action required will be determined in the light of the results of that survey.

Dumping of explosive material at Birch Point, under licence issued by my right hon. and learned Friend, ceased in 1989. No further licences will be issued.

Scottish Council of Crafts

Mr. Maclennan: To ask the Secretary of State for Scotland whether he will consider the creation of a Scottish Council of Crafts; and if he will make a statement.

Mr. Lang: My officials are currently reviewing the question of future support for the crafts industry in Scotland in consultation with the Scottish Development Agency and the Highlands and Islands Development Board. The possibility of creating a Scottish Council of Crafts is one of a number of options under consideration.

Departmental Savings

Mr. Devlin: To ask the Secretary of State for Scotland what value for money savings have been achieved by his Department in the last year; and how much of this was as a result of advice from the Central Unit on Purchasing.

Lord James Douglas-Hamilton *[holding answer 11 May 1990]:* The Scottish Office pursues value for money in all its activities. So far as the costs of the Scottish Office itself are concerned, these were calculated on the basis that 1·5 per cent. efficiency gains would be delivered in 1989-90. These gains represent initiatives at every level to improve output and reduce costs.

The Central Unit on Purchasing provides general advice and guidance and monitors progress. It also co-ordinates the Government purchasing initiative. While, in general, it is not possible to attribute particular value for money savings to specific advice from the unit, value for money improvements in purchasing are published each year in a report from the Central Unit on Purchasing to the Prime Minister. In the 1989 report, the Scottish Office showed improvements in value for money in 1988-89 (the latest year for which figures are available) amounting to £12·96 million or 6·6 per cent. of its total expenditure on procurement of £196·3 million.

Local Government Finance

Mr. Dalyell: To ask the Secretary of State for Scotland what assessment he has made of the adequacy of the additional funding for poll tax staff made in Lothian region; and if he will make a statement.

Lord James Douglas-Hamilton *[holding answer 10 May 1990]:* The Government have taken full account in successive revenue support grant settlements of the costs incurred by local authorities in administering the community charge. Thereafter, it is the responsibility of local authorities to determine how the overall resources available to them should be deployed to carry out their statutory functions.

Fish Farms (Disease)

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland if he will make a statement on the incidence of infectious haematopoietic necrosis within the salmon fish farming industry.

Mr. Lang *[holding answer 11 May 1990]:* Infectious haematopoietic necrosis (IHN) has never been identified in the United Kingdom in either our farmed or wild salmonid fish stocks, despite extensive testing over many years. Moreover, IHN is a notifiable disease in the United Kingdom and its presence or any suspected outbreak would have to be reported to the appropriate fisheries department.

DEFENCE

Explosives (Dumping)

Mr. Flynn: To ask the Secretary of State for Defence if he will seek a meeting with the chairman of ICI Ltd. to discuss the dumping of surplus high explosives off the Isle of Arran in the Firth of Clyde and the migration of explosives and detonators from this site.

Mr. Neubert: No.

Mr. Flynn: To ask the Secretary of State for Defence if he will evaluate the current safety of surplus conventional explosives disposed of near Alderney in the Hurd deep channel.

Mr. Neubert: All military explosives material disposed of at sea is deposited in a manner which ensures that it sinks to the bottom and stays there. The depth of water and the fact that the dumping site is shown on published navigational charts ensure that the material constitutes no hazard to vessels.

Mr. Flynn: To ask the Secretary of State for Defence what evaluation he has made of the accident potential posed by the migration of surplus high explosives dumped off the Isle of Arran in the Firth of Clyde into sub-surface access channels for United Kingdom and United States nuclear submarines using the Coulport and Holy Loch facilities on the Clyde.

Mr. Neubert: The location of this and other commercial dumping grounds is well known, as is the possibility of occasional migration of small quantities of explosives. Instructions given to submarines which transit these areas are such that the risk of an accident is extremely low.

Mr. Flynn: To ask the Secretary of State for Defence if he will make it his policy to investigate the disposal programme for surplus high explosives from his Department's stocks.

Mr. Neubert: The Ministry of Defence's policy on the disposal of high explosives is kept under constant review. The Department disposes of surplus high explosives by destruction in prescribed areas, dumping in carefully selected deep sea locations or through the use of contractors specialising in the non-explosive breakdown of these substances. There is no reason to believe that any of these methods poses a risk to the general public.

Defence Research

Mr. Flynn: To ask the Secretary of State for Defence if he has any plans to set up a defence research organisation along the lines of the United States Defence Research Projects Agency.

Mr. Neubert: No.

Devonshire Dock, Barrow

Mr. Campbell-Savours: To ask the Secretary of State for Defence (1) what screening arrangements exist for the security clearance of persons employed at the Devonshire dock, Barrow in Furness;

(2) how many persons subject to security clearance are employed at the Devonshire dock, Barrow in Furness.

Mr. Archie Hamilton: It is not the policy of this or previous Administrations to release information on security clearance procedures.

Mr. Campbell-Savours: To ask the Secretary of State for Defence if work relating to the Trident project is carried out at the Devonshire dock, in Barrow in Furness.

Mr. Neubert: Yes.

Mr. Campbell-Savours: To ask the Secretary of State for Defence whether he will make a statement about security at the Devonshire dock, Barrow in Furness.

Mr. Archie Hamilton: Security at Devonshire dock is the responsibility of Vickers Shipbuilding and Engineering Limited and is maintained at a level appropriate to the nature of the work undertaken and the perceived threat.

Dumping (Firth of Clyde)

Mr. Wilson: To ask the Secretary of State for Defence if he will identify by category of materials the areas of the Firth of Clyde which are, or have been, used by his Department for dumping; and if he will identify the most recent dates in each instance on which dumping has occurred.

Mr. Neubert: There are no sites in the Firth of Clyde used by the Ministry of Defence for dumping.

Military Bands

Mr. Fisher: To ask the Secretary of State for Defence whether he will publish a table listing all military bands in Her Majesty's forces.

Mr. Archie Hamilton *[holding answer 11 May 1990]:* The information requested is as follows:

Royal Marine Bands
The Royal Marines School of Music Band
The Commander-in-Chief Naval Home Command Band
Her Majesty's Royal Marine Commandos Band
The Flag Officer Scotland and Northern Ireland Band
The Commander-in-Chief Fleet Band
The Britannia Royal Naval College Band
The Flag Officer Plymouth Band

Army Bands
Major Staff Bands
Grenadier Guards
Coldstream Guards
Scots Guards
Irish Guards
Welsh Guards
Life Guards
Blues and Royals
Royal Artillery
Royal Engineers
Royal Signals
Gurkhas
Minor Staff Bands
Royal Artillery (Alanbrooke)
Royal Corp of Transport
Royal Army Ordnance Corp
Royal Electrical and Mechanical Engineers
Women's Royal Army Corp
Large Infantry Bands
Albuhera (Queens Regiment)
Quebec (Queens Regiment)
St. George's (Royal Regiment of Fusiliers)
Duke of Kent's (Royal Regiment of Fusiliers)
Corunna (Light Infantry)
Salamanca (Light Infantry)
Normandy (Royal Green Jackets)
Peninsula (Royal Green Jackets)
Pegasus (Parachute Regiment)
Falklands (Parachute Regiment)

Small Royal Armoured Car/Infantry Bands
Queens Dragoon Guards
Scots Dragoon Guards
4/7 Dragoon Guards
5 Inniskilling Dragoon Guards
Queens Own Hussars
Queens Royal Irish Hussars
9/12 Lancers
Royal Hussars
13/18 Hussars
14/20 Hussars
15/19 Hussars
16/5 Lancers
17/21 Lancers
1 Royal Tank Regiment
2 Royal Tank Regiment
3 Royal Tank Regiment
Royal Scots
Royal Highland Fusiliers
King's Own Scottish Borderers
Black Watch
Queens Own Highlanders
Gordon Highlanders
Argyll and Sutherland Highlanders
1 Royal Anglian
2 Royal Anglian
3 Royal Anglian
Kings Own Royal Border Regiment
Kings Regiment
Prince of Wales Own
Green Howards
1 Royal Irish
2 Royal Irish
Queens Lancashire Regiment
Duke of Wellington's Regiment
Devon and Dorset Regiment
Cheshire Regiment
Royal Welch Fusiliers
Royal Regiment of Wales
Gloucestershire Regiment
Worcestershire and Sherwood Foresters Regiment
Royal Hampshire Regiment
Staffordshire Regiment
Duke of Edinburgh's Royal Regiment

Royal Air Force Bands
The Central Band of the Royal Air Force
The Band of the RAF College
The Band of RAF Germany
The Band of the RAF Regiment
The Western Band of the Royal Air Force

Mr. Colin Wallace

Mr. Bright: To ask the Secretary of State for Defence whether he will make a statement on the report of the internal inquiry which he set in hand into how papers were overlooked in the case of Mr. Colin Wallace.

Mr. Archie Hamilton: The report, by a senior official in the Department, analyses how inaccurate statements came to be made, and action on its recommendations is in hand. A copy of the conclusions and recommendations has today been placed in the Library of the House and one has also been sent to the Select Committee on Defence.

TRANSPORT

EC Railways

Mr. Adley: To ask the Secretary of State for Transport whether subsidies to state railway companies in EEC countries contravene EEC competition policy.

Mr. Freeman: There are special rules under EC directives and regulations governing the payment of subsidies to railways. It is for the Governments of the countries concerned to comply with the relevant Community legislation and respect the competition rules of the EEC treaty and it is for the Commission to ensure that member states respect these obligations. I am satisfied that the grant paid to British Rail in respect of services carried out under the public service obligation fully complies with the relevant EC directive.

Mirror Windows

Mr. Michael: To ask the Secretary of State for Transport (1) whether he has any information on incidents caused by pedestrians, cyclists or motorists being temporarily dazzled as a result of a bright reflection from mirror windows fitted to road vehicles;

(2) whether he intends to introduce any regulations to govern the fitment or specification of any mirror windows fitted to motor vehicles, particularly to reduce danger from reflections causing other road users to be dazzled.

Mr. Atkins: My Department has no evidence of incidents of this kind. Regulations already specify the type of glass to be used in vehicle windows and the minimum visual transmission for light allowed through it. Mirror windows have to comply with this. I have no plans for the introduction of specific regulations relating to mirror windows, which would in any case require agreement within the European Community.

Northampton Bypass

Mr. Marlow: To ask the Secretary of State for Transport whether he has any plans to bring the Northampton north-west bypass within the categories of road for which his Department has responsibility.

Mr. Atkins: No. Proposals for a north-west bypass of Northampton are the responsibility of Northamptonshire county council as highway authority.

Freight

Mr. Gerald Bowden: To ask the Secretary of State for Transport what figures he has for the tonnage of freight carried by road and ferry to continental Europe from Edinburgh, Glasgow, Aberdeen, Liverpool and Newcastle.

Mr. Atkins: HM Customs and Excise figures for the tonnage of freight exported by sea in powered road goods vehicles or unaccompanied trailers from the ports of Forth, Clyde, Aberdeen, Liverpool and Tyne to continental Europe (excluding the Republic of Ireland) in 1989 are given in the table.

1989 (provisional)

	Net weight (tonnes)		
Port	*Powered road goods vehicles*	*Unaccompanied trailers*	*Total*
Forth (including Kirkcaldy, Leith and Grangemouth)	1,362	94	1,456
Clyde (including Glasgow, Ardrossan and Greenock)	1,136	19	1,155
Aberdeen	516	7	523
Liverpool (including Garston)	1,549	3,289	4,838
Tyne	4,601	31,668	36,269

EMPLOYMENT

Coal Mining (Accidents)

98. **Mr. Lofthouse:** To ask the Secretary of State for Employment what is his most up-to-date assessment of the progress being made in reducing the number of accidents in the United Kingdom coal mining industry.

Mr. Nicholls: The British coal mining industry is the safest in the world. The total accident rate continues to decline each year. The latest published British Coal "all accident rate" of 32·25 per 100,000 manshifts is the lowest figure ever recorded. This is the clearest indication of the continuing progress in reducing accidents achieved by British Coal in co-operation with the work force, workers' representatives and Her Majesty's mines inspectorate.

There were two fatal and 25 major injuries at licensed mines in 1988-89. The annual figures have changed little in recent years. The Health and Safety Executive's mines inspectorate has met the owners and operators and given advice on ways of improving safety in this sector.

Youth Training

Ms. Short: To ask the Secretary of State for Employment if he will publish details for Great Britain and for the west midlands region, for each year from April 1986 to the most recent date, of the number of YTS trainees within each of the 18 training and occupational classifications and their sub-categories *(a)* in total and *(b)* with disabilities.

Mr. Eggar: The figures for the number of YTS trainees within each of the 18 training and occupational classifications for Great Britain and the west midlands in total and with disabilities for each year from April 1986 are as follows:

YTS: in-training by occupational classification and disabled status
Great Britain at 31 March

	All trainees				*Disabled trainees*			
Training occupation classification	*1987*	*1988*	*1989*	*1990*	*1987*	*1988*	*1989*	*1990*
Administration and clerical	60,027	69,327	69,498	67,772	1,086	1,490	1,553	1,391
Creative, educational and recreational services	6,763	8,120	8,646	8,893	173	213	210	149
Health, community and personal services	34,060	41,888	42,092	40,553	573	728	879	672
Selling and storage	38,076	42,553	39,557	34,642	552	714	801	559
Scientific occupations	1,699	2,029	1,931	1,661	17	14	25	21
Catering and food preparation and processing occupations	13,549	16,012	14,635	11,923	606	734	694	539
Agricultural and related occupations	15,772	17,973	16.402	14.066	628	791	762	518
Fishing occupations	272	391	321	278	3	2	6	0
Transport operating occupations	2,763	4,591	4,874	5,171	9	12	8	15
Construction and civil engineering occupations	42,491	58,271	60,745	58,071	910	1,169	1,224	997
Mining, oil, quarrying	175	410	314	150	0	0	0	0
Electrical and electronic engineering occupations	12,604	18,724	19,447	19,952	99	123	108	94
Mechanical engineering and metal processing occupations	25,242	34,532	33,815	33,686	245	308	313	276
Motor vehicle repair and maintenance occupations	22,035	28,268	29,262	30,177	187	263	308	304
Non-metal processing and printing occupations	5,356	7,518	8,518	9,387	273	358	452	446
Clothing and textiles manufacturing occupations	7,620	10,277	9,609	7,902	279	373	342	217

Training occupation classification	All trainees 1987	1988	1989	1990	Disabled trainees 1987	1988	1989	1990
Security services occupations	26	90	61	86	0	0	0	0
Other	17,139	14,590	16,895	15,090	3,691	3,977	4,361	3,388
Total in training	305,676	375,564	376,622	[1]359,460	9,331	11,269	12,046	[1]9,586

[1] Subject to revision.

YTS: in-training by occupational classification and disabled status
West midlands at 31 March

Training occupation classification	All trainees 1987	1988	1989	1990	Disabled trainees 1987	1988	1989	1990
Administration and clerical	8,450	9,376	9,061	8,516	100	139	141	125
Creative, educational and recreational services	841	962	931	998	10	11	10	8
Health, community and personal services	4,659	5,212	4,990	4,427	57	58	44	36
Selling and storage	4,856	5,141	4,456	3,779	54	47	51	35
Scientific occupations	140	156	141	125	1	1	2	0
Catering and food preparation and processing occupations	1,644	[illegible]	1,544	1,224	35	40	36	30
Agricultural and related occupations	2,058	2,270	1,931	1,574	55	51	50	33
Fishing occupations	2	2	0	0	0	0	0	0
Transport operating occupations	168	291	312	391	0	0	0	0
Construction and civil engineering occupations	4,806	5,625	5,254	4,851	61	61	63	50
Mining, oil, quarrying	1	86	77	0	0	0	0	0
Electrical and electronic engineering occupations	1,603	2,046	2,002	2,047	4	9	10	9
Mechanical engineering and metal processing occupations	3,611	4,647	4,771	4,976	46	57	67	64
Motor vehicle repair and maintenance occupations	2,727	3,089	3,010	3,020	16	17	26	21
Non-metal processing and printing occupations	823	989	1,158	1,358	26	32	41	28
Clothing and textiles manufacturing occupations	694	895	923	781	29	62	53	37
Security services occupations	3	60	25	53	0	0	0	0
Other	2,665	2,006	1,641	1,274	652	679	662	486
Total in training	39,751	44,647	42,227	[1]39,394	1,146	1,264	1,256	[1]962

[1] Subject to revision.

Figures relating to the sub-categories of the 18 training and occupational categories can be obtained only at disproportionate cost.

New Businesses

Mr. Harry Greenway: To ask the Secretary of State for Employment how many new businesses are estimated to have been established and how many people were employed in them in the last five years; what are the comparable figures for 1974 to 1979; and if he will make a statement.

Mr. Eggar: Between the end of 1983 and the end of 1988, the number of businesses registered for VAT in the United Kingdom increased by 182,000. This was the net result of 994,000 registrations and 812,000 deregistrations. Between the end of 1974 and the end of 1979, the number of VAT-registered businesses rose by 85,000, the net result of 809,000 registrations and 724,000 deregistrations.

Direct estimates of employment in new firms are not available. However, a recent study indicates that between 1985 and 1987, new firms employing five or more people created 1·2 million additional jobs.

Coal Mining (Employed Persons)

Mr. Strang: To ask the Secretary of State for Employment what was the number of persons employed in *(a)* British Coal deep coal mines, *(b)* licensed private deep coal mines, *(c)* British Coal opencast mines and *(d)* licensed private opencast coal mines in 1986-87, 1987-88, 1988-89 and 1989-90.

Mr. Nicholls: The average number of persons employed during these years in British Coal deep coal mines as detailed in the Health and Safety Commission's annual report 1988-89 was:

	Number
1986-87	125,400
1987-88	104,400
1988-89	86,900

Information on the numbers of persons employed in licensed private deep coal mines and opencast mines is not available to the Health and Safety Executive.

Training Voucher Scheme

Mrs. Gorman: To ask the Secretary of State for Employment if he has any plans to allow any participants in his training voucher scheme to operate their involvement in the scheme outside the auspices of the local TEC; and if he will make a statement.

Mr. Eggar: In the prospectus "Training Credits for Young People" I invited training and enterprise councils (TECs) to submit proposals to implement pilot credit schemes on a local basis. Around 10 pilots will be selected, to run from April 1991.

It will be for the TEC to propose the arrangements for issue and encashment of the credit and to ensure that it is used in respect of approved training delivered by an approved training provider. I shall be looking for arrangements in general which offer young people wide scope for exercising choice. It will also be for the TEC to propose arrangements for young people who wish or need to train outside the TEC area.

European Year of Tourism

Mr. Simon Coombs: To ask the Secretary of State for Employment if he will make a statement on United Kingdom participation in European year of tourism 1990.

Mr. Nicholls: The British Tourist Authority has taken the lead in co-ordinating the United Kingdom's participation in the European Year of Tourism. It has launched a number of campaigns to promote the interest and active involvement of the United Kingdom tourism industry and many events have been planned across the country throughout 1990. Thirty-nine United Kingdom projects have been accepted for co-funding by the European Commission.

Labour Statistics

Mr. McAllion: to ask the Secretary of State for Employment what was the percentage growth in *(a)* full-time employment and *(b)* part-time employment in the last year.

Mr. Nicholls: In the year to December 1989 full-time employment in Great Britain grew by 2·5 per cent. and part-time employment by 4 per cent.

Health and Safety Executive

Mr. Bill Michie: To ask the Secretary of State for Employment (1) how many non-specialist Health and Safety Executive inspectors, by grade and discipline, were employed by the Health and Safety Executive technology division in each of the last five years;

(2) how many trained specialist Health and Safety Executive inspectors, by grade and discipline, were employed by the Health and Safety Executive technology division in each of the last five years;

(3) how many Health and Safety Executive inspectors, by grade and discipline, were in training in the Health and Safety Executive technology division in each of the last five years.

Mr. Nicholls: HSE's technology division was set up in 1987. The table shows HSE inspectors within technology division by grade. Information on discipline is not readily available and records do not separately identify specialist inspectors in training before 1989.

at 1 April

	1987	*1988*	*1989*	*1990*
Specialist inspectors				
Superintending Specialist Inspector (Band B)	4	9	9	9
Superintending Inspectors (Band C)	23	20	21	21
Principal Specialist Inspector	102	99	101	98
Specialist Inspectors	83	75	72	74·5
(of whom in training)	(n/a)	(n/a)	(12)	(16)
Factory Inspectors				
Deputy Chief Inspector of Factories	2	2	2	2
Deputy Superintending Inspector	3	2	2	2
Inspector 1B	5	2	1	—
Nuclear Inspector				
Principal Inspector of Nuclear Installations	2	3	2	2

Mr. Andrew F. Bennett: To ask the Secretary of State for Employment what the current estimated capital costs of the computer system which will replace the Health and Safety Executive shield system will be; and what cost-benefit evaluation has been carried out by the Health and Safety Executive or by any other organisation of the need for this new system.

Mr. Nicholls: The system (called FOCUS) being planned for HSE's new field operations division will supersede a number of existing systems, including SHIELD. The current estimated capital cost directly attributable to FOCUS is £0·5 million.

A preliminary cost-benefit analysis of the new system was carried out at the feasibility stage. Since then the scope of the project has been widened to reflect the structure of the newly established field operations division. A further investment appraisal will therefore be produced later this year.

Advisory Committee on Toxic Substances

Mr. Bill Michie: To ask the Secretary of State for Employment on which dates since 1982 the Advisory Committee on Toxic Substances met; and which of the organisations with membership of ACTS was represented at each meeting.

Mr. Nicholls: The Advisory Committee on Toxic Substances met on the following dates:

Year	*Dates*			
1982	22 January	*10 May	*30 November	
1983	30 March	*29 June	29 September	
1984	10 January	8 May	2 November	
1985	*7 February	*2 May	22 August	7 November
1986	5 February	2 May	7 November	
1987	5 February	*7 May	5 November	
1988	3 February	19 May	*2 November	
1989	9 February	11 May	*3 November	
1990	*5 February			

The CBI and TUC were represented at every meeting. Local authority representatives were not present at meetings marked with an asterisk.

Factories

Mr. Bill Michie: To ask the Secretary of State for Employment how many factory premises were newly registered with each of the Health and Safety Executive's area offices in 1989, 1988 and 1987, based on information contained in the Health and Safety Executive's shield database.

Mr. Nicholls: The information is not available in the form requested and could be obtained only at disproportionate cost.

Mr. Bill Michie: To ask the Secretary of State for Employment what evidence the Heath and Safety

Executive possesses as to the proportion of factory premises which are not registered with the factory inspectorate and the proportion of factory employees who work in unregistered premises.

Mr. Nicholls: It is not possible to state the proportion of premises which are not registered or the proportion of factory employees who work in unregistered premises. The Health and Safety Executive (HSE) is aware that some firms fail to register their manufacturing premises with it as required under section 137 of the Factories Act 1961. HSE's factory inspectorate aims to spend a proportion of its resources each year on the identification and inspection of unregistered workplaces as part of its programme of preventive inspection.

Skills Training Agency

Mr. Oppenheim: To ask the Secretary of State for Employment whether he will make a further statement about the sale of the Skills Training Agency.

Mr. Howard: The business at Chesterfield skill centre will not now transfer to Astra Training Services Ltd. as originally planned. The transfer relied upon the assignment of the lease at the skill centre to Astra, but the landlord, Chesterfield borough council, has refused to make the premises available to Astra.

As a consequence of the council's decision, there is no option but for the business to close. Ten jobs will be lost and a valuable training facility will disappear. Where possible staff at the skill centre will be redeployed; action will be taken to find alternative training provision for the trainees.

Union Subscriptions

Mr. Winnick: To ask the Secretary of State for Employment if he has any plans to introduce legislation to change the position of union subscriptions being deducted by employers; and if he will make a statement.

Mr. Nicholls: There are no present plans to introduce legislation relating to the payment of union subscriptions. The Government, however, keep all aspects of trade union and industrial relations law under review. We have always made it clear that we shall bring forward proposals for further legislation if we believe it is necessary.

Job Clubs

Mr. McLeish: To ask the Secretary of State for Employment (1) if he will give the total number of *(a)* private, *(b)* voluntary sector and *(c)* employment service job clubs to be closed from Great Britain and each of the standard regions and the proposed timetable involved;

(2) what is the total number of *(a)* private job clubs, *(b)* employment service job clubs and *(c)* voluntary sector job clubs currently in operation in Great Britain and for each of the standard regions.

Mr. Eggar: The employment service, which is responsible for job clubs, became an executive agency on 2 April 1990. Mr. Mike Fogden, the Employment Service Agency's chief executive, will be replying in writing to the hon. Member.

International Labour Organisation

Mr. Archer: To ask the Secretary of State for Employment when he intends to publish the response of Her Majesty's Government to the conclusions of the committee of experts of the International Labour Organisation on the application by the United Kingdom of convention No. 87.

Mr. Eggar: As required by the International Labour Organisation, the Government will be responding to the conclusions of the committee of experts on the application by the United Kingdom of convention No. 87 in its next routine report on this convention. This report will cover the period 1 July 1988 to 30 June 1990 and will be considered by the committee of experts at their next meeting in March 1991.

Nicholas Labour Hire Ltd.

Mr. Campbell-Savours: To ask the Secretary of State for Employment what representation she has received in relation to Messrs. Nicholas Labour Hire Ltd. of Winckley square, Preston.

Mr. Eggar: My right hon. and learned Friend has received no representations about Messrs. Nicholas Labour Hire Ltd. of Preston.

Mr. Campbell-Savours: To ask the Secretary of State for Employment what contracts his Department has arranged with Nicholas Labour Hire Ltd. of Winckley square, Preston.

Mr. Eggar: There are no records of my Department arranging a contract to purchase services from Nicholas Labour Hire Ltd. of Winckley square, Preston.

Training Standards

Mr. McLeish: To ask the Secretary of State for Employment when the training standards advisory service's second annual report for 1988-89 is to be published.

Mr. Eggar: A review of the activity and findings of the training standards advisory service covering the period 1 April 1988 to 30 September 1989 has recently been completed and the report will be published soon.

Employment Training

Ms. Ruddock: To ask the Secretary of State for Employment what was the annual budget allocated to each inner London area office for employment training since its inception; and what are the criteria used in determining the level of each office's budget.

Mr. Nicholls: Budgets for ET at regional level have been introduced in the current financial year, taking account of past performance and numbers of long-term unemployed people. Budgets for each area have been set by the operational director in each region taking account of these criteria and local needs. Information on budgets is for internal management purposes.

Ms. Ruddock: To ask the Secretary of State for Employment what was the percentage element for child care provision in the annual budget allocated by the

Department of Employment Training Agency for the inner London south office since the inception of employment training.

Mr. Nicholls: Area level budgets for ET have been set for the current financial year by operational directors taking account of past performance, long-term unemployment and local needs. Elements such as child care are not separately identified, although the requirement to make provision available for lone parents remains in place.

AGRICULTURE, FISHERIES AND FOOD

Oilseed Rape

Mr. Marlow: To ask the Minister of Agriculture, Fisheries and Food what acreage of oilseed rape has been sown in the current year; and how much was sown in the previous five years.

Mr. Curry: The latest estimate for the area sown to oilseed rape in the United Kingdom for harvesting this summer is 400,000 hectares. Figures for the previous five years are as follows:

	Thousand hectares
1985	296
1986	299
1987	388
1988	347
1989	323

Contaminated Feed

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food how many pigs which have eaten contaminated feed have as a result *(a)* been slaughtered or *(b)* died of natural causes, over the most recent period for which figures are available.

Mr. Gummer: Precise figures are not available but we understand that up to 1,200 pigs which have consumed the contaminated feed since 1 January have been or are expected to be slaughtered for welfare reasons. This updates the figure given in my reply of 9 May. There have been no cases which I can confirm of pigs having died as a direct result of eating the contaminated feed.

Livestock Medicines

Mr. John D. Taylor: To ask the Minister of Agriculture, Fisheries and Food what information he has on the number of veterinary surgeons dispensing medicines for livestock and the extent to which prescriptions are dispensed by pharmacists not associated with the prescribing veterinary practice.

Mr. Maclean: The Department does not have this information.

Spongiform Encephalopathy

Mr. Matthew Taylor: To ask the Minister of Agriculture, Fisheries and Food when he first learnt that a domestic cat had contracted a sub-acute spongiform encephalopathy; and if he will make a statement.

Mr. Maclean: The school of veterinary science at Bristol university first consulted the Ministry's central veterinary laboratory on 1 May. A Ministry pathologist visited the university on the same day and collected samples for further investigation at the central veterinary laboratory, where the disease was confirmed on 8 May. We were informed on 9 May.

Correspondence

Mr. Pawsey: To ask the Minister of Agriculture, Fisheries and Food when the hon. Member for Rugby and Kenilworth will receive a reply to his letter dated 26 March referring to Mr. James Critchley and Mr. Dennis Clarke of Wolston and Harborough Magna.

Mr. Curry: A reply to the hon. Member for Rugby and Kenilworth's letter was dispatched on 11 May.

Infected Sheep Offals

Mr. Matthew Taylor: To ask the Minister of Agriculture, Fisheries and Food if he will now ban the feeding of infected sheep offals to pigs and poultry.

Mr. Maclean: No: there is no evidence of a risk to these species from the feeding of sheep material.

OVERSEAS DEVELOPMENT

Third World Economic Development

59. **Mr. John Marshall:** To ask the Secretary of State for Foreign and Commonwealth Affairs whether his Department has sponsored any studies of the role of a social market economy in fostering economic development in the Third world.

Mrs. Chalker: My Department has sponsored a number of studies on the role of the market economy in fostering economic development in developing countries. We believe that it is only through sound market-oriented economic policies and encouragement of the private sector that these countries will achieve sustainable economic growth.

Asian Development Bank

60. **Mr. Key:** To ask the Secretary of State for Foreign and Commonwealth Affairs whether he will make a statement about relations with the Asian Development Bank.

Mrs. Chalker: I attended the annual meeting of the board of governors in New Delhi from 2 to 4 May. I was able to discuss a range of issues with fellow governors and with Mr. Tarumizu, president of the bank. We enjoy excellent relations with the bank.

73. **Mr. Kirkhope:** To ask the Secretary of State for Foreign and Commonwealth Affairs when the right hon. Member for Wallasey (Mrs. Chalker) last met the director of the Asian Development Bank; and what was discussed.

Mrs. Chalker: I met Mr. Tarumizu, President of the Asian Development Bank, at the bank's annual meeting of the board of governors, held in New Delhi from 2 to 4 May. We exchanged views on a range of policy issues, including the importance of environmental and population factors in the bank's work, and the forthcoming replenishment of the Asian Development Fund.

I extended an invitation to President Tarumizu to visit London in his official capacity should the opportunity arise. I also met the executive director who represents the interests of Germany, Austria and the United Kingdom on the board of directors, and expressed appreciation for his work on our behalf.

Vietnam

61. **Mr. Cox:** To ask the Secretary of State for Foreign and Commonwealth Affairs when Government Ministers last discussed Vietnam with the United States Government.

Mrs. Chalker: The Government keep in regular touch, both at ministerial and official level, with the United States Government on the problem of the Vietnamese boat people. I last discussed matters in Washington on 23 April.

Mr. Mullin: To ask the Secretary of State for Foreign and Commonwealth Affairs if he has considered the proposals recently put to him by a consortium of non-governmental organisations for aid to Vietnam; and if he will make a statement.

Mrs. Chalker: I am still considering these proposals. I hope to make a statement shortly.

68. **Sir David Steel:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent contact Her Majesty's Government have had with the Government of Vietnam about the funding of an aid programme in that country.

Mrs. Chalker: I refer the right hon. Gentleman to the reply I gave to my hon. Friend the Member for Taunton (Mr. Nicholson) on 16 January at column *178*. We have made it clear to the Vietnamese authorities that we expect them to meet their responsibilities towards their own people, including the boat people in Hong Kong, as a precondition for starting a Government-to-Government aid programme. I have since received proposals for NGO programmes in Vietnam, which are being considered.

Eastern Europe

62. **Mr. McWilliam:** To ask the Secretary of State for Foreign and Commonwealth Affairs when the development assistance committee of the OECD is expected to decide how to treat aid to eastern Europe in calculating official development assistance.

Mrs. Chalker: The development assistance committee has proposed that assistance to eastern Europe should not be included in its calculation of official development assistance as a proportion of GNP. The United Kingdom has supported this conclusion.

97. **Mr. Lawrence:** To ask the Secretary of State for Foreign and Commonwealth Affairs whether he plans to deploy aid and trade provision to eastern Europe.

Mrs. Chalker: No. The aid and trade provision is part of the overseas aid budget for developing countries. Economic assistance to eastern Europe is provided from a separate ODA PES sub-programme.

Debt Relief

63. **Mr. Corbett:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the debt relief gained by developing countries since the Brady plan was announced.

Mrs. Chalker: The Government welcome progress under the strengthened debt strategy, most recently reaffirmed at the interim committee of the IMF on 7 May. The strategy, including the associated economic reforms, will have a significant impact on debt problems facing those countries which participate. But it is early days to reach any definite conclusion.

96. **Mr. David Marshall:** To ask the Secretary of State for Foreign and Commonwealth Affairs what action the Government are taking to encourage the writing off of debt owed by developing countries to the European Investment Bank.

Mrs. Chalker: None. Like all the multilateral development banks, the European Investment Bank is a preferred creditor and we believe that it should be repaid on time.

88. **Mr. Eastham:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the levels of debt relief provided under the Toronto plan for the poorer countries in Africa.

76. **Mr. Dunnachie:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the levels of debt relief received by poorer African countries under the Toronto plan.

Mrs. Chalker: According to World Bank estimates, the first 12 concessional reschedulings of official debt obtained by the poorest countries under the Toronto plan reduced these countries' debt servicing obligations in 1989 by an additional $50 million relative to conventional Paris Club reschedulings. These benefits will increase over time as more eligible countries reschedule under the Toronto terms (16 have now done so), and as progressively more of the debt stock is covered in successive Toronto reschedulings.

79. **Mr. Norman Hogg:** To ask the Secretary of State for Foreign and Commonwealth Affairs what he perceives as the actual benefits gained by developing countries from the Brady plan.

Mrs. Chalker: The Government welcome progress under the strengthened debt strategy, most recently reaffirmed at the interim committee of the IMF on 7 May. The strategy, including the associated economic reforms, will have a significant impact on debt problems facing those countries which participate.

Nicaragua

64. **Mr. Allen McKay:** To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to give bilateral aid to Nicaragua.

Mrs. Chalker: I refer the hon. Member to my reply to the hon. Member for Brent, South (Mr. Boateng) on 2 April 1990, *Official Report*, column *415*.

Ethiopia

65. **Mr. Illsley:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the latest information he has received concerning the famine in Ethiopia.

89. **Ms. Abbott:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the latest information he has received on the famine in Ethiopia.

41. **Mr. Harry Barnes:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the latest information he has received on the famine in Ethiopia.

Mrs. Chalker: Military activities continue to pose a serious obstacle to the relief effort and attempts to secure agreement on the reopening of the port of Massawa have so far proved unsuccessful. Nevertheless, the southern line operation from Assab to northern Wollo and Tigray is proceeding, with the co-operation of the Ethiopian Government and the rebel side; an airlift of emergency items for vulnerable groups in the Eritrean capital of Asmara is under way; and recent reports indicate that cross-border operations from Sudan are making a significant contribution to the supply of food. This provides grounds for limited optimism that it may prove possible to avoid the worst problems of mass starvation and mass migration, but the situation remains delicately balanced.

67. **Mr. Moss:** To ask the Secretary of State for Foreign and Commonwealth Affairs whether the Minister for Overseas Development discussed the situation in Ethiopia during her recent visit to the United States of America.

82. **Mr. Robert G. Hughes:** To ask the Secretary of State for Foreign and Commonwealth Affairs whether he will make a statement on Ethiopia following the discussions of the right hon. Member for Wallasey (Mrs. Chalker) in the United States of America.

Mrs. Chalker: During my visit to the United States I discussed the situation in Ethiopia with the Secretary-General of the United Nations, with senior members of the United States Administration, and with Ministers and senior officials of other major donor countries, as well as with the Ethiopian Minister for Planning and the Commissioner for Relief and Rehabilitation. Throughout I stressed the need for early peace negotiations, and for the full co-operation of all parties in ensuring that relief supplies reach people in need in all parts of Ethiopia.

I welcomed the progress of the southern line operation for transporting food across the lines of conflict into northern Wello and Tigray. I emphasised, however, that this alone could not meet the full needs of northern Ethiopia, and that every effort should be made to negotiate arrangements for re-opening the port of Massawa for relief supplies. During my visit, I joined other donor Ministers in issuing the following statement of principles:

Statement of principles for humanitarian relief efforts in Ethiopia

We, the representatives of Canada, the European Community and its Member States, Norway, Sweden, Switzerland and the United States of America, do hereby call upon all parties to the conflict to observe strictly the following principles to ensure speedy and effective humanitarian relief to the victims of drought and conflict in Ethiopia in order to prevent large-scale starvation.

We strongly urge all parties to the conflict:

1. To suspend hostilities immediately to facilitate relief operations, bearing in mind that the situation of internal conflict is a major obstacle to the humanitarian relief effort;

2. To guarantee the safe-passage and facilitate distribution of humanitarian relief supplies via land, sea and air through neutral channels such as international organisations, churches and other NGO's;

3. To recognise the co-ordinating role of the United Nations in relation to the international humanitarian relief effort;

4. To ensure the availability of the relevant ports and airfields and the associated road links for humanitarian relief activities; and

5. To refrain from military attack on aircraft, ships and road vehicles delivering humanitarian supplies, thus ensuring the safe passage of food deliveries through all possible channels.

All humanitarian relief efforts by the international community will be undertaken fully respecting the principles adopted by the United Nations to govern such operations.

We call upon all donors to respond generously to all elements of the humanitarian relief program, including measures necessary to re-establish normal functioning of port and airfield facilities and associated road links.

Recalling that this situation of conflict is a major factor in the serious humanitarian situation in Ethiopia, we solemnly appeal most strongly to all parties to resume their efforts for peace and national reconciliation and to this end, to resolve outstanding procedural difficulties on the basis of flexibility, and to proceed to substantive negotiations with a view to achieving a lasting political settlement.

66. **Mr. Cousins:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with Catholic Fund for Overseas Development and Save the Children Fund on the internal purchase programmes of the Relief Society of Tigray.

Mrs. Chalker: I have regular and valuable discussions with the main agencies involved in famine relief in Ethiopia, including CAFOD and Save the Children Fund. These have included the issue of internal purchase of food in Tigray. The conclusion we have reached is that we should continue to concentrate our assistance upon alternative means of providing food for those in need.

Namibia

69. **Mr. Mullin** (Sunderland South): To ask the Secretary of State for Foreign and Commonwealth Affairs what further aid the United Kingdom Government are planning to give to Namibia.

Mrs. Chalker: I refer the hon. Member to the answer I gave on 21 March to my hon. Friend the Member for Corby (Mr. Powell) at column *612*.

92. **Mr. McCartney:** To ask the Secretary of State for Foreign and Commonwealth Affairs what actions he will take to help relieve the pre-independence debts incurred by Namibia.

Mr. Maude: The handling of pre-independence debt is among the issues currently being negotiated between the Governments of South Africa and Namibia.

Cambodia

70. **Mr. Livingstone:** To ask the Secretary of State for Foreign and Commonwealth Affairs, if he will now publish a report on the visit of a British delegation to Cambodia.

Mrs. Chalker: I refer the hon. Member to the answer I gave to the hon. Member for Berwick-upon-Tweed (Mr. Beith) on 27 March at column *123*.

74. **Mr. Martyn Jones:** To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has received concerning the need for medical aid in Cambodia.

Mrs. Chalker: The needs for medical assistance in Cambodia are widespread, particularly in primary health

care and also to combat malaria and tuberculosis. We are assisting through UNICEF's programmes, and through the joint funding scheme for NGOs.

Chlorofluorocarbons

71. **Mr. Frank Cook:** To ask the Secretary of State for Foreign and Commonwealth Affairs what aid Her Majesty's Government are giving to developing countries to assist in implementing the Montreal protocol on chlorofluorocarbons.

81. **Dr. Kim Howells:** To ask the Secretary of State for Foreign and Commonwealth Affairs what aid Her Majesty's Government are giving to assist developing countries to implement provisions of the Montreal protocol.

Mrs. Chalker: We are helping developing countries to assess the implications of their signing the Montreal protocol, and have committed more than £200,000 to a study of the options open to India for phasing out substances that deplete the ozone layer.

We are ready to give further help to developing countries and are taking an active part in international meetings at which those countries' needs are discussed, one of which will be the second meeting of parties to the Montreal protocol, to be held in London next month.

Mozambique

72. **Dr. Godman:** To ask the Secretary of State for Foreign and Commonwealth Affairs what percentage of aid to Mozambique is programme rather than project aid.

Mrs. Chalker: In 1988-89, the last financial year for which we have firm figures, gross British bilateral aid to Mozambique amounted to £34·7 million, of which nearly 52 per cent. was accounted for by programme aid and over 22 per cent. by project aid.

95. **Mr. Rowlands:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the meeting of donors at the United Nations on the emergency situation in Mozambique.

Mrs. Chalker: I refer the hon. Member to my answer earlier today to the hon. Member for Midlothian (Mr. Eadie).

90. **Ms. Short:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on United Kingdom aid to Mozambique.

Mrs. Chalker: We have for a number of years maintained a significant bilateral aid programme for Mozambique: in 1988-89 gross British bilateral aid to Mozambique amounted to over £34 million. This assistance has focused on three main areas: balance of payments finance in support of the Mozambian Government's IMF-backed economic reform programme; project aid, concentrating on rehabilitation of transport and energy infrastructure and associated technical assistance; and emergency relief and refugee assistance.

Angola

75. **Ms. Primarolo:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the drought situation in Angola.

Mrs. Chalker: There are reports that during late March and early April late season rains have fallen in southern Angola, which is the worst affected area. We continue to monitor the situation, although this is not easy given the difficulties of internal travel in Angola. The European Community has provided £11·9 million in food aid since 1988, the United Kingdom share of which is £2·3 million. We have allocated £1·25 million in all in emergency aid bilaterally over the same period, including most recently a grant to the world food programme to provide secure storage facilities for emergency food aid in the Angolan port of Namibe.

I am considering urgently our response to the 10 May appeal by the United Nations Secretary General.

Maldives

77. **Sir Charles Morrison:** To ask the Secretary of State for Foreign and Commonwealth Affairs whether he will make a statement about Britain's support for the republic of the Maldives.

86. **Mr. Paice:** To ask the Secretary of State for Foreign and Commonwealth Affairs whether he will make a statement about aid to the Maldives following the visit there by the Minister for Overseas Development.

Mrs. Chalker: I visited the Maldives from 4 to 6 May to mark the 25th anniversary of their independence. During the visit I reviewed our aid programme to the country. British aid to the Maldives is planned to increase to £700,000 in 1991-92. About half of the programme is allocated to financing training for Maldivian students in the United Kingdom and, during the visit, the Maldivian Government requested more training places.

The rest of our assistance goes to support the establishment of an English language teaching centre to provide in-service teacher training from primary level upwards; and, secondly, to support the Maldivian Government's programme of monitoring and improvement of the marine environment. We have been asked to help with the establishment of an environmental research unit and our high commissioner will be providing my officials with full details for consideration.

VSO is very active in the Maldives. We support a project run by Voluntary Service Overseas to manage an integrated development programme in an outer atoll called Shaviyani, two islands of which I visited. I was most impressed by the dedication and effectiveness of our volunteers there and elsewhere, and of our other aid officers in the Maldives.

Clean Technology

78. **Mr. Bernie Grant:** To ask the Secretary of State for Foreign and Commonwealth Affairs what aid the United Kingdom is giving developing countries to assist in developing and adopting clean technology for industry, particularly for the energy sector.

83. **Mr. Snape:** To ask the Secretary of State for Foreign and Commonwealth Affairs what aid the United Kingdom is giving for the development and transfer of environmentally clean technology for developing countries.

Mrs. Chalker: Projects funded through the bilateral aid programme are subject to scrutiny as set out in the ODA

"Manual of Environmental Appraisal" in order to ensure that they comply with national environmental standards and international protocols, conventions and codes of conduct, to which the United Kingdom is party, aimed at safeguarding the environment.

Examples of projects intended to foster the introduction of environmentally clean technology include support for a Government of India study on a CFC-alternative strategy for India and support for a workshop in Malaysia to promote public awareness of the ozone problem.

With reference to the energy sector we are, together with the World Bank and bilateral donor Governments, preparing an environmental manual for power development in order to assist the adoption of consistent international standards for aid-funded projects. We are assisting the Government of Bangladesh to identify energy conservation opportunities in a range of industries.

South Africa

80. **Mr. Canavan:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with representatives from South Africa about assistance for projects to help black people in South Africa; and if he will make a statement.

Mrs. Chalker: I had a number of such discussions when I was in South Africa earlier this year, and representatives from South Africa are regular visitors to the ODA. I also refer the hon. Member to my reply to my hon. Friend the Member for Harrow, West (Mr. Hughes) on 19 March, at column *431*.

Elephant Conservation

84. **Mr. Tony Banks:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he has received any requests from African Governments for additional support for elephant conservation schemes.

Mrs. Chalker: We are considering a recent request from the Government of Kenya to fund a new project, costing some £400,000, for the provision of equipment to improve the communication systems in Tsavo (east and west) and Meru national parks.

Kashmir and Punjab

85. **Mr. Madden:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of India about the denial of human rights in Kashmir and the Punjab.

Mr. Sainsbury: We are in regular contact with the Indian Government who are well aware of our views on these issues.

Global Environment Fund

87. **Mr. Frank Field:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on discussions to set up a global environment fund at the World Bank-IMF meeting on 7 and 8 May.

91. **Mr. Ted Garrett:** To ask the Secretary of State for Foreign and Commonwealth Affairs what is the Government's policy on setting up a global environment fund at the World Bank.

Mrs. Chalker: I refer the hon. Member to the reply I gave today to the hon. Member for Easington (Mr. Cummings).

Global Warming

93. **Mr. Watson:** To ask the Secretary of State for Foreign and Commonwealth Affairs what aid Her Majesty's Government intend to give developing countries to adapt to the possibility of global warming and a rise in the sea level.

Mrs. Chalker: We are aiming to help limit global warming and sea level rise by assisting developing countries through the aid programme in forestry, energy efficiency and CFC alternatives.

Mr. Hoyle: To ask the Secretary of State for Foreign and Commonwealth Affairs what aid he is planning to give developing countries to adapt to the possibility of global warming and sea level rise.

Mrs. Chalker: We are aiming to help limit global warming and sea level rise by assisting developing countries through the aid programme in foresty, energy efficiency and CFC alternatives.

Renewable Energy Sources

94. **Mr. Win Griffiths:** To ask the Secretary of State for Foreign and Commonwealth Affairs what aid the United Kingdom is giving to developing countries to assist in developing renewable energy sources.

Mrs. Chalker: In 1988 expenditure from the bilateral aid programme on the development of renewable energy sources was some £15 million. In addition renewable energy components such as solar and wind-powered pumps, solar-powered refrigerators, solar water distillation and solar water heating have been incorporated in projects which are not primarily energy focused.

Israel

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what financial help the Government are providing to the Palestinians in Israeli-occupied territories; and if he will make a statement.

Mrs. Chalker: I refer the hon. Member to the answer I gave to my hon. Friend the Member for Hornchurch (Mr. Squire) on 8 May 1990 at columns *17-18*.

Health Education

Mr. Rathbone: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to increase assistance for health education in the developing world.

Mrs. Chalker: Health education is, and will continue to be, an essential component of many of our aid activities. Our bilateral health and population assistance is aimed at providing primary health care for the poorest people. Health education activities are an important part of these programmes. They also feature in other bilateral social sector programmes such as education; clean water and sanitation; and improved housing. We stand ready to do more if Governments ask for assistance in this important field.

Rain Forests (Intellectual Property Rights)

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the response made to the proposals sent to the Overseas Development Administration by, and the administration's contacts with, Dr. Darrel Posey and Professor Fittkau, on the need to protect the intellectual property rights of native peoples in relation to the sale of rain forest pharmaceuticals and rain forest ice-cream.

Mrs. Chalker: The Overseas Development Administration has received no proposals from, or had contacts with, Dr. Darrel Posey and Professor Fittkau on this subject, though I understand Dr. Posey is in the United Kingdom this week and my officials may be able to contact him.

ENVIRONMENT

Local Government Finance

Mr. Atkinson: To ask the Secretary of State for the Environment what estimates his Department has made of by how much the average community charge would be reduced if the cost of police and fire services were removed from local authorities.

Mr. Chope: The effect of the average community charge on removing services from local authorities would depend upon the amount of revenue support grant that was removed at the same time.

Mr. Blunkett: To ask the Secretary of State for the Environment if he will make a statement on his proposals to revise the operation of the standard community charge.

Mr. Portillo: We are collecting information from charging authorities on the use they have made of their discretion to set a standard charge of between 0 and 2 times the personal community charge for their area and to specify classes of property for special treatment in addition to those already prescribed by the Secretary of State. I shall consider this information.

Mr. Harry Barnes: To ask the Secretary of State for the Environment, pursuant to his answer of 9 May to the hon. Member for Derbyshire, North-East, if he will list all those grants which fall outside aggregate Exchequer finance.

Mr. Chope: The main current specific grants outside aggregate Exchequer finance are listed in "The Government's Expenditure Plans 1990-91 to 1992-93" chapter 21 table 21.4.4, published by HMSO in January 1990 (Cm. 1021). Other grants relating to the housing revenue account and all grants relating to capital expenditures are also outside aggregate Exchequer finance.

Mr. Blunkett: To ask the Secretary of State for the Environment if he will publish the amount the City of London is planning to spend above standard spending assessment in 1990-91 expressed both as a percentage and in pounds per head.

Mr. Portillo: The City of London is planning to spend £10,130 per adult or 63·1 per cent. above its 1990-91 standard spending assessment.

Mr. Marlow: To ask the Secretary of State for the Environment if he will list for (i) 1987-88, (ii) 1988-89, (iii) 1989-90 and (iv) 1990-91 his estimate of *(a)* total local government expenditure, *(b)* the moneys raised from domestic ratepayers-community charge payers, *(c)* the sum of Government grants, business rates and other grant income and *(d)* local authority income charged by local authorities, showing the percentage increase in nominal and real terms between years.

Mr. Chope *[holding answer 5 April 1990]:* I shall write to my hon. Friend.

Mr. Blunkett: To ask the Secretary of State for the Environment if he will list *(a)* all those local authorities which were subject to rate capping in each of the years from 1985-86 to 1989-90, *(b)* the initial expenditure limitation proposed by the Secretary of State in each case, and *(c)* the actual expenditure limitation, where different from *(b)* in each case.

Mr. Portillo *[holding answer 8 May 1990]:* I am placing in the Library tables showing the authorities designated for selective rate limitation by successive Secretaries of State for the Environment, the expenditure levels determined by the Secretary of State in each case and where appropriate that redetermined, and the rate limit proposed in each case and that finally set, where different, for each of the years requested.

Mr. Nicholas Winterton: To ask the Secretary of State for the Environment what estimate he has made of the numbers and percentages of households which will move in any given year in each region of the United Kingdom; and if he will make a statement outlining his assessment of this movement on community charge collection systems and total local government revenue.

Mr. Portillo *[holding answer 10 May 1990]:* My Department makes projections of the total number of households in each area, but the movement element is not separately identifiable. We plan to collect information on register changes later in the year when the system has been running for a reasonable period of time. I do not anticipate that the mobility of charge payers will have any significant effect on local government revenue and I am confident that local authorities will be able to maintain reliable, up-to-date registers.

Mr. Nicholas Winterton: To ask the Secretary of State for the Environment what information he now has concerning the number of councils that are charging 0, 0·5, 1, 1·5, or 2 times the community charge on second homes.

Mr. Portillo *[holding answer 10 May 1990]:* I am presently collecting this information.

Tourism

Mr. Simon Coombs: To ask the Secretary of State for the Environment what has been the value to date of grants given by the European regional development fund to tourism projects in the United Kingdom.

Mr. Moynihan: The value of European regional development fund grants awarded to tourism projects in England and Northern Ireland to date is £194·5 million. Similar information for Scotland and Wales is the responsibility of the Secretaries of State for Scotland and for Wales.

Mr. O'Brien: To ask the Secretary of State for the Environment if he has issued any guidelines to local authorities on green belt policies when preparing local plans; and if he will make a statement.

Mr. Moynihan *[holding answer 4 May 1990]:* Relevant guidance is on planning policy guidance notes No. 2 on green belts and No. 12 on local plans, both issued in 1988, and in DOE circulars 14/84 and 12/87.

Green Belt

Mr. Adley: To ask the Secretary of State for the Environment if he will make it his policy to ensure that planning applications from local authorities relating to the green belt are assessed by the same criteria as those emanating from individual or commercial sources.

Mr. Moynihan: Those who determine planning applications and appeals are statutorily required to consider each development proposal on its merits, regardless of the identity of the applicant.

Hull District Council

Mr. McNamara: To ask the Secretary of State for the Environment when he will be replying to the various correspondence and telephone calls he has received from Hull district council requesting a reply to the city inner area programme submission 1990 to 1993.

Mr. Moynihan: No such inquiries have been received. I have today approved Hull's urban programme for 1990-91.

Travelling Show-people

Mrs. Roe: To ask the Secretary of State for the Environment if he has any proposals to ease travelling show-people's planning problems.

Mr. Moynihan: My right hon. Friend has published today a consultation paper inviting views by 13 July on a proposed amendment to the Town and Country Planning General Development Order 1988. This would enable up to five residential caravans inhabited by travelling show-people and their families to be stationed without planning permission on land which is the subject of an annually renewable certificate granted by an organisation authorised by my right hon. Friend. It would also enable the land to be used for the purpose of maintaining and storing fairground equipment used for their business. The consultation paper also invites views on a proposed amendment to the Caravan Sites and Control of Development Act 1960, so that site licensing and planning requirements may be aligned. My right hon. Friend the Secretary of State for Wales will be consulting on the same basis.

Royal Navy Personnel (Poll Tax)

Mr. Winnick: To ask the Secretary of State for the Environment when he will reply to the letter of the hon. Member for Walsall, North of 12 March regarding Royal Navy service men being liable for payment of the poll tax.

Mr. Chope *[holding answer 11 May 1990]:* The Parliamentary Under-Secretary of State, my hon. Friend the Member for Wells (Mr. Heathcoat-Amory), replied on 9 May.

Mineral Plan Reviews

Ms. Walley: To ask the Secretary of State for the Environment how many mineral plan reviews have been completed by local authorities in each year since 1981.

Mr. Moynihan *[holding answer 11 May 1990]:* Section 3 of the Minerals Act 1981, which came into effect in May 1986, imposes a duty on mineral planning authorities to undertake reviews of mineral working sites in their areas and make such orders as they consider appropriate. There is no statutory requirement as to the timing, frequency and manner of conducting reviews, and no requirement to notify the Secretary of State when they commence or finish. However, I understand that some 35 mineral planning authorities had formally commenced their reviews by December 1989.

Ms. Walley: To ask the Secretary of State for the Environment what guidance has been given to local authorities by his Department relating to the resources required to carry out mineral plan reviews.

Mr. Moynihan *[holding answer 11 May 1990]:* Guidance on the financial implications of the duty to review mineral workings was given in DOE circular 11/86. This said that the duty to review should not have significant manpower or expenditure implications for mineral planning authorities. Compensation arising from an authority's decision to make orders might give rise to additional expenditure, though provision is made for compensation to be abated in certain circumstances. Authorities are expected to accommodate any additional expenditure or manpower within the resources available. Further advice on reviews generally was given in minerals planning guidance note No. 4, published in September 1988.

Brundtland Report

Mr. Simon Hughes: To ask the Secretary of State for the Environment why he has decided not to attend the ministerial follow-up to the Brundtland report in Bergen.

Mr. Trippier *[holding answer, 11 May 1990]:* My right hon. Friend the Secretary of State for the Environment regrets that he is unable to attend the Bergen conference. There is a limit to the number of international environmental conferences he can attend personally and on this occasion he decided it was necessary to remain at home to deal with domestic issues. The Government are strongly committed to the success of the Bergen conference. We have made a substantial contribution to the preparations for the conference and I shall be leading the British delegation next week.

Nature Conservancy Council

Ms. Walley: To ask the Secretary of State for the Environment how many agreements have been made by the Nature Conservancy Council under section 15 of the Countryside Act 1968, or section 16 of the National Parks and Access to the Countryside Act 1949 which have not been subject to the financial guidelines produced as a result of the Wildlife and Countryside Act 1981.

Mr. Trippier: The majority of NCC payments under management agreements are made under the terms of

"Financial Guidelines for Management Agreements"—DOE Circular 4/83 published on 31 January 1983. Payments are also made in respect of national nature reserves to encourage the maintenance and enhancement of the scientific interest. Information on how many agreements have not been subject to the financial guidelines is not readily available and could be obtained only at a disproportionate cost.

Water Supplies

Mr. O'Brien: To ask the Secretary of State for the Environment if he will list the areas in England and Wales which have water use restrictions applying in the current year.

Mr. Heathcoat-Amory: The table lists the areas of England which have been affected this year by drought orders made by my right hon. Friend under section 131 of the Water Act 1989 to enable water companies to restrict the use of water:

Company	*Area affected*	*Date of expiry of Order*
East Surrey Water Plc	East Surrey	9 August 1990
Eastbourne Water Company	Eastbourne	22 February 1990
Folkstone and District Water Company	Folkestone	14 March 1990
Mid Kent Water Company	Mid Kent	25 January 1990
	Mid Kent	25 July 1990
Mid Sussex Water Company	Mid Sussex	16 July 1990
Severn Trent Water Ltd.	Buxton	21 March 1990
	Derbyshire, Nottinghamshire, Leicestershire	26 April 1990
Southern Water Services Ltd.	Kent and Sussex	20 January 1990
	West and East Sussex	21 May 1990
	West and East Sussex	19 July 1990
	North and East Kent	19 July 1990
South West Water Services Ltd.	Devon and Cornwall	2 February 1990
West Kent Water Company	West Kent	4 February 1990

The following water companies introduced hosepipe bans under section 16 of the Water Act 1945 on 4 May:

Company	*Area affected*
Mid Kent Water Company	Mid Kent
Southern Water Services Ltd.	North Kent

These are the first hosepipe bans to be introduced in 1990. I understand that none of those introduced in 1989 remains in force.

Water use restrictions in Wales are a matter for my right hon. Friend the Secretary of State for Wales.

Mr. O'Brien: To ask the Secretary of State for the Environment if he has any plans to increase the responsibilities of local authorities in their monitoring of domestic water supplies; what action he intends to take to record the number of samples taken that do not meet required standards centrally; and if he will make a statement.

Mr. Heathcoat-Amory: Section 56 of the Water Act 1989 places a general duty on local authorities to keep themselves informed about the wholesomeness and sufficiency of both public and private water supplies in their areas.

For public supplies the primary monitoring is undertaken by the relevant water company, which is required by the Water Supply (Water Quality) Regulations 1989 to maintain a public record of the results of the analysis of samples and send information at least annually to each local authority in its area. This monitoring will provide the basis for the annual report on the quality of water supplied by each company which the drinking water inspectorate will prepare on behalf of the Secretary of State, although the inspectorate may also carry out some monitoring of its own. The results of any monitoring carried out by local authorities will also be taken into account, but we do not see any need for them to increase the effort they themselves devote to monitoring public supplies.

In the case of private supplies, my right hon. Friend has it in mind to use the power in section 56(5) of the Water Act 1989 to make regulations covering the performance of local authority functions, particularly in relation to sampling and analysis and the associated charging arrangements. An advisory group, which includes representatives of the local authority associations, was established earlier this year to consider the content of the regulations. When we receive its conclusions, a consultation document will be issued.

Sewerage

Mr. O'Brien: To ask the Secretary of State for the Environment if he has any plans to offer grants to properties that are not connected to a main sewer as a means of improving the environment in such areas; and if he will make a statement.

Mr. Heathcoat-Amory: The water service companies have a duty to ensure that their areas are effectively drained and to provide mains sewerage for properties in response to a valid requisition. Grants are available under the Rural Water Supplies and Sewerage Acts 1944 to 1971 towards the cost of requisitioned schemes providing first-time connections to mains sewers in rural areas.

Drought Orders

Mr. O'Brien: To ask the Secretary of State for the Environment how many applications have been made to his Department in the current year by water supply companies for extension of drought orders, or drought orders; and if he will list the companies.

Mr. Heathcoat-Amory: My Department has received 12 such applications this year from the following companies:

Company	*Number of applications*
East Surrey Water Plc	2
Mid Kent Water Company	2
Southern Water Services Ltd	5
West Kent Water Company	[1]1
Yorkshire Water Services Ltd	[2]2

[1]Withdrawn.
[2]Of which one withdrawn.

Tropical Forestry

Mr. Andrew Mitchell: To ask the Secretary of State for the Environment what is the policy of Her Majesty's Government towards the tropical forestry action plan 8; and if he will make a statement.

Mrs. Chalker: I have been asked to reply.

I refer the hon. Member to the answer I gave the hon. Member for Stoke-on-Trent, North (Ms. Walley) on 5 April, at column *733*.

River Diversions

Mr. O'Brien: To ask the Secretary of State for the Environment what rivers have been involved in a diversion scheme during the past 10 years; what was the length of any diversion of individual rivers and the cause of the diversions.

Mr. Curry: I have been asked to reply.

Neither my Department nor the Department of the Environment holds information on rivers in the form requested. My Department produces statistics on lengths of designated main rivers and I have placed a copy of the latest summary in the Library of the House. I am aware, through grant-aided schemes, that there may be minor diversions of rivers in connection with flood alleviation works.

Pesticide Pollution

Ms. Walley: To ask the Secretary of State for the Environment whether he has received a copy of the Soil Survey and Land Research Centre's survey of pesticide pollution in Cornwall; what action he proposes to take to stop dieldrin passing up the food chain; and whether he will take steps to ensure that a copy of the above report is placed in the Library.

Mr. Maclean: I have been asked to reply.

I have received a copy of the Soil Survey and Land Research Centre's report dated June 1989 and will arrange for a copy to be placed in the Library. As a result of high levels of dieldrin found in the River Newlyn, approval for aldrin, which breaks down into dieldrin, was withdrawn in May 1989. The National Rivers Authority continues to monitor Newlyn fish for residues of dieldrin; the results are encouraging.

Written Answers to Questions

Tuesday 15 May 1990

TRANSPORT

Speed Limits (Western Avenue)

Mr. Hanley: To ask the Secretary of State for Transport when the speed limits on the Western avenue between the White City and the Hoover building were last assessed; and whether he intends any changes in the near future.

Mr. Atkins: The current speed limits along this stretch of the A40 have applied for a number of years. There are no immediate plans to make any changes to the existing limits on this stretch of the A40, but the situation will be reviewed as and when circumstances change.

Weight Restriction Signs

Mr. Hanley: To ask the Secretary of State for Transport whether the weight restriction signs which were removed during the gales earlier this year on the one-way flyover at the Hogarth roundabout, at the junction of the A4 and A316, will be replaced.

Mr. Atkins: Yes. The damaged sign gantry will be replaced during night time hours in the week commencing 21 May.

Bus Passengers

Mr. Ernie Ross: To ask the Secretary of State for Transport if he will list in the *Official Report* the requirements and regulations covering folding crew seats and jump seats used by bus passengers.

Mr. Atkins: The requirements for crew seats in buses are contained in the Public Service Vehicles (Conditions of Fitness, Equipment, Use and Certification) Regulations 1981, (SI 1981/257) as amended by SI 1982/1058. The relevant regulations are Nos. 3, 6, 25, 26, 28, 28A and 45A.

The requirements for seat belts for bus crew seats are contained in the Road Vehicles (Construction and Use) Regulations 1986, SI 1986/1078, as amended by SI 1987/1133. The relevant regulations are Nos. 46 and 47.

The Conditions of Fitness Regulations do not permit the use of crew seats by bus passengers. Neither do they refer to "jump seats". However, any seat used by a passenger must comply with regulation 28.

Channel Tunnel

Mr. Fearn: To ask the Secretary of State for Transport if he has any plans to increase the amount of funds available for the construction of the channel tunnel rail link.

Mr. Freeman: We are currently considering proposals submitted by BR and its private sector partner, Eurorail, for a high-speed link between London and the channel tunnel.

Mr. Tony Lloyd: To ask the Secretary of State for Transport what progress the health and safety at work working group has made in the establishment of compatible accident reporting systems and procedures for the exchange of information on accidents during work on the channel tunnel.

Mr. Freeman: Accidents are reported to the national authorities in the United Kingdom and France under existing regulations and procedures. I understand that information about accidents is exchanged through the Channel Tunnel Safety Authority and its health and safety working group, and a standard reporting form has been developed to ensure the compatibility of information about individual accidents.

Mr. Tony Lloyd: To ask the Secretary of State for Transport (1) on what dates the health and safety at work working group of the Channel Tunnel Safety Authority met; and what was discussed;

(2) if he will give details of the discussions that have taken place within the health and safety at work working group of the Channel Tunnel Safety Authority on particular health and safety problems associated with the construction of the channel tunnel.

Mr. Freeman: I understand that the health and safety at work working group of the Channel Tunnel Safety Authority meets on average once a month to discuss various topics to do with health and safety in the channel tunnel. The group has principally been concerned over the last year with issues relating to the safety of workers on both the British and French sides during the construction phase.

Mr. Tony Lloyd: To ask the Secretary of State for Transport what discussions have taken place within the health and safety working group of the Channel Tunnel Safety Authority over the need to harmonise working standards and practices when the tunnels meet; and whether there will be a harmonisation of relevant national legislation.

Mr. Freeman: I understand that a series of discussions has been held in the health and safety working group of the Channel Tunnel Safety Authority on the health and safety arrangements which will need to be put in a place to ensure an optimum safety regime when the tunnels meet. When the safety authority reaches conclusions, the intergovernmental commission will consider how best to make arrangements within the provisions of the treaty.

Mr. Tony Lloyd: To ask the Secretary of State for Transport (1) on what date the safety report referred to on page 4 of the Channel Tunnel Safety Authority annual report 1988-89 was received; and what actions stemmed therefrom;

(2) on what date the Channel Tunnel Safety Authority received an adequate preliminary risk analysis of risks and hazards from Eurotunnel.

Mr. Freeman: I understand that at an early stage in the design of the project Eurotunnel submitted a preliminary risk analysis for the terminals and tunnels. Since then, certain Eurotunnel submissions on individual aspects of the design and operation of the system have been accompanied by safety reports which provide elements of a safety analysis. However, as the chairman of the safety

authority said in his letter of November 1989 submitting the annual report, the authority sees a need for a full hazard analysis to be commissioned by the concessionaires and audited by the maitre d'oeuvre. The safety authority will be closely involved in designing and monitoring the study and assessing the significance of the results.

Mr. Tony Lloyd: To ask the Secretary of State for Transport when the Channel Tunnel Safety Authority's annual report 1989-90 will be published.

Mr. Freeman: I understand that the report is under preparation by the safety authority and should be published in the autumn.

Traffic Lights

Mr. Higgins: To ask the Secretary of State for Transport pursuant to his reply to the right hon. Member for Worthing of 21 February, *Official Report*, column *818*, if, he will intervene to ensure that the traffic lights at the junction of St. George's road and Garden way, London, are not operated in future.

Mr. Atkins: The London borough of Southwark is the responsible highway authority for St. George's road and Garden Row. Representations about the future of the traffic lights at the junction of these two roads should be directed to that council. I understand, however, that the early indications are that the pedestrian accident rate has in fact improved since the lights were installed.

Mr. Spearing: To ask the Secretary of State for Transport what timetable was set for the installation of additional traffic signals at the junction of Newham way, A13 and Tollgate road, Beckton; when he now expects them to be operational; and if he will state the reasons for any delay.

Mr. Atkins: I regret the delay in installing the new traffic signals which was originally planned for last summer. This was due to several factors including difficulties over design and contract procedures. Tendering is in hand with a view to work starting in July for completion in October.

Road Taxes

Mr. Devlin: To ask the Secretary of State for Transport what he estimates would be the approximate annual yield of a road tax of £50 per car, and £100 per coach or lorry, with 100 per cent. supplements for foreign-registered vehicles entering an exclusion zone drawn on a radius of eight miles from the Aldwych in London.

Mr. Atkins: I do not have annual figures for vehicles entering such an exclusion zone.

M40

Mr. Tim Smith: To ask the Secretary of State for Transport in what year he expects the proposed widening of the M40 between junctions 1 and 3 to be completed; and what traffic flows, by volume, density and mix, he anticipates at Gerrards Cross and Beaconsfield at this time and in the following 10 years.

Mr. Atkins: Consultants are to be appointed later this year to investigate options for carrying out the work—the preferred scheme is expected to be announced in 1990.

Subsequent progress would depend upon the nature of the scheme selected and the statutory procedures involved. Completion could be achieved by the late 1990s.

Actual traffic flows and forecasts between M25 (junction 1A) and Beaconsfield (junction 2) are shown in the table.

Year	*Vehicles per day (000s)*	*Weekday HGV's*
1990	80	9
2000	120-140	12
2010	140-175	12

Bradford-Leeds Rail Electrification

Mr. Madden: To ask the Secretary of State for Transport whether, following the meeting he had with the West Yorkshire passenger transport executive and others on 26 April, the authority has been asked to supply further information regarding electrification schemes between Bradford and Leeds; and if he will make a statement.

Mr. Freeman: The West Yorkshire passenger transport executive was asked to supply further information on 1 May. We will consider its application for credit approvals for the scheme in the light of that information and the resources available.

Mudflaps

Mr. Michael: To ask the Secretary of State for Transport what steps he intends to take to ensure that mudflaps and other equipment on heavy goods vehicles are so designed as to reduce the lateral spray which can obscure the vision of other drivers, particularly when overtaking or being overtaken.

Mr. Atkins: Regulations requiring heavy goods vehicles and trailers to be fitted with spray reducing devices have been in existence since November 1984. The European Commission has put forward proposals for a directive on spray broadly in line with our regulations. The fitment of spray suppression devices is also a requirement of the heavy goods vehicle test.

Difficulties can still, however, arise with spray from vehicles in adverse conditions. Research into this problem is now taking place. Any additional requirements resulting from this research would need agreement withinthe European Community.

ENVIRONMENT

Sites of Special Scientific Interest

Ms. Walley: To ask the Secretary of State for the Environment if he will list for each of the last three years those sites of special scientific interest in Staffordshire which have been damaged by operations which were granted planning permission.

Mr. Trippier: I am advised by the Nature Conservancy Council that between 1 April 1987 and 31 March 1990 there was no reported case of damage by activities given planning permission in Staffordshire.

Radiation

Dr. Thomas: To ask the Secretary of State for the Environment how many successful prosecutions have been completed under the Radioactive Substances Act 1960; which organisations were found guilty; and on what dates.

Mr. Trippier: Since the Radioactive Substances Act 1960 came into force in 1963 there have been some 13 successful prosecutions in England for breaches of the Act. Because of the Rehabilitation of Offenders Act 1974 it is inappropriate to give details of individual convictions.

Toxic Waste

Mr. Devlin: To ask the Secretary of State for the Environment, pursuant to his answer to the hon. Member for Devizes (Sir C. Morrison) of 23 April, *Official Report*, column *2*, if he will give further details of the research being carried out into toxic and problem waste management and chemical, thermal and biological detoxification.

Mr. Trippier: The following two broad headings which were used in my previous answer include the listed detailed objectives:

Toxic and Problem Waste Management

To determine a variety of ways in which asbestos waste of various types may be reliably and economically destroyed.

To determine operational quality control procedures for the assessment of cement-based solidified wastes under field conditions.

To determine the extent of any potential hazard arising from disposing of mercury containing batteries with household waste.

Waste Management

To determine the general operating conditions under which PCBs can be destroyed by high temperature hydrogen reduction.

To determine whether waste acids or other suitable chemicals may be utilised to degrade persistent pesticide wastes.

Environmental Protection Bill

Mr. Vaz: To ask the Secretary of State for the Environment, how many representations he has received from *(a)* local authorities and *(b)* members of the public concerning the extra funding necessary to implement provisions in the Environmental Protection Bill; and if he will make a statement.

Mr. Heathcoat-Amory: My Department has received a number of comments from both local authorities and members of the public about the Environmental Protection Bill. The vast majority have been supportive of the new provisions. Some representations have been made about funding to implement relevant parts of the Bill, but I have been able to give the assurance that the new charging systems provided for in parts I and II of the Bill will provide local authorities with an entirely new source of finance from which to fund their new duties. Savings as a result of streamlined procedures for dealing with statutory nuisance under part III will also release resources. We are currently seeking local authorities' views on the cost of implementing the draft code of practice on litter and refuse in part IV of the Bill, and additionally we have commissioned consultants to undertake a survey of 20 local authorities to determine whether extra resources will be required.

Nature Conservancy

Mr. Dalyell: To ask the Secretary of State for the Environment what was the latest currently available cost to him of his proposals to split nature conservancy representatives between England, Scotland and Wales.

Mr. Trippier: I refer the hon. Member to the reply I gave to my hon. Friend the Member for Daventry (Mr. Boswell) on 17 January, *Official Report*, column *252*.

Building Research Establishment

Mr. Tim Smith (Beaconsfield): To ask the Secretary of State for the Environment, what specific financial, efficiency and quality of service targets he has approved for the Building Research Establishment for the current year and for the longer term.

Mr. Chope: My right hon. Friend's statement on 28 March, *Official Report*, column *238* indicated the heads under which performance targets had been set for the Building Research Establishment for 1990-91. I can give the following figures:

	Targets
net vote cost	£1,764,000
untilisation rate for chargeable staff	1 per cent. improvement on previous financial year
non-Exchequer income as a percentage of total income	8·4 per cent.

Figures for other targets are commercially sensitive for the agency and will be treated in confidence. Performance targets for the longer term are currently being developed as part of the agency's corporate planning process.

Common Land

Sir Michael McNair-Wilson: To ask the Secretary of State for the Environment whether he intends to introduce legislation about the administering of common land and the rights of ordinary people on land designated as common.

Mr. Heathcoat-Amory: I refer my hon. Friend to the reply I gave to the hon. Member for Stoke-on-Trent, North (Ms. Walley) on 11 May 1990, *Official Report*, column *244*.

Radioactive Substances

Ms. Walley: To ask the Secretary of State for the Environment if he will seek to amend the Environmental Protection Bill to take account of the concerns expressed by Dudley council concerning radioactive substances.

Mr. Trippier: No. The regulation of radioactive substances is a Government responsibility. The Radioactive Substances Act 1960 already requires local authorities to be consulted in respect of proposals to dispose of radioactive waste from nuclear licensed sites or where a local authority would be required to take special precautions. The Environmental Protection Bill further provides that local authorities will receive copies of every application for authorisation to dispose of radioactive waste from organisations in their area.

Recycling, Palace of Westminster

Ms. Walley: To ask the Secretary of State for the Environment what arrangements are made for the recycling of waste paper removed from the Palace of Westminster in bins now labelled "For Recycling Only"; how that paper is sorted; and what is the percentage efficiency and the cost over the past year of recycling waste paper from the Palace of Westminster.

Mr. Chope *[holding answer 14 May 1990]:* Waste paper set aside for recycling is roughly sorted on site before being removed, free of charge, by the contractor.

Local Government Finance

Mr. Blunkett: To ask the Secretary of State for the Environment when he expects to lay the relevant parliamentary orders specifying the budget reductions required of those authorities designated for charge capping in 1990-91.

Mr. Portillo *[holding answer 14 May 1990]:* While there are related matters before the courts it would not be appropriate for me to comment.

Mr. Hardy: To ask the Secretary of State for the Environment what amount of deprivation Oxford, Cambridge, Kent, Dorset, Hampshire, Bedfordshire, the Isle of Wight and Rotherham were assumed to suffer under the determination of the standard spending assessment for 1990-91.

Mr. Chope *[holding answer 14 May 1990]:* Standard spending assessment make no explicit assumptions about levels of deprivation. A number of the individual service elements of standard spending assessments take account of social factors. A full description of the methodology used for calculating standard spending assessments is given in the Revenue Support Grant Distribution Report (England) which was approved by the House of Commons on 18 January.

Local Government Revenue

Mr. Harry Barnes: To ask the Secretary of State for the Environment, pursuant to his answer in the *Official Report*, 3 May, columns *617-18*, to the hon. Member for Derbyshire, North-East, if he will list the local government areas in England for which equivalent figures are available.

Mr. Chope *[holding answer 14 May 1990]:* Equivalent figures are available for the following areas:

Avon
Buckinghamshire
Derbyshire
Dorset
Durham
Isle of Wight
Kent
Lincolnshire
Northumberland
Surrey
Warwickshire
West Midlands
West Sussex
Wiltshire

Toxic Chemicals

Ms. Walley: To ask the Secretary of State for the Environment what information he has received from the National Rivers Authority as to what investigations are taking place into the leakage of highly toxic chemicals into the River Bourne from a timber and building supplies site; what action the Government are taking to ensure that dangerous chemicals are contained in vandal-proof structures; and if he will make a statement.

Mr. Heathcoat-Amory *[holding answer 14 May 1990]:* My officials were kept informed on this incident by the National Rivers Authority when it occurred. Since then the authority has been carrying out a full investigation but its report is not yet complete.

No decision has yet been made on whether regulations or guidelines on the storage of dangerous substances need to be strengthened.

Housing Transfer (Rochester and Medway)

Mr. Soley: To ask the Secretary of State for the Environment whether he will give details of the new funding arrangements for the housing transfer in Rochester and Medway; and if he will make a statement.

Mr. Michael Spicer *[holding answer 11 May 1990]:* Details of the funding arrangements are a matter for the financiers and the proposed purchaser of the housing. Any requests for such details should be made to them.

Pollution Inspectorate (Vacancies)

Ms. Walley: To ask the Secretary of State for the Environment how many professional vacancies remain unfilled at Her Majesty's inspectorate of pollution; what he proposes to do to remedy the situation; and if he will make a statement.

Mr. Heathcoat-Amory *[holding answer 11 May 1990]:* There are currently 25 professional vacancies in Her Majesty's inspectorate of pollution, seven of which are reserved for successful candidates to date from the current recruitment competition. We are continuing to recruit actively to fill the remaining posts.

Her Majesty's inspectorate of pollution has also introduced an additional assistant pollution inspector recruitment grade, for candidates with full professional qualifications and at least two years industry experience, who will qualify as pollution inspectors through further training and experience in the inspectorate. This will widen the recruitment for future pollution inspectors, while fully maintaining the present professional standards. The first recruitment competition for APIs is now in progress.

Peat Extraction

Ms. Walley: To ask the Secretary of State for the Environment if he will make environmental impact assessment mandatory on all planning applications for the extraction of peat.

Mr. Moynihan *[holding answer 11 May 1990]:* Environmental assessments cannot be made mandatory on all planning applications for peat extraction, as each case has to be considered on its merits. EAs will be required, however, where the proposed development is likely to have a significant environmental impact.

ATTORNEY-GENERAL

Supply Index

Mr. Devlin: To ask the Attorney General if he will make a statement about the decision of the Lord Chancellor's department not to participate in the Government supply index.

The Attorney-General: The Lord Chancellor's Department has made no decision about participation in the Government supply index. It is being considered as a part of the overall strategy for the computerisation of purchasing information systems within the Department.

Bereavement Damages

Mr. Cunliffe: To ask the Attorney-General how many replies he has received to his consultation paper on bereavement damages in favour of (i) increasing the limit to *(a)* £5,000 and *(b)* £10,000 or (ii) leaving the limit unchanged.

The Attorney-General: A total of 265 replies to the consultation paper on bereavement damages issued by the Lord Chancellor have been received and these are currently being studied and evaluated.

EDUCATION AND SCIENCE

Race Awareness

Mr. Sheerman: To ask the Secretary of State for Education and Science what information he has on the extent to which race awareness training is part of the present syllabus in degree and other law courses in universities and polytechnics.

Mr. Jackson: None. The curriculum of universities' and polytechnics' law courses is a matter for them and for the relevant professional bodies.

Further and Higher Education

Mr. Matthew Taylor: To ask the Secretary of State for Education and Science what percentage of 16-year-olds stay on in full-time education either at *(a)* school or *(b)* further/higher education institutions in (i) Cornwall and (ii) England.

Mr. Jackson: A total of 27 per cent. of 16-year-olds participated in full-time education in school in Cornwall in 1987-88 and 24 per cent. of them did so in further or higher education institutions. The corresponding figures for England were 27 and 20 per cent. respectively.

Notes: These figures are based on the definitive census counts: the form 7 exercise in schools and the further education statistical record. They differ from the figures used to answer a slightly different question on 8 May which necessitated using a sample survey: the school leavers survey. Age is taken as at 31 August 1987.

Private Colleges of Higher Education

Mr. Win Griffiths: To ask the Secretary of State for Education and Science what circumstances Her Majesty's inspectors inspect private colleges of higher education.

Mr. Jackson: My right hon. Friend has a duty to cause inspections to be made of all further and higher education institutions within the PCFC funding sector and those which are maintained or assisted by local education authorities. He has no such duty in respect of independent institutions. However, he may at the request of the management of such institutions, cause an inspection to take place. In those circumstances Her Majesty's inspectorate may participate in a supporting assessorial role.

TRADE AND INDUSTRY

British Exporters

Mr. McFall: To ask the Secretary of State for Trade and Industry if he has any new proposals to help British exporters.

Mr. Redwood: The volume of United Kingdom exports has continued to grow, reflecting the strong position of United Kingdom industry. Excluding oil and erratic items, the volume of exports in the first quarter of 1990 was 8 per cent. higher than a year earlier. There is a wide range of advice and support available from my Department to assist United Kingdom exporters and of which many firms make use.

Exports (North-West)

Mr. Butler: To ask the Secretary of State for Trade and Industry what information he has on the export performance of firms in the north-west.

Mr. Redwood: Export data are collated on a national not regional basis and it is not possible to separately identify the export performance of firms in the north-west from official trade statistics.

However, north-west chambers of commerce survey local industry and commerce quarterly. Their findings for the first quarter of 1990 indicate that generally, compared with the fourth quarter of 1989, exports continue to grow and that the north-west region is sharing in the growth of exports nationally.

Indonesia

Mr. Hayward: To ask the Secretary of State for Trade and Industry what status is held currently by Indonesia in relation to export credit guarantees; and whether this status is under review.

Mr. Redwood: The ECGD is currently open for short, medium and long-term cover on Indonesia. It is reviewing its policy towards those markets on which, in portfolio terms, its exposure is heavily concentrated. Indonesia is one such market. The importance of Indonesia to United Kingdom exporters is well recognised and this will be taken fully into account in the review.

Iraq

Mr. Cabom: To ask the Secretary of State for Trade and Industry how many trade delegations from Iraq have visited the United Kingdom in each of the last five years.

Mr. Redwood: We have readily available information only on officially supported inward missions of which there were one in each of the years 1988-89 and 1989-90. There was Iraqi participation in two multi-country inward missions in 1985-86 and 1987-88.

Mr. Caborn: To ask the Secretary of State for Trade and Industry (1) how many British trade delegations have visited Iraq in each of the last five years with the support of the Department of Trade and Industry;

2) how many trade delegations have visited Iraq in each of the last five years with the knowledge of his Department.

Mr. Redwood: The number of trade delegations, including trade fair groups, missions and seminar participants, that have visited Iraq with Government support in each of the last five years is as follows:

	Number
1985-86	Three
1986-87	Four
1987-88	Four
1988-89	Three
1989-90	Six

Unsupported missions are a matter for the companies concerned.

Mr. Caborn: To ask the Secretary of State for Trade and Industry if he will supply the names of companies who have been on trade delegations to Iraq in each of the last five years.

Mr. Redwood: It would not be appropriate to provide this information which is a matter between my Department and the companies concerned.

Consultants

Mr. Tim Smith: To ask the Secretary of State for Trade and Industry whether he has now set the allocation of his Department's expenditure on consultants for 1990-91.

Mr. Forth: An allocation of £3,080,000 has been made for consultants out of Department of Trade and Industry running costs for 1990-91.

Accounting Requirements

Mr. Irvine: To ask the Secretary of State for Trade and Industry what plans he has to make regulations under section 245(4) of the Companies Act 1985 as amended by section 12 of the Companies Act 1989.

Mr. Redwood: My Department issued a consultative document yesterday on the issues to be covered by regulations under S245(4).

A copy has been placed in the Library of the House. Further copies are available from my Department by telephoning 071-215 3093, or writing to DTI, Room G707, 10-18 Victoria street, London SW1H 0NN.

The deadline for comments is 20 July 1990.

Financial Services

Mr. Colin Shepherd: To ask the Secretary of State for Trade and Industry what representations he has received concerning the definition of capital in respect of the requirements for capital adequacy on the part of firms in the financial services sector; what is his definition of capital for this purpose; and if it is his intention to apply this definition to any representations he may be making to the European Commission in respect of the harmonisation of requirements for 1992.

Mr. Redwood *[holding answer 14 May 1990]:* The Government will continue to take account of the views of United Kingdom financial institutions during the negotiations on the proposed EC capital adequacy directive, including views on the definition of capital. We will be pressing for a definition which takes account of the structure of the United Kingdom financial services industry. In our negotiations on the CAD the United Kingdom is pressing for capital to be related to risk, and for levels of initial capital which do not act as barriers to entry.

Hairdressers

Mr. Bernie Grant: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 5 April, *Official Report*, columns *805-6*, (1) whether a person currently practising in the United Kingdom as either a qualified or unqualified Afro-Caribbean hairdresser will be allowed to practise as such in the other European Community countries after 1 January 1993; and whether he will make a statement;

(2) whether a person qualified and practising as an Afro-Caribbean hairdresser will be allowed to continue as such after 1 January 1993;

(3) whether a person not qualified in Afro-Caribbean hairdressing but practising as an Afro-Caribbean hairdresser will be allowed to continue as such after 1 January 1993.

Mr. Redwood: *[holding answer 8 May 1990]:* The profession of hairdresser is not regulated by law in the United Kingdom and the completion of the single European market will not alter this.

The treaty of Rome already guarantees freedom for every EC citizen to work, to seek work or to set up business in any EC member state. However, member states are not at present obliged to recognise professional qualifications or professional experience gained in other member states, and often do not.

Two main initiatives have been taken to remedy this. First, Council directive 82/489/EEC on hairdressing already makes it easier in certain circumstances for hairdressers who have practised in one member state to meet vocational training requirements in another.

My Department is responsible for issuing the certificates specified in that directive. Second, the Commission has put forward a draft directive on a second general system for the recognition of professional education and training (COM(89) 372 of 8 August 1989) which is aimed at ensuring that all professional qualifications gained in one member state are recognised in another. The directive is currently under discussion in a Council working group.

SOCIAL SECURITY

Students (Benefits)

Mr. Andrew Smith: To ask the Secretary of State for Social Security when he received the report of the Social Security Advisory Committee on the Government's proposals to end the entitlement of students to housing benefit, unemployment benefit and other social security benefits; and if he will publish the report immediately.

Mrs. Gillian Shephard: The report of the Social Security Advisory Committee on the draft Social Security Benefits

(Student Loan and Miscellaneous Amendments) Regulations 1990 was received on 27 April. We are, at present, giving careful consideration to the report which will be published with our formal response in the normal way when the regulations are laid before Parliament.

Social Security Benefits Agency

Mr. Brandon-Bravo: To ask the Secretary of State for Social Security what progress his Department has made in establishing the social security Benefits Agency.

Mr. Newton: I announced earlier today the appointment of Michael Bichard as chief executive of the Benefits Agency following selection by open competition. This is a major step in setting up the agency which will come into being next April and which will be the largest executive agency in Government. Mr. Bichard is currently chief executive of Gloucestershire county council. He has wide experience of management and will, I am sure, make a first-rate leader of the new agency. He is being appointed for a five-year period.

Staff Qualifications

Mr. John Garrett: To ask the Secretary of State for Social Security if he will publish in the *Official Report* the numbers and percentages of his staff in grades 1 to 7 who have *(a)* arts, *(b)* science and *(c)* technical degrees, *(d)* who are qualified accountants, *(e)* have postgraduate qualifications in management and *(f)* who were educated in (i) local authority and (ii) private schools.

Mrs. Gillian Shephard *[holding answer 2 May 1990]:* The table relates to staff recorded on the Department's headquarters personnel computer system, including professional staff. Information about the remainder of the Department's staff is not readily available and could be obtained only at disproportionate cost.

	Number	*Per cent.*
Total number of staff in grades 1 to 7	[3]422	100
Number with arts degrees	72	17
Number with science degrees[1]	198	47
Number with law degrees[2]	41	10
Number with post-graduate qualifications in management	—	—
Number with no degree	111	26

[1] One hundred and sixty-four of whom have medical degrees.
[2] There are no members of staff with other "technical" degrees.
[3] Only one of the 422 staff in grades 1 to 7 is a qualified accountant, 0·2 per cent. of the total.
Note: No details of types of school attended are held and a separate clerical exercise to ascertain the information would involve disproportionate cost.

HEALTH

NHS Reform

Mr. Spearing: To ask the Secretary of State for Health what proposals he has for restricting the role of community health councils in representing the public in future National Health Service contracts and fund-holding general practices.

Mrs. Virginia Bottomley: The role of community health councils (CHCs) will remain fundamentally unchanged. District health authorities will be expected to take careful account of the views of their resident population on the overall pattern of service which they plan to secure through their contracts. CHCs will play an important role in this. Fund-holding general practititioners, being in direct touch with the patients they serve, will have less need of an intermediary in this respect.

Alternative Therapies

Mr. Fearn: To ask the Secretary of State for Health how many general practitioners offer alternative and complementary therapies to National Health Service patients.

Mr. Dorrell: This information is not held centrally.

Abortion

Mr. Alton: To ask the Secretary of State for Health, pursuant to the answer to the hon. Member for Peckham (Ms. Harman), 8 May, *Official Report*, column *84*, in how many of the 22 abortions performed after 24 weeks gestation attempts were made to save the life of the child; and if he will make a statement.

Mrs. Virginia Bottomley: This information is not collected centrally. Matters relating to the care of patients are confidential and are for the clinical judgment of the doctor concerned.

Pesticides

Mr. Simon Hughes: To ask the Secretary of State for Health what research has been conducted to establish the incidence of chronic exposure to low levels of pesticides; what training doctors within the National Health Service are given to enable them to recognise this; and if he will make a statement on the health implications for the general public of chronic exposure to low levels of pesticides.

Mr. Dorrell *[holding answer 23 April 1990]:* We are not aware of any United Kingdom research into the incidence of chronic exposure to pesticides. Surveys of human milk and human fat carried out as part of the regular monitoring by the working party on pesticides residues in food have indicated very low residues of fat soluble pesticides and related chemicals. Residues of pesticides found in food are generally within recommended maximum residue levels and within the safety limits.

Pesticides are approved for use by Ministers after receiving the advice of the Advisory Committee on Pesticides which considers all relevant toxicity data including that on consumer exposures. If significant adverse health effects are a possibility, approval is not recommended.

All doctors receive training in the diagnosis of acute poisoning, including that from exposure to pesticides. In addition, all general practitioners and hospital accident and emergency departments have been issued with a copy of the book "Pesticide Poisoning", a copy of which is in the Library. This gives guidance on the diagnosis and treatment where acute poisoning from pesticides is suspected. Chronic exposure to the levels of pesticides found in the diet are not known to have any health effects, but, if a doctor was unable to attribute symptoms in a patient to other well-recognised causes, it would be open to the doctor to consider chronic exposure to pesticides as

a possible cause of the illness. Working towards the diagnosis of obscure illness by eliminating more obvious causes is a normal part of medical training.

ENERGY

Council of Ministers

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Energy what proposals he will introduce at the meeting of the European Council of Energy Ministers in Brussels on 21 May.

Mr. Peter Morrison: Only the European Commission has the right to initiate formal legislative proposals to the Council. My right hon. Friend will suggest whatever changes he considers necessary during discussions with the other Energy Ministers.

Nuclear Fuel (Reprocessing)

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Energy if details of the origins, sizes and dates of spent fuel imports for reprocessing are notified to his Department for the purposes of international nuclear safeguards.

Mr. Baldry: My Department receives reports on all spent nuclear fuel imports, for the purposes of international nuclear safeguards.

OVERSEAS DEVELOPMENT

Tropical Forests

Mr. Devlin: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the claims made in the circular letter sent to all hon. Members by Friends of the Earth on 9 March concerning the tropical forest action plan.

Mrs. Chalker: I refer the hon. Member to the answer I gave the hon. Member for Stoke-on-Trent, North (Ms. Walley) on 5 April, at column *733*.

El Salvador and Nicaragua

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the current level of bilateral aid and EC provisions for El Salvador and Nicaragua; what are the plans for the rest of the current financial year; and if he will make a statement.

Mrs. Chalker: We have a bilateral technical co-operation programme for El Salvador which will continue —£154,000 in 1988 including disaster relief. I recently announced that we were starting a modest technical cooperation programme for Nicaragua, which should get under way during the year. As regards EC provisions, EC commitments are made in respect of individual projects from within the total allocated annually for the Asia and Latin America programme. Figures for EC commitments in recent years are:

	1987	*1988*	[1]*1989*
El Salvador	19·73 mecu	2·87 mecu	3·91 mecu
Nicaragua	21·42 mecu	43·23 mecu	16·49 mecu

[1] Provisional.

WALES

Government Supply Index

Mr. Devlin: To ask the Secretary of State for Wales if he will make a statement about his Department's decision not to participate in the Government supply index.

Mr. Wyn Roberts: No such decision has been taken. The Welsh Office is actively considering participation in the Government supply index.

Local Government Finance

Mr. Wigley: To ask the Secretary of State for Wales what is his latest estimate of *(a)* the total number of personal poll tax payers in Wales and *(b)* the number in receipt of community charge benefit.

Mr. David Hunt: The information is as follows:
(a) 2,175,000 (including students).
(b) 550,000.

Birth Control

Mr. Wigley: To ask the Secretary of State for Wales in how many of the district health authorities of Wales there are currently proposals being considered for a cut back in the service of family planning clinics within their area; and if he will identify those authorities considering such cutbacks.

Mr. David Hunt: This information is not held centrally.

Hospital Closures

Mr. Geraint Howells: To ask the Secretary of State for Wales if he will list the number of hospitals closed in Wales during each of the last 10 years; and if he will make a statement.

Mr. Grist: The number of hospitals which have closed, and are still closed, is given in the table. During the same period, seven hospitals, including four district general hospitals, have opened, and the NHS in Wales is treating a record number of patients.

Number of hospitals closed since 1 January 1980

Year	*Number*
1980	3
1981	1
1982	–
1983	1
1984	3
1985	6
1986	3
1987	2
1988	1
1989	–

Consultants

Mr. Tim Smith: To ask the Secretary of State for Wales whether budgets for 1990-91 for expenditure on management and computer consultancies have yet been finalised.

Mr. David Hunt: Yes. Most of the resources are found from within the central administration vote and in 1990-91 £230,000 has been earmarked for this purpose.

Ophthalmic Clinics

Mr. Michael: To ask the Secretary of State for Wales (1) how many new out-patient attendances at ophthalmic clinics were recorded in each quarter of 1989 in each health authority area in Wales;

(2) how many new out-patient attendances at ophthalmic clinics were recorded in each quarter of 1988 in each health authority area in Wales;

(3) how many new out-patient attendances at ophthalmic clinics were recorded in each quarter of 1987 in each health authority area in Wales;

(4) how many new out-patient attendances at ophthalmic clinics were recorded in each quarter of 1986 in each health authority area in Wales;

(5) how many new out-patient attendances at ophthalmic clinics were recorded in each quarter of 1989 in each county in Wales;

(6) how many new out-patient attendances at ophthalmic clinics were recorded in each quarter of 1988 in each county in Wales;

(7) how many new out-patient attendances at ophthalmic clinics were recorded in each quarter of 1987 in each county in Wales;

(8) how many new out-patient attendances at ophthalmic clinics were recorded in each quarter of 1986 in each county in Wales.

Mr. David Hunt: The table shows the number of new ophthalmology out-patients recorded in NHS hospitals in Wales, by county and district health authority:

Quarter ended	*Clwyd*	*East Dyfed*	*Pembroke-shire*	*Dyfed*[1]	*Gwent*	*Gwynedd*	*Mid Glamorgan*	*Powys*	*South Glamorgan*	*West Glamorgan*
1986										
March	1,049	919	286	1,205	1,732	974	1,035	150	1,866	1,236
June	1,168	1,002	285	1,287	1,912	1,034	1,118	160	1,963	1,263
September	1,304	1,036	266	1,302	1,753	885	1,204	143	1,862	1,225
December	1,255	1,122	308	1,430	1,818	937	1,284	159	2,216	1,284
1987										
March	1,178	1,018	329	1,347	1,747	854	1,121	153	2,041	1,175
June	1,225	985	334	1,319	1,543	894	1,190	146	2,078	1,430
September	1,169	893	232	1,125	1,481	968	1,151	126	2,298	1,213
December	1,269	1,053	386	1,439	1,773	1,012	1,388	177	2,076	1,129
1988										
March	1,499	1,045	431	1,476	1,801	1,163	1,703	139	2,380	1,384
June	1,315	1,044	279	1,323	1,881	1,220	1,352	143	1,887	1,159
September	1,335	1,108	303	1,411	1,688	1,141	1,485	146	1,759	1,277
December	1,343	1,227	386	1,613	1,763	965	1,276	190	2,260	1,361
1989										
March	1,369	1,245	320	1,565	2,190	1,040	1,347	170	2,221	1,694
June[2]	1,310	1,267	424	1,691	2,178	1,044	1,821	230	2,182	1,594
September[2]	1,445	972	296	1,268	2,023	986	1,981	152	1,956	1,459
				December[3]						

[1] The county of Dyfed comprises the health authorities of East Dyfed and Pembrokeshire.
[2] Provisional.
[3] Not yet available.

Mr. Michael: To ask the Secretary of State for Wales how many new out-patient attendances at ophthalmic clinics were recorded *(a)* in South Glamorgan and *(b)* in Wales in the first quarter of 1990.

Mr. David Hunt: The information is not yet available.

Glaucoma

Mr. Michael: To ask the Secretary of State for Wales, further to his answers of Tuesday 8 May on glaucoma, whether he will ask each health authority and family practitioner committee in Wales to notify him of the numbers of cases of glaucoma diagnosis that were recorded in *(a)* 1986, *(b)* 1987, *(c)* 1988, *(d)* 1989 and *(e)* the first quarter of 1990.

Mr. David Hunt: I shall write to the hon. Gentleman and place a copy of my letter in the Library of the House.

Flooding

Mr. Barry Jones: To ask the Secretary of State for Wales if he will meet Bishop Alwyn Rice Jones to discuss the north Wales sea floods.

Mr. David Hunt: I have received no request for a meeting from Bishop Rice Jones. If such a request is made it will be considered.

St. David's Airfield, Pembrokeshire

Mr. Nicholas Bennett: To ask the Secretary of State for Wales if any of the proposed site of the over-the-horizon radar installation on the site of the former St. David's airfield, Pembrokeshire, is designated a site of special scientific interest.

Mr. Wyn Roberts: I understand that the proposed sites will be located entirely within the boundaries of the Ministry of Defence land at St. David's airfield and that no part of that land has been designated a site of special scientific interest.

District Health Authorities (Loans)

Mr. Wigley: To ask the Secretary of State for Wales if he will publish a table in the *Official Report* showing for each of the district health authorities in Wales, the financial sums borrowed by them on an interest-free basis from other authorities in Wales for each year from 1984-85

to 1989-90, and where appropriate, if he will indicate whether these loans were used for revenue or capital purposes.

Mr. David Hunt: The information requested is shown in the table:

Brokerage between district health authorities

	Revenue £ million	*Capital £ million*
1984-85		
Gwent	—	−0·287
Mid Glamorgan	+1·287	—
South Glamorgan	−0·500	—
West Glamorgan	−0·500	—
1985-86		
Clwyd	—	+0·500
West Glamorgan	−0·500	—
1986-87		
Nil	—	—
1987-88		
Mid Glamorgan	+0·750	—
West Glamorgan	−0·750	—
1988-89		
Gwent	+1·000	—
Gwynedd	+0·780	—
Powys	—	−0·500
South Glamorgan	−0·780	—
West Glamorgan	−0·500	—
1989-90		
Clwyd	—	−1·000
Gwent	+1·000	—
Gwynedd	+0·500	—
South Glamorgan	−0·500	—

Note: (+) denotes 'borrowing'.
(−) denotes 'loans'.
Source: Records of Revenue and Capital Allocations to District Health Authorities.

Health Care, Gwynedd

Mr. Wigley: To ask the Secretary of State for Wales, pursuant to his reply of 9 May to questions concerning health care in Gwynedd, if he will publish a copy of his letter in answer in the *Official Report*.

Mr. David Hunt: No, a copy of the letters will be made available in the Library.

NATIONAL FINANCE

Central Office of Information

Mr. Tim Smith: To ask the Chancellor of the Exchequer what specific financial, efficiency and quality of service targets he has approved for the Central Office of Information for the current year and for the longer term.

Mr. Ryder: The targets that have been approved for the Central Office of Information are set out in annex A of its framework document as follows:

Financial

1. To break even in current cost terms after covering all costs, including interest on borrowings.
2. To achieve a 1 per cent. reduction in unit cost of output in real terms, which maintaining suitable levels of quality. Appropriate internal targets will be set for every budget holder to ensure achievement of the departmental target.

Financial

3. To achieve savings for clients on a base year of 1984-85, for incorporation in their annual returns to the CUP.
4. To deliver all work in accordance with client specification.
5. To deliver all work on time.

These targets have been agreed for the long term with the exception of target 2 which is subject to annual review in the light of market forces. Copies of the framework document are in the House of Commons Library.

THE ARTS

Energy Consumption

Mr. Dobson: To ask the Minister for the Arts, pursuant to his answer of 1 May, *Official Report*, column *475*, why details of energy consumption are not available for the buildings occupied by the offices for which he is responsible.

Mr. Luce *[holding answer 10 May 1990]:* My office is located in two buildings, both shared with other Government Departments. They are not sub-metered to measure individual Departments' actual energy consumption. Charges are therefore made on the basis of the respective areas of floor space. I shall write to the hon. Member with further details.

PRIME MINISTER

Mr. Charles Powell

Q99. **Mr. Dalyell:** To ask the Prime Minister if she will list those aspects of the supplementary question of 26 April from the hon. Member for Linlithgow concerning contacts between Mr. Charles Powell and Mr. Conrad Black which she does not accept as having a basis in fact; and if she will make a statement on the aspects of the hon. Member's interpretation which she does not accept.

The Prime Minister: I have nothing further to add to my reply of 26 April.

Engagements

Mr. McAvoy: To ask the Prime Minister if she will list her official engagements for Tuesday 15 May.

Mr. Watson: To ask the Prime Minister if she will list her official engagements for Tuesday 15 May.

Mr. Harry Greenway: To ask the Prime Minister if she will list her official engagements for Tuesday 15 May.

Mr. Dunnachie: To ask the Prime Minister if she will list her official engagements for Tuesday 15 May.

Mr. Tony Lloyd: To ask the Prime Minister if she will list her official engagements for Tuesday 15 May.

Mr. Stern: To ask the Prime Minister if she will list her official engagements for Tuesday 15 May.

The Prime Minister: This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today. This evening I shall attend a memorial service for the late Lord Rothschild.

Executive Agencies

Mr. Flynn: To ask the Prime Minister whether she will list in the *Official Report* the subjects on which, as a result of the transfer of functions to executive agencies, Ministers will no longer answer questions.

The Prime Minister: Ministers remain fully accountable to Parliament for all the work of their Departments, including executive agencies. However, hon. Members may often wish in the first instance to deal directly with agency chief executives on those matters for which they have delegated authority under the agency's framework document and I would encourage them to do so. In such cases the chief executive will be best placed to give them a response promptly and effectively.

HOME DEPARTMENT

Sex Offenders

Mr. Maclennan: To ask the Secretary of State for the Home Department what consideration he is giving to the recommendations contained in the report published by the Suzy Lamplugh Trust entitled "Working with the Sex Offender: Issues for Policy and Training, Prevention and Treatment" a copy of which has been sent to him; and if he will make a statement.

Mr. John Patten: I welcome the initiatives taken by the Suzy Lamplugh Trust in focusing attention on the treatment and sentencing of sex offenders. We are considering the report's recommendations and its points for action and we shall take them into account in developing our own strategy for the treatment of sex offenders.

Ex-offenders (Training)

Mr. Hattersley: To ask the Secretary of State for the Home Department if he will make a statement on recent reductions in training facilities available for ex-offenders following the renegotiation of contract for voluntary sector providers.

Mr. Waddington: Funding for employment training is a matter for the Department of Employment. I understand that recent reductions in funding are related to falling unemployment and a significant reduction in the numbers of young people entering the labour market. The Training Agency and the new training and enterprise councils seek to ensure that suitable training is provided for people with special needs, including ex-offenders. Officials of the Home Office and Training Agency are jointly examining the implications of the Government's recently published White Paper on dealing with offenders in the community in relation to training and enterprise programmes.

Prisoners

Mr. Alex Carlile: To ask the Secretary of State for the Home Department what criteria are used to determine whether a prisoner should be held on rule 43; and if he will make a statement.

Mr. Mellor: Prison rule 43 provides that, where it appears desirable, for the maintenance of good order or discipline or in his own interests, that a prisoner should not associate with other prisoners, either generally or for particular purposes, the governor may arrange for the prisoner's removal from association accordingly. Segregation for more than three days requires authorisation by the board of visitors. Where a prisoner's segregation is requested or recommended for his own protection, the governor must satisfy himself that the prisoner is seriously at risk of assault by other prisoners and that his safety cannot be assured by other means. Where segregation for maintenance of good order or discipline is considered, the governor must be satisfied, in the light of information available, that the prisoner's continued association with other prisoners poses a threat to the efficient running and control of the prison. The governor may arrange at his discretion for a prisoner to resume association with other prisoners, and must do so if in any case the medical officer so advises on medical grounds.

Women Prisoners

Miss Emma Nicholson: To ask the Secretary of State for the Home Department what proportion of births to women prisoners have been stillborn in each of the last 10 years.

Mr. Mellor: There were eight deliveries within prison service establishments between 1 January 1979 and 31 March 1989 none of which were still births. Figures for still births in outside hospitals are not collected centrally, and could be obtained only at disproportionate cost.

Miss Emma Nicholson: To ask the Secretary of State for the Home Department what proportion of pregnancies of women prisoners have resulted in a miscarriage in each of the last 10 years.

Mr. Mellor: This information is not collected centrally, and could be obtained only at disproportionate cost.

Somali Refugees

Sir David Steel: To ask the Secretary of State for the Home Department what Her Majesty's Government's policy is towards Somali refugees.

Mr. Peter Lloyd: As with other nationalities, our policy is to grant asylum to Somali refugees for whom the United Kingdom is the most appropriate country of refuge.

Foreigners (Language Schools)

Mr. Simon Coombs: To ask the Secretary of State for the Home Department what is his estimate of the number of foreign nationals who came to the United Kingdom to study English through language schools in *(a)* 1979, *(b)* 1984 and *(c)* 1989.

Mr. Peter Lloyd: The information is not available in the form requested. However, the international passenger survey results for 1984 showed that there were an estimated 477,000 visits to the United Kingdom by foreign residents who attended an English language course. It is not known what proportion of these studied at language schools. Respondents holding passports from the main English-speaking countries were not asked about their attendance on English language courses.

Data Protection Act

Mr. Cohen: To ask the Secretary of State for the Home Department if he will list the prosecutions made under the Data Protection Act; and if he will give the outcome of the prosecutions.

Mr. Mellor: We understand that 27 prosecutions by the Data Protection Registrar have been completed. Twenty-six of these resulted in fines, averaging £466·67; and one in

a conditional discharge. Details are obtainable from the registrar. Some prosecutions have also been initiated by the Director of Public Prosecutions, but they are not separately listed.

SCOTLAND

Nursery Education

Mr. Dewar: To ask the Secretary of State for Scotland how many and what percentage of children aged three and four years were in receipt of nursery education in each local education authority area for Scotland in each of the years 1978-79 to the latest date for which information is available.

Mr. Rifkind: The figures for local education authority nursery schools and departments at each September for which information is available are set out in the tables. Information for 1985 and 1986 is not available.

Number of 3 and 4 year olds in education authority nursery schools

	1978	1979	1980	1981	1982	1983	1984	1987	1988	1989
Borders	299	313	301	363	387	394	359	390	438	447
Central	1,399	1,512	1,681	1,858	1,960	2,166	2,210	2,492	2,568	2,744
Dumfries and Galloway	253	257	266	247	271	287	316	428	550	625
Fife	3,192	3,235	3,280	3,142	3,439	3,805	3,993	4,193	4,402	4,329
Grampian	2,233	2,196	2,222	2,244	2,235	2,425	2,433	2,678	2,985	3,171
Highland	331	455	484	519	567	580	618	617	645	622
Lothian	6,718	6,529	6,795	6,799	7,045	7,477	7,966	7,965	8,064	7,969
Strathclyde	14,501	14,768	14,841	15,406	16,071	16,793	17,376	17,551	17,828	18,683
Tayside	1,841	1,933	2,007	2,014	2,097	2,112	2,136	2,344	2,516	2,975
Orkney	78	96	93	74	85	89	92	83	97	101
Shetland	32	86	99	91	85	82	102	110	111	119
Western Isles	160	151	162	156	169	146	0	0	0	0
Scotland total	31,037	31,531	32,231	32,913	34,411	36,356	37,601	38,851	40,204	41,785

Percentage of 3 and 4 year old children in population in receipt of nursery education

	1978	1979	1980	1981	1982	1983	1984	1987	1988	1989
Borders	12·2	12·8	13·7	17·1	17·5	16·6	15·2	16·6	18·7	19·1
Central	19·3	21·4	25·2	28·8	29·3	31·2	31·2	37·8	39·2	41·9
Dumfries and Galloway	7·0	7·4	8·4	8·0	8·1	7·9	8·7	12·7	15·8	17·9
Fife	35·4	36·3	38·3	39·3	40·8	42·2	42·8	48·5	50·4	49·6
Grampian	18·2	18·0	18·7	19·4	18·3	18·6	18·6	21·2	24·0	25·5
Highland	6·3	8·5	9·1	10·2	10·7	10·3	10·5	11·6	12·3	11·9
Lothian	36·0	36·6	40·4	43·0	43·3	43·8	45·3	47·8	47·9	47·3
Strathclyde	22·2	23·2	24·7	27·7	27·8	27·7	27·6	29·6	30·1	31·6
Tayside	18·5	20·4	22·1	23·2	23·5	23·0	22·6	25·1	26·5	31·3
Orkney	16·8	19·4	19·3	14·9	16·5	17·9	18·3	18·3	20·7	21·5
Shetland	4·5	11·7	13·2	12·1	12·1	11·1	13·6	17·7	18·1	19·4
Western Isles	19·2	16·8	18·4	19·3	19·7	16·2	0·0	0·0	0·0	0·0
Scotland total	22·9	23·8	25·6	27·8	27·9	28·0	28·2	30·8	31·9	33·1

Note: Figures for private nursery schools within each local education authority area are not available.

Royal Ordnance Factory, Bishopton

Mr. Graham: To ask the Secretary of State for Scotland (1) what will be the future role of the Strathclyde police in the protection of Royal Ordnance, Bishopton;

(2) what would be the responsibility of the Strathclyde police for any serious incident taking place at Royal Ordnance, Bishopton.

Lord James Douglas-Hamilton: The police are responsible for the containment and investigation of any serious incident wherever it may take place. The chief constable of Strathclyde has discussed the future security arrangements at ROF Bishopton with the Ministry of Defence; and the role he proposes for Strathclyde police is an operational matter for him.

FOREIGN AND COMMONWEALTH AFFAIRS

Visa Processing

Mrs. Mahon: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received concerning delays in the processing of visas at United Kingdom embassies and high commissions abroad.

Mr. Sainsbury: We receive a number of representations, both from hon. Members and from the public, about entry clearance procedures and delays at our embassies and high commissions.

European Community

Mr. Teddy Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will set out the evidence on which he based the statements on the second page of his Department's pamphlet entitled, "Britain in the Community: Europe in the 1990s" *(a)* that goods and

services will become more freely available and *(b)* it will become easier to move bank accounts from the United Kingdom to other European countries.

Mr. Maude: The single market programme includes a large number of measures to improve the availability of goods and services in the EC: for example, the removal of internal customs barriers; liberalisation of transport; and setting of common standards. The capital liberalisation directive agreed in 1988 requires most member states to lift restrictions on capital movements by 1 July 1990, thus facilitating capital flows in the EC.

Mr. Teddy Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the *(a)* legislative and *(b)* other measures which have secured the policy objectives set out on the ninth page of his Department's pamphlet entitled, "Britain in the Community: Europe in the 1990s".

Mr. Maude: Twelve White Paper measures have so far been agreed to open up the banking, insurance and stock market sectors; nine more are being discussed; and one is still to be brought forward. Closer co-ordination of member states' economic policies was agreed by the Council decision of 12 March 1990. And state subsidies to industry have been reduced by stringent application of articles 92 and 93 on state aids.

Mr. Teddy Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what was *(a)* the total actual expenditure of the EEC and *(b)* the net United Kingdom contribution in 1986, 1987, 1988 and 1989; what is the estimate for 1990; and how these figures relate to the statements made in the first, second and third paragraphs on the eighth page of his Department's pamphlet entitled, "Britain in the Community: Europe in the 1990s".

Mr. Maude: The table provides the relevant figures. Budgets since the 1988 Brussels European Council have stayed well within the GNP own resources ceiling established then. Community GNP has grown significantly.

	Total EC expenditure *£ million*	*United Kingdom net contribution* *£ million*
1986	22,953	572
1987	24,894	1,721
1988	27,426	1,362
1989	30,123	2,315
[1]1990	33,355	2,175

[1] Estimate.

Mr. Teddy Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will give the figures on which he bases the statement on the eighth page of his Department's pamphlet entitled, "Britain in the Community: Europe in the 1990s", that beef stocks are down by 80 per cent. and cereals by 55 per cent.; and if he will list the specific measures of budgetary control which have brought about these reductions.

Mr. Maude: In February 1990, beef stocks were 125,000 tonnes (a reduction of 82·4 per cent. from their highest level, in September 1985, of 711,000 tonnes); and cereals stocks 8,121,000 tonnes (a reduction of 55·4 per cent. from their highest level, in October 1985, of 18,193,000 tonnes). Specific budgetary control measures include: reducing the number of months when intervention is available; cutting intervention prices; imposing ceilings on production for which support is available; producer taxes ("co-responsibility levies").

Mr. Teddy Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will set out the evidence on which he based the statement on the fourth page of his Department's pamphlet, "Britain in the Community: Europe in the 1990s", that minimisation of immigration checks is a major objective of the Community; and if he will list the checks which it is proposed to remove.

Mr. Maude: The statement in the pamphlet "Britain in the Community" about ease of travel in the Community directly reflects articles 3(c) and 8(a) of the treaty of Rome, which specifically call for the abolition of obstacles to freedom of movement for persons, and provide that the internal market shall include such free movement of persons in accordance with the provisions of the treaty. My right hon. Friend the then Secretary of State for the Home Department explained our position in full during the debate on intra-Community frontiers on 4 May 1989.

Falkland Islands

Dr. Woodcock: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress is being made in introducing direct flights from the mainland of South America to the Falkland Islands.

Mr. Sainsbury: Several charter flights have recently been made between the Falkland Islands and Punta Arenas in Chile; more are planned, by a variety of commercial operators.

Dr. Woodcock: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will introduce a fishery conservation area around South Georgia.

Mr. Sainsbury: We have no present plans to do so; fishing in the waters around South Georgia is already controlled by the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), of which the United Kingdom is an active member. We fully support the Commission for the Conservation of Antarctic Marine Living Resources' efforts, and are working to make them more effective.

Dr. Woodcock: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the voluntary restraint agreements which have been negotiated by the Foreign and Commonwealth Office with respect to waters surrounding the Falkland Islands and South Georgia outside of the Falklands Islands conservation zone.

Mr. Sainsbury: No formal agreements have been negotiated by the FCO. After direct negotiations with the Falkland Islands Government, fishing associations from Korea, Japan and Taiwan undertook to limit their fishing activity this year in the south Atlantic as a whole. In return their members were allocated licences to fish within the Falkland Islands interim conservation and management zone. These arrangements are intended to promote the effective conservation of migratory fish stocks.

Dr. Woodcock: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will take steps to equate the Argentinian and British military notification zones.

Mr. Sainsbury: The notification zones specified in the interim reciprocal information and consultation system (IRICS) agreed with Argentina in Madrid in February are part of a comprehensive and balanced package of reciprocal measures.

As I said in reply to my hon. Friend the Member for Gravesham (Mr. Arnold) on 16 February, this series of measures is intended to increase confidence in the region.

Dr. Woodcock: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will extend the Falkland Islands fisheries conservation zone;

(2) if he will extend the Falklands Islands territorial fishery zone to 200 miles on the same basis as that applied to the coastal waters of Argentina.

Mr. Sainsbury: We have no present plans to extend the Falkland Islands interim conservation and management zone (FICZ).

Dr. Woodcock: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will discuss with representatives of the residents of the Falkland Islands their view on the possibility of incorporating the Falkland Islands into the United Kingdom.

Mr. Sainsbury: The elected councillors have not expressed any wish that incorporation of the islands into the United Kingdom be considered.

Dr. Woodcock: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the measures being undertaken to preserve fish stocks in the waters surrounding South Georgia.

Mr. Sainsbury: Fishing in the waters surrounding South Georgia is controlled by the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), of which the United Kingdom is a member. The current conservation measures imposed by CCAMLR are:

(a) *Chaenocephalus aceratus*—no direct fishing allowed
Pseudochaenichthys georgianus—no direct fishing allowed
Notothenia squamifrons—no direct fishing allowed

(b) *Notothenia gibberifrons*—no direct fishing allowed, total allowed by-catch 300 tonnes

(c) *Dissostichus eleginoides*—no specific measures, but agreement that there will be no increase in fishing in 1990 over 1989.

(d) *Champsocephalus gunnari*—Total Allowable Catch (TAC) of 8,000 tonnes

(e) *Patagonotothen brevicauda guntheri*—TAC of 12,000 tonnes

In addition, commercial fishing is not allowed within the 12-mile territorial sea.

Israel

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what financial help the Government is giving to Israel; and if he will make a statement.

Mr. Maude: We do not give any aid to the Government of Israel.

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs how many representations the Government have made to the Israeli Government concerning its involvement in Palestine.

Mr. Maude: We frequently remind the Israeli Government of our view that there is an urgent need for negotiation with the Palestinians towards a peace settlement and that, pending this, it is the responsibility of the Israelis to administer the occupied territories in accordance with their obligations and with international law.

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs when he next plans to visit Israel to discuss its involvement in Palestine; and if he will make a statement.

Mr. Maude: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs has at present no plans to visit Israel.

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs how many representations he has received from hon. and right hon. Members and members of the public concerning Israeli involvement in Palestine.

Mr. Maude: We receive numerous representations about the Palestinian question and Israel's administration of the occupied territories.

Hong Kong

Mr. Stanbrook: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the current position of present and retired expatriate members of Her Majesty's overseas civil service in Hong Kong and their eligibility for pensions based on the pound sterling equivalent at the time of retirement, in view of the recent fluctuations in the pound sterling equivalent of the Hong Kong dollar.

Mr. Maude: All pensionable civil servants employed by the Hong Kong Government receive their pensions in Hong Kong dollars. There are no plans to change this arrangement. The Hong Kong dollar is linked to the United States dollar.

FOREIGN AND COMMONWEALTH AFFAIRS

Hostages

Mr. John M. Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs how many British hostages are presently believed to be held in the Lebanon; what are their names; on what dates each of them was taken hostage; and what information he has about the organisations involved in these kidnappings.

Mr. Maude: There are currently three British hostages held in Lebanon. They are Mr. John McCarthy (abducted on 17 April 1986), Mr. Jack Mann (abducted on 12 May 1989) and Mr. Terry Waite (abducted on 20 January 1987). There have been no substantiated claims for them. However, the American hostage, Mr. Frank Reed, who was released on 30 April by a previously unheard-of group, the Organisation of the Islamic Dawn, has confirmed that he was held together with Mr. McCarthy.

Mr. Cryer: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the efforts made by his Department to obtain the release of the hostages held captive in the middle east.

Mr. Maude: I refer to the answer of 18 April given by my right hon. Friend the Minister of State, Foreign and Commonwealth Office to the hon. Member for St. Helens, North (Mr. Evans) and to the answer given by my right hon. Friend, the Foreign Secretary on 9 May to the hon. Member for Derbyshire, North-East (Mr. Barnes).

Antarctica

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received from the Federal Republic of Germany with regard to the forthcoming meeting of Antarctic treaty parties in November to discuss the protection of the Antarctic environment.

Mr. Sainsbury: None. Bilateral consultations have taken place at official level.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what consideration has been given to the proposals for the protection of the Antarctic environment put forward by the Australian and French Governments.

Mr. Sainsbury: The Franco-Australian proposals were presented to us on 3 May. We are giving them careful consideration and look forward to discussing them with our Antarctic treaty partners at the special Antarctic treaty consultative meeting in November in Santiago.

Anthony Blunt

Mr. Allason: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he granted permission to Professor Peyton Lyons to reproduce extracts from the transcript of Anthony Blunt's interrogation in his report to the Canadian Department of External Affairs entitled "The Loyalty of E. Herbert Norman"; and if he will make a statement.

Mr. Sainsbury *[holding answer 5 April 1990]:* The Lyons report was a Canadian Government matter. No consultation took place with the United Kingdom authorities before it was published.

DEFENCE

Nuclear Power Stations

12. **Mr. McCartney:** To ask the Secretary of State for Defence whether his Department will give consideration to contributing to the decommissioning cost of Calder Hall and Chapelcross.

25. **Mr. Graham:** To ask the Secretary of State for Defence whether his Department will give consideration to contributing to the decommissioning cost of Calder Hall and Chapelcross.

65. **Mr. Cohen:** To ask the Secretary of State for Defence whether his Department will give consideration to contributing to the decommissioning cost of Calder Hall and Chapelcross.

Mr. Alan Clark: The Ministry of Defence intends to meet its share of the future costs of decommissioning the reactors at Calder Hall and Chapelcross.

Brawdy Radar Station

13. **Dr. Kim Howells:** To ask the Secretary of State for Defence if his Department will undertake further studies into *(a)* the health effects and *(b)* the environmental implications of the Brawdy radar.

46. **Mr. Morgan:** To ask the Secretary of State for Defence if his Department will undertake further studies into *(a)* the health effects and *(b)* the environmental implications of the Brawdy radar.

51. **Mr. Murphy:** To ask the Secretary of State for Defence if his Department will undertake further studies into *(a)* the health effects and *(b)* the environmenal implications of the Brawdy radar.

54. **Mr. John P. Smith:** To ask the Secretary of State for Defence if his Department will undertake further studies into *(a)* the health effects and *(b)* the environmental implications of the Brawdy radar.

Mr. Alan Clark: The health and environmental implications of the over-the-horizon radar transmitter which we propose to locate at St. Davids airfield will be fully addressed in the environmental impact assessment which will be undertaken over the next few months.

NATO Eastern Boundary

14. **Mr. Grocott:** To ask the Secretary of State for Defence whether he has made any reassessment of the location of the eastern boundary in Europe which NATO is committed to defending.

Mr. Archie Hamilton: We support the wish of both German Governments that a unified Germany should be a member of the North Atlantic alliance, as this would contribute to stability and security in Europe. The implications for NATO are under consideration.

Conventional Forces in Europe

15. **Mr. Martlew:** To ask the Secretary of State for Defence what United Kingdom forces have been offered for inclusion in the proposed CFE agreement; and if he will make a statement on the defence implications.

28. **Mr. Mullin:** To ask the Secretary of State for Defence what United Kingdom forces have been offered for inclusion in the proposed CFE agreement; and if he will make a statement on the defence implications.

59. **Mr. David Young:** To ask the Secretary of State for Defence what United Kingdom forces have been offered for inclusion in the proposed CFE agreement; and if he will make a statement on the defence implications.

Mr. Pike: To ask the Secretary of State for Defence what United Kingdom forces have been offered for inclusion in the proposed CFE agreement; and if he will make a statement on the defence implications.

Mr. Archie Hamilton: In accordance with the agreed mandate for the CFE negotiations, all the United Kingdom's conventional armaments and equipment of the types currently under discussion in Vienna that are within the area from the Atlantic to the Urals are included in the proposed CFE agreement.

Radiation

16. **Dr. Moonie:** To ask the Secretary of State for Defence if he will make a further statement upon the exposure to radiation of *(a)* submariners and *(b)* dockyard workers.

30. **Mr. Hinchliffe:** To ask the Secretary of State for Defence if he will make a further statement upon the exposure to radiation of *(a)* submariners and *(b)* dockyard workers.

39. **Mr. Doran:** To ask the Secretary of State for Defence if he will make a further statement upon the exposure to radiation of *(a)* submariners and *(b)* dockyard workers.

Mr. Neubert: Exposure of Service personnel or MOD civilians to ionising radiation is authorised only on the basis that it is justified, complies with MOD and statutory limits and is as low as reasonably practicable. The same principles are followed by the civilian contractors at the royal dockyards.

Training (Canada)

17. **Mr. Key:** To ask the Secretary of State for Defence when he last visited Canada to review training facilities for British service men.

Mr. Neubert: My right hon. Friend the Member for Ayr (Mr. Younger) visited the British Army training unit at Suffield, Alberta, in July last year.

Arms Exports

18. **Mr. Cox:** To ask the Secretary of State for Defence whether his Department monitors the end use of United Kingdom-produced weapons exported to less developed countries.

114. **Mr. Dunnachie:** To ask the Secretary of State for Defence whether his Department monitors the end use of United Kingdom-produced weapons exported to less developed countries.

22. **Mr. Ronnie Campbell:** To ask the Secretary of State for Defence whether his Department monitors the end use of United Kingdom-produced weapons exported to less-developed countries.

58. **Mr. Ray Powell:** To ask the Secretary of State for Defence whether his Department monitors the end use of United Kingdom-produced weapons exported to less-developed countries.

Mr. Alan Clark: It is not usually necessary to monitor the stated end use of defence exports. Where, however, there is reason to do so, we do so.

Atomic Weapons Establishment

Mr. Tony Lloyd: To ask the Secretary of State for Defence whether he has received any tenders for the initial management contract at the atomic weapons establishment.

19. **Mr. Flynn:** To ask the Secretary of State for Defence whether he has received any tenders for the initial management contract at the atomic weapons establishment.

34. **Mr. Bradley:** To ask the Secretary of State for Defence whether he has received any tenders for the initial management contract at the atomic weapons establishment.

Mr. Neubert: An invitation to tender for the initial management contract at the atomic weapons establishment was issued on 6 April. Tenders should be received in June.

Nuclear Submarine Bases

20. **Mr. Gareth Wardell:** To ask the Secretary of State for Defence what liaison his Department has with local authorities on special safety plans for areas adjoining Z-berths.

31. **Mr. Norman Hogg:** To ask the Secretary of State for Defence what liaison his Department has with local authorities on special safety plans for areas adjoining Z-berths.

33. **Ms. Walley:** To ask the Secretary of State for Defence what liaison his Department has with local authorities on special safety plans for areas adjoining Z-berths.

Mr. Archie Hamilton: It is MOD policy to undertake maximum consultation with all the relevant county, city and local councils and local emergency services in drawing up all Royal Navy public safety schemes.

Training Instructors

21. **Mr. Ashley:** To ask the Secretary of State for Defence what steps are taken to monitor the health and fitness of training instructors before and during exercises.

Mr. Archie Hamilton: Training instructors are subject to the same medical examinations as the service personnel whom they are expected to train, which is the PULHHEEMS system of medical classification.

Pipeline (Iraq)

23. **Mr. McKelvey:** To ask the Secretary of State for Defence what action his Department took when it was first made aware of the pipeline equipment built in the United Kingdom for Iraq having possible military implications.

52. **Mr. Caborn:** To ask the Secretary of State for Defence what action his Department took when it was first made aware of the pipeline equipment built in the United Kingdom for Iraq having possible military implications.

66. **Ms. Armstrong:** To ask the Secretary of State for Defence what action his Department took when it was first made aware of the pipeline equipment built in the United Kingdom for Iraq having possible military implications.

Mr. Ron Davies: To ask the Secretary of State for Defence what action his Department took when it was first made aware of the pipeline equipment built in the United Kingdom for Iraq having possible military implications.

Mr. Alan Clark: In the light of the charges raised against certain individuals recently and in the light of continuing investigations by Customs and Excise, it would be inappropriate to give any further information.

Low Flying

24. **Mr. Kennedy:** To ask the Secretary of State for Defence if he has yet had an opportunity to consider the National Audit Office report on military low flying; and if he will make a statement.

Mr. Neubert: I have nothing to add to the answer that I gave to the hon. Member on 6 March 1990 at column *616*.

44. **Mr. Foulkes:** To ask the Secretary of State for Defence what recent representations he has received concerning the disturbance caused by low flying; and if he will make a statement.

Mr. Neubert: Between 1 March 1990 and 30 April 1990 the Ministry of Defence received 955 inquiries or complaints about military low-flying training in the United Kingdom.

Army Manpower

26. **Mr. Stern:** To ask the Secretary of State for Defence what were the overall manpower needs of the British Army in 1980, 1985 and 1990.

Mr. Archie Hamilton: The requirement of the British Army for trained, regular, United Kingdom personnel in 1980, 1985 and 1990 was 146,890, 143,888 and 142,742 respectively.

Forces (Europe)

27. **Mr. Terry Fields:** To ask the Secretary of State for Defence what consideration he has given to the defence implications of current force levels in Europe.

29. **Mr. Bill Michie:** To ask the Secretary of State for Defence what consideration he has given to the defence implications of current force levels in Europe.

63. **Mr. Roy Hughes:** To ask the Secretary of State for Defence what consideration he has given to the defence implications of current force levels in Europe.

Mrs. Mahon: To ask the Secretary of State for Defence what consideration he has given to the defence implications of current force levels in Europe.

Mr. Archie Hamilton: We are examining options for change in the structure and deployment of our armed forces which will enable us to support and preserve the key elements of our defence provision in the light of changing international circumstances.

NATO Nuclear Planning Group

32. **Mr. James Lamond:** To ask the Secretary of State for Defence what decisions were made at the recent NATO nuclear planning group meeting in Alberta, Canada.

35. **Mr. Lewis:** To ask the Secretary of State for Defence what decisions were made at the recent NATO nuclear planning group meeting in Alberta, Canada.

38. **Mr. Andrew Smith:** To ask the Secretary of State for Defence if he will make a statement on the outcome of the NATO nuclear planning group meeting held at Kananaskis village, Alberta, Canada.

50. **Ms. Ruddock:** To ask the Secretary of State for Defence if he will make a statement on the outcome of the NATO nuclear planning group meeting held at Kananaskis village, Alberta, Canada.

53. **Mr. Wareing:** To ask the Secretary of State for Defence what decisions were made at the recent NATO nuclear planning group meeting in Alberta, Canada.

55. **Mr. Buchan:** To ask the Secretary of State for Defence if he will make a statement on the outcome of the NATO nuclear planning group meeting held at Kananaskis village, Alberta, Canada.

64. **Mr. Corbyn:** To ask the Secretary of State for Defence if he will make a statement on the outcome of the NATO nuclear planning group meeting held at Kananaskis village, Alberta, Canada.

Mr. Archie Hamilton: I refer the hon. Members to the answer that I gave earlier today to the hon. Member for Sheffield, Hillsborough (Mr. Flannery).

Lance Missile

36. **Mr. Frank Cook:** To ask the Secretary of State for Defence whether Her Majesty's Government will abandon their support for a replacement to the Lance short-range nuclear missile.

45. **Mr. Steinberg:** To ask the Secretary of State for Defence whether Her Majesty's Government will abandon their support for a replacement to the Lance short-range nuclear missile.

Ms. Short: To ask the Secretary of State for Defence whether Her Majesty's Government will abandon their support for a replacement to the Lance short-range nuclear missile.

Mr. Archie Hamilton: I refer the hon. Members to the reply that I gave earlier today to the hon. Member for Barnsley, East (Mr. Patchett).

Defence Procurement

37. **Mr. Fatchett:** To ask the Secretary of State for Defence if he will list the five largest British defence companies providing defence equipment to the United Kingdom armed forces.

43. **Mr. Eastham:** To ask the Secretary of State for Defence if he will list the five largest British defence companies providing defence equipment to the United Kingdom armed forces.

Mr. Battle: To ask the Secretary of State for Defence if he will list the five largest British defence companies providing defence equipment to the United Kingdom armed forces.

Mr. Alan Clark: I refer the hon. Member to the answer that I gave earlier today to the hon. Member for Edinburgh, South (Mr. Griffiths).

Merchant Ships

40. **Mr. Parry:** To ask the Secretary of State for Defence if he will make it his policy to use only British merchant ships for Ministry of Defence charters; and if he will make a statement.

42. **Mr. Clay:** To ask the Secretary of State for Defence if he will make it his policy to use only British merchant ships for Ministry of Defence charters; and if he will make a statement.

60. **Mr. Loyden:** To ask the Secretary of State for Defence if he will make it his policy to use only British merchant ships for Ministry of Defence charters; and if he will make a statement.

Mr. Neubert: I refer the hon. Members to the answer that I gave earlier today to the hon. Member for Hemsworth (Mr. Buckley).

Over-the-Horizon Radar

41. **Mr. Michael:** To ask the Secretary of State for Defence if he will make a further statement on his proposal for the siting of proposed over-the-horizon radar transmitters on the former St. David's airfield in Pembrokeshire; and what progress has been made in his plans to inform and consult public opinion on the proposal.

Mr. Alan Clark: I recently visited St. David's, at the invitation of my hon. Friend the Member for Pembroke (Mr. Bennett), to inspect the site of the proposed installation, explain the background to our proposals to my hon. Friend's constituents, and hear their initial representations at first hand.

The next step will be for the Ministry of Defence to commission a full environmental impact assessment in respect of this proposed installation. This will support a formal notice of proposed development which we plan to submit to the Pembrokeshire Coast National Park Authority later this year. Once we have submitted the notice of proposed development, we intend to give full public presentations of our proposals. I also understand that the national park authority will undertake wide consultation and invite representations on the notice of proposed development from all interested parties.

Type 23 Frigates

47. **Mr. Jack Thompson:** To ask the Secretary of State for Defence if he will make a statement on the present status of the command system for the type 23 frigate.

49. **Mr. Turner:** To ask the Secretary of State for Defence if he will make a statement on the present status of the command system for the type 23 frigate.

Mr. Allen McKay: To ask the Secretary of State for Defence if he will make a statement on the present status of the command system for the type 23 frigate.

Mr. Neubert: I have nothing to add to the statement that I made on 18 April at column *938*.

Trident

48. **Mr. Fisher:** To ask the Secretary of State for Defence what amount of money could be saved by a decision to cancel the fourth Trident submarine in the near future.

56. **Mr. Wray:** To ask the Secretary of State for Defence what amount of money could be saved by a decision to cancel the fourth Trident submarine in the near future.

Mr. Madden: To ask the Secretary of State for Defence what amount of money could be saved by a decision to cancel the fourth Trident submarine in the near future.

Mr. McAllion: To ask the Secretary of State for Defence what amount of money could be saved by a decision to cancel the fourth Trident submarine in the near future.

Mr. Neubert: No contract has yet been placed. It is our estimate that savings in the order of £500 million would result if it were decided in the near future not to proceed with the planned order for the fourth Vanguard class submarines.

European Fighter Aircraft

57. **Mr. Strang:** To ask the Secretary of State for Defence whether the European fighter aircraft nose radar development contract has been allocated; and if he will make a statement.

Mr. Alan Clark: I refer the hon. Gentleman to the statement made by my right hon. Friend the Secretary of State on 8 May at columns *33-34*.

Armed Forces (South Dorset)

61. **Mr. Ian Bruce:** To ask the Secretary of State for Defence if he has any plans to increase the stationing of armed forces personnel in south Dorset.

Mr. Archie Hamilton: The exact number of service personnel stationed in south Dorset will fluctuate with the normal redeployment of units. There are, however, no current plans that would alter this number to any significant degree.

Unreliable Equipment

62. **Mr. John Hughes:** To ask the Secretary of State for Defence what assessment he has made of the annual cost of maintaining unreliable defence equipment.

Mr. Skinner: To ask the Secretary of State for Defence what assessment he has made of the annual cost of maintaining unreliable defence equipment.

Mr. David Marshall: To ask the Secretary of State for Defence what assessment he has made of the annual cost of maintaining unreliable defence equipment.

Mr. Neubert: At a very broad estimate, unreliability adds £1 billion a year to the cost of maintaining the services' equipment.

START Agreement

Mr. Watson: To ask the Secretary of State for Defence what United Kingdom forces have been offered for inclusion in the proposed START agreement; and if he will make a statement on the defence implications.

Mr. McAvoy: To ask the Secretary of State for Defence what United Kingdom forces have been offered for inclusion in the proposed START agreement; and if he will make a statement on the defence implications.

Mr. Harry Barnes: To ask the Secretary of State for Defence what United Kingdom forces have been offered for inclusion in the proposed START agreement; and if he will make a statement on the defence implications.

Mr. Archie Hamilton: I refer the hon. Members to the reply that I gave earlier today to the hon. Member for Bristol, South (Ms. Primarolo).

Queen's Birthday Parade

Mr. Harry Greenway: To ask the Secretary of State for Defence how many horses and riders were on the Queen's birthday parade in each of the past three years; and if he will make a statement.

Mr. Neubert: The number of military riders taking part in the Queen's birthday parade in 1987 and 1988 was 251; the number of military horses taking part in each of these years was 276. In 1989, the corresponding numbers were 247 personnel and 272 horses. This includes those riders and horses forming part of the royal procession which numbered 24 in 1987 and 1988 and 20 in 1989.

Horseshoe Barracks

Mr. Teddy Taylor: To ask the Secretary of State for Defence what progress has been made in determining the future use of the Horseshoe barracks in Shoeburyness.

Mr. Archie Hamilton: Discussions with the local planning authority and others on our plans to dispose of Horseshoe barracks, Shoeburyness, are continuing.

Consultancies

Mr. Tim Smith: To ask the Secretary of State for Defence how much the Ministry of Defence expects to spend in the financial year 1990-91 on management and computer consultancy contracts.

Mr. Alan Clark: The Ministry of Defence expects to spend £22 million in the financial year 1990-91 on management and computer consultancy contracts.

Royal Ordnance Factories

Mr. Graham: To ask the Secretary of State for Defence what representations he has received from members of the public about the withdrawal of Ministry of Defence police from royal ordnance, Bishopton.

Mr. Neubert: Forty three letters have been received registering protest at the plan to withdraw MDP from Bishopton.

Mr. Graham: To ask the Secretary of State for Defence what decision has been taken about the future deployment of the Ministry of Defence police at the royal ordnance factories at Glascoed, Bridgewater, Chorley, Nottingham and Radway Green; and if he will make a statement.

Mr. Neubert: Discussions with Royal Ordnance plc continue. No final decision has been taken.

Mr. Graham: To ask the Secretary of State for Defence how many royal ordnance company guards will replace Ministry of Defence police on 1 June at royal ordnance, Bishopton; and what powers of arrest and detention employees of the company guard force will have.

Mr. Neubert: Fifty-one Royal Ordnance Company guards will replace Ministry of Defence police. The guards will have only citizen's powers of arrest and detention. The Strathclyde police, with whom our arrangements have been agreed, will provide a police response quickly when required.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence if he will provide details of the compensation arrangements made on previous occasions where the circumstances are similar to those which would pertain near the proposed over-the-horizon radar installation on the site of the former St. David's airfield, Pembrokeshire.

Mr. Alan Clark: On no previous occasion have the circumstances been similar to those which would pertain near to the proposed over-the-horizon radar installation at St. David's airfield, Dyfed. I refer the hon. Gentleman to my earlier answer on 23 April at column *74* on the subject of compensation.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence if he will give details of the compensation arrangements which he will make if the proposed over-the-horizon radar installation on the site of the former St. David's airfield, Pembrokeshire, is approved.

Mr. Alan Clark: Where the provisions of the Land Compensation Act 1973 apply, my Department will pay compensation if the district valuer is satisfied that there is evidence of a reduction in the value of a residential property (or certain small businesses) as a consequence of bringing into use new works. The Act makes no provision for compensation where the consequence is solely the visual impact of the completed works, so there can be no assurance that its terms will apply in all or any cases that may arise under this proposal. Nonetheless, where the provisions of the Act do not apply, my Department is always prepared to consider reasonable claims for compensation if it can be demonstrated that actual loss has been sustained as a result of military activity.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence who is to carry out the independent environmental impact assessment study on the proposed over-the-horizon radar installation on the site of the former St. David's airfield, Pembrokeshire; and if he will make a statement.

Mr. Alan Clark: I will announce details of the firm which is to carry out the independent environmental impact assessment on the proposed over-the-horizon radar installation at St. David's airfield, Pembrokeshire, once the contract is let.

Devonport Dockyard

Mr. O'Neill: To ask the Secretary of State for Defence what assessment has been made of future redundancies at Devonport dockyard.

Mr. Neubert: The size of the workforce at Devonport dockyard is a matter for Devonport Management Limited.

HMS Illustrious

Mr. O'Neill: To ask the Secretary of State for Defence when HMS Illustrious will start its refitting programme; and where it will be refitted.

Mr. Neubert: HMS Illustrious's next refit is scheduled to start as part of the core programme at Devonport dockyard in 1991 and to finish in 1993. The plans for refitting Royal Naval vessels are, however, subject to continuous review.

AGRICULTURE, FISHERIES AND FOOD

Bovine Spongiform Encephalopathy

Mr. Hague: To ask the Minister of Agriculture, Fisheries and Food whether he has any plans to add to his previous statement on bovine spongiform encephalopathy in the light of recent events.

Mr. Gummer: The wide-ranging measures adopted by the Government have been based on the best scientific expertise available. These experts concluded that the risk to humans is remote but action has been taken:

1. To slaughter and destroy all affected cattle so that no part can enter the human food chain;
2. Specified offals, including the brain and spinal chord, must be removed from healthy cattle slaughtered for human consumption.
3. Banning of the use of these offals as food or in food products.

The removal and banning for food of these offals is a precautionary measure which goes beyond the scientific advice. These actions fully protect the public from what is a remote and theoretical risk.

The situation is, however, being kept under constant review and hence the committee under Dr. Tyrrell has been constituted as a permanent committee to examine new information and concerns and to ensure that the advice on which the Government act is kept fully up to date.

A major research programme has been in progress since the disease was first identified in 1986. More than £2 million has already been spent. A further £12 million has been allocated to projects, devised on the basis of advice from the Tyrrell committee, for the next three years. All the results of this research will be made publicly available.

The source of the disease has been cut off with the ban, from July 1988, on the feeding of ruminant material to ruminants. Because of the long incubation period, cases will continue to occur for some years. We intend to eradicate this disease in cows but this will obviously take time. In the meantime the action taken demonstrates the Government's absolute commitment to protecting and reassuring the public.

Local education authorities can therefore continue to provide beef in school meals with complete confidence. As the Minister responsible for food safety for the whole nation, I reiterate that British beef is perfectly safe to eat. This is the view not only of our top scientists but also of European Community experts.

The Ministry of Agriculture, Fisheries and Food is committed to making public all the information that we have about these matters. That is why we gave out the information about the one cat (out of Britain's 7 million) diagnosed as having an encephalopathy. There is nothing to link that encephalopathy with BSE or scrapie, or to suggest that it is transmissible. However, we were determined that all this should be in the public domain and we shall continue our investigations, the results of which will also be announced.

Sausages

Mr. Burt: To ask the Minister of Agriculture, Fisheries and Food what steps his Department is taking to preserve the British sausage; and if he will make a statement.

Mr. Maclean: The Commission's proposals would require minced meat and sausages to be prepared from fresh, chilled meat within six days of slaughter. This would prevent the use of meat from carcases which have been matured to enhance flavour and tenderness. The use of some fit meat, including shin and skirt, would be prohibited. Chilled minced meat and sausages could not be made from frozen meat and would be required to be chilled to 2°C within an hour of preparation, leading to freeze damage. Only butchers producing minced meat and sausages on their premises for direct sale to customers would be exempt from these requirements.

There are no sound hygiene reasons for these restrictions, which would increase costs and reduce consumer choice.

We are negotiating hard in Brussels to secure the removal of these restrictions from the Commission's proposals. The industry are also making representation on their own behalf. Further, in co-operation with the industry, we shall be arranging to publicise the proposals in the hope that this will stimulate United Kingdom consumers to write to Members of the European Parliament, and to the Commission, protesting about the restrictions which would be put on their freedom of choice.

Contaminated Feed

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food, further to his answer to the hon. Member for South Shields on 9 May. *Official Report*, column *132*, whether the contamination of pig feed still affects the county of Hampshire.

Mr. Gummer: The contamination of pig feed no longer affects any farms in Hampshire.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food whether any farms on Tyneside have received contaminated pig feed.

Mr. Gummer: No farms on Tyneside are reported to have received contaminated pig feed.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food whether animals other than pigs have been fed contaminated feed; and if he will make a statement.

Mr. Gummer: The contaminated feed ingredient was also included in feed for sheep and dairy and beef cattle, but at lower levels from those included in pig feed. There have been no reported incidence of ill effects in animals

other than pigs. Pigmeat and cows' milk samples from farms which have received contaminated feed have been tested and no evidence of any conceivable hazard to human health ensuing out of this incident has been found.

Central Veterinary Laboratory

Mr. Tim Smith: To ask the Minister of Agriculture, Fisheries and Food what specific financial, efficiency and quality of service targets he has approved for the central veterinary laboratory for the current year and for the longer term.

Mr. Maclean: I announced the laboratory's financial and efficiency targets for 1990-91 in my written answer to my hon. Friend the Member for Ludlow (Mr. Gill) on 30 March 1990 at column *364*. It is, of course, for the laboratory's customers to specify appropriate quality standards for individual contracts, but I attach great importance to all contracts being completed on time and to a high standard. The laboratory's current peer review arrangements will also continue.

I am still considering the question of appropriate longer-term targets as I am determined that improvements in efficiency should not be made at the expense of quality or of the laboratory's ability to respond effectively in an emergency.

EMPLOYMENT

Training

Mr. Hind: To ask the Secretary of State for Employment if he has any plans to review the dates for finalising training agent contracts with the Training Agency; and if he will make a statement.

Mr. Nicholls: Recontracting with employment training (ET) training agents, and with training managers and with YTS managing agents, should be substantially complete by 28 May 1990. I have no plans to review this date.

Health and Safety Executive

Mr. Andrew Welsh: To ask the Secretary of State for Employment (1) how many monitoring visits have been undertaken in *(a)* Scotland and *(b)* Angus in each of the last 10 years by the Health and Safety Executive;

(2) how many inspections have been undertaken by the Health and Safety Executive in *(a)* Scotland and *(b)* Angus in each of the last 10 years.

Mr. Nicholls: I will write to the hon. Member.

Mr. Andrew Welsh: To ask the Secretary of State for Employment if he will make a statement on current staffing levels in the Health and Safety Executive in Scotland.

Mr. Nicholls: On 1 April 1990, 177·5 staff were employed in Scotland by the Health and Safety Executive.

Mr. Andrew F. Bennett: To ask the Secretary of State for Employment what is the current amount of fees outstanding to the medical division (EMAS) of the Health and Safety Executive for medical examinations.

Mr. Nicholls: On 10 May 1990 £8,175 had been outstanding for more than three months in respect of fees for medical examinations carried out by the employment medical advisory service.

Mr. Andrew F. Bennett: To ask the Secretary of State for Employment (1) how many former employees of the Health and Safety Executive have been re-employed as consultants by the Health and Safety Executive; what the total costs of such consultants was in fiscal year 1989-90; what is the projection for 1990-91; and what is the average hourly rate of these consultants;

(2) what consultancy fees were paid to non-ex-Health and Safety Executive staff in 1989-90 by the Health and Safety Executive; and what is the projection for 1990-91.

Mr. Nicholls: Total consultancy fees paid to individuals in 1989-90 by the Health and Safety Executive were £19,787; of which £6,202 (an hourly rate of £22·55p) was to a former HSE employee. Under HSE's devolved budgeting system, recruitment of consultants is decided by divisions according to need, within the limits of their running cost budgets.

Mr. Andrew F. Bennett: To ask the Secretary of State for Employment what is the profit margin on the recently published Health and Safety Executive annual report; and how many shop floor sales are anticipated at the cover price.

Mr. Nicholls: In line with Her Majesty's Treasury rules HSE operates a policy which sets prices for its publications which will recover the full cost of production. A total of 1,300 copies of the 1988-89 report have been sold since its publication in February. It is too early to assess the eventual sales revenue and no information is available about the background of customers, both past and potential, of the publication.

Mr. Andrew F. Bennett: To ask the Secretary of State for Employment what proportion of the administrative staff of the Health and Safety Executive have any formal qualifications in management.

Mr. Nicholls: The great majority of officials in these grades are not employed in a managerial capacity. The percentage of administrative staff who are recorded as having formal academic qualifications relevant to management is 3·3.

Training Credits

Mr. Jack: To ask the Secretary of State for Employment if he will make a statement on the progress of the training credits initiative.

Mr. Eggar: Thirty-three training and enterprise councils (TECs) have submitted proposals to operate pilot credit schemes in their area. This is clear evidence of the widespread interest in and enthusiasm for training credits for young people.

I expect to make an announcement in early June about those TECSs which will be invited to develop a more detailed proposal.

Training Vouchers

Mrs. Gorman: To ask the Secretary of State for Employment if he will make a further statement on the progress in introducing his training voucher scheme.

Mr. Eggar: Thirty-three training and enterprise councils (TECs) have submitted proposals to operate pilot credit schemes in their area.

I expect to make an announcement in early June about those TECs which will be invited to develop a more detailed proposal.

Skill Centres

Mr. Cryer: To ask the Secretary of State for Employment when he expects to conclude negotiations to sell skill centres to Astra Training Services Ltd.; and if he will make a statement.

Mr. Eggar: Pursuant to my reply of 2 May 1990, *Official Report*, column *544*, I expect to complete the sales of the training business at Barking, Southampton and Wolverhampton skill centres (including Telford Outreach) shortly.

The sale of the training business at Chesterfield skill centre will not take place because of the Labour council's refusal to make the premises available to Astra.

Mr. Cryer: To ask the Secretary of State for Employment if he will list the skill centre sites sold other than to Astra Training Services Ltd., giving each purchaser and the sites acquired.

Mr. Eggar: The following list includes details of training businesses sold to purchasers other than Astra.

To METEL (Merseyside Education Training Enterprise Ltd.): Liverpool skill centre. The purchaser acquired the freehold of the site.

To the consortium headed by Mr. C. Lakin: Cumbria, East Lancs, St. Helens and Ipswich. The consortium purchased the freehold of Cumbria skill centre, and was granted leases on the other sites.

To the Training Business: Lambeth skill centre. The purchaser acquired the leasehold interest of the site.

Mr. Cryer: To ask the Secretary of State for Employment whether any technical instructor grades have been offered alternative employment in the civil service before or following the sale of skill centres to private organisations; and if he will make a statement.

Mr. Eggar: Fifty-one staff in instructional grades in the Skills Training Agency (STA) have transferred to alternative posts in the civil service since the Secretary of State for Employment announced his intention to transfer STA to the private sector.

Mr. Cryer: To ask the Secretary of State for Employment what is the total value of the freehold land sold to various companies involved in the purchase of skill centres; and if he will make a statement.

Mr. Eggar: The Government appointed King and Company, surveyors, to value the Skills Training Agency (STA) estate, prior to the sale of STA to the private sector. The sale of the Government's residual property interests is not yet complete. The valuations are therefore confidential.

Inspection Visits

Mr. Andrew F. Bennett: To ask the Secretary of State for Employment when the current chief inspector of factories last conducted a basic inspection visit alone.

Mr. Nicholls: The chief inspector of factories does not, as a matter of policy, undertake preventive inspections alone. This is the primary work of regional staff.

Mr. Andrew F. Bennett: To ask the Secretary of State for Employment how many basic inspection visits are paid in a year by area directors of the Health and Safety Executive; and if he has any plans to increase the figure.

Mr. Nicholls: As a matter of policy area directors do not normally carry out preventive inspections alone but may, on occasions, accompany other inspectors on inspection visits.

Mr. Andrew F. Bennett: To ask the Secretary of State for Employment how many basic inspection visits per average working week are made by area office-based deputy superintending inspectors of factories alone; and what steps he intends to take to increase their inspection rate in 1990-91 over past years.

Mr. Nicholls: Deputy superintending inspectors of factories are in general employed not in an inspection role but in connection with standards formation and headquarters and management work. In total last year inspectors of this grade carried out 162 unaccompanied visits generally in connection with their other duties. There are no plans to increase this aspect of their work.

Mr. Andrew F. Bennett: To ask the Secretary of State for Employment when the director-general of the Health and Safety Executive last visited a factory.

Mr. Nicholls: Mr. Rimington's latest official visits to various categories of industrial installation regulated under the Health and Safety at Work, &c. Act are as follows:

Installation	*Date*
a factory	October 1987
an oil rig	August 1982
an approved laboratory	January 1990
a nuclear power station	June 1986
a nuclear chemical installation	August 1985
a construction site	November 1988
a coal mine	June 1986

Mr. Andrew F. Bennett: To ask the Secretary of State for Employment how many basic inspection visits per average working week are made by area office-based principal inspectors of factories alone; and what steps he intends to take to increase their inspection rate in 1990-91 over past years.

Mr. Nicholls: A high proportion of inspection visits concerned with the more complex issues and demanding situations is made by principal inspectors acting either alone or in some cases accompanied. These visits are not differentiated in the records and to obtain the information requested would involve disproportionate cost.

Mr. Andrew F. Bennett: To ask the Secretary of State for Employment how many factory visits in an average working week made in 1989-90 by the doctors and nurses employed in the field force of the employment medical advisory service (medical division) of the Health and Safety Executive.

Mr. Nicholls: The information is not available in the form requested. Between 1 April 1988 and 31 March 1989 medical staff in the employment medical advisory service based in the Health and Safety Executive's area offices made a total of 7,002 visits.

Action Credit

Ms. Primarolo: To ask the Secretary of State for Employment if he will give *(a)* the full cost of the research being carried out into the viability of extending action credit to the five employment service areas, including employment service staff hours, *(b)* the full amount that has, and is to be paid for administering and monitoring the existing three action credit pilots including the three month extension, and *(c)* on what grounds he took the decision to fund new research before the initial research into the pilots was finished.

Mr. Eggar: The cost of the research carried out into the viability of extending action credit to employment service areas was £35,466. The involvement of employment service staff was minimal.

The contracted cost of administering and monitoring the existing three action credit pilots, including the three month extension is £100,025. Currently there are no plans which would increase the total cost of the three pilots.

The existing pilots are targeted only at those leaving employment training. The new research was therefore commissioned to give an insight into the reactions of all long-term unemployed people to the concept of action credit.

Training Agency (Contracts)

Mr. Tim Smith: To ask the Secretary of State for Employment whether the total budget of the Training Agency for 1990-91 for management and computer consultancy contracts has now been agreed.

Mr. Eggar: The total budget of the Training Agency for 1990-91 for management and computer consultancy contracts has now been agreed as follows:

	£
Management	11,000
Computer	4,881,000
Total	4,892,000

Channel Tunnel

Mr. Tony Lloyd: To ask the Secretary of State for Employment if the Health and Safety Executive have any plans to compile comparative figures for accident and serious injury rate figures for both sides of the channel tunnel construction project.

Mr. Nicholls: The Health and Safety Executive does not have any plans to compile comparative figures for accident and serious injury rates for both sides of the channel tunnel construction project. Information about accidents is already exchanged in the Channel Tunnel Safety Authority health and safety working group for accident prevention purposes. It is difficult to compare directly figures from the French and United Kingdom sides due to the different national procedures and criteria for accident reporting.

Mr. Tony Lloyd: To ask the Secretary of State for Employment what assessment the Health and Safety Executive has made of the adequacy of medical facilities on the construction site of the channel tunnel and within the tunnel itself; and what were its conclusions.

Mr. Nicholls: The Health and Safety Executive monitors the medical facilities at the channel tunnel site and is keen to ensure that the current level of service is maintained.

Mr. Tony Lloyd: To ask the Secretary of State for Employment what information he has on the numbers of people employed on the channel tunnel construction project on *(a)* the British side and *(b)* the French side at the end of 1987, 1988, 1989 and the latest date for which information is available.

Mr. Nicholls: Available information about the total numbers of people employed on the channel tunnel construction project is as follows:

Total employed on the project

Year	*Number*
February 1988	2,218
January 1989	5,014
December 1989	6,950

Figures for the French side are not available.

Mr. Tony Lloyd: To ask the Secretary of State for Employment what comparative research exists within the Health and Safety Executive into accident or incident rates on *(a)* civil engineering and *(b)* construction projects within Europe.

Mr. Nicholls: The Health and Safety Executive has not carried out any comparative research into these matters.

Mr. Tony Lloyd: To ask the Secretary of State for Employment on what dates meetings took place between representatives of the Health and Safety Executive and their counterparts in France to discuss health and safety issues arising out of the construction of the channel tunnel.

Mr. Nicholls: Officials of the Health and Safety Executive regularly meet representatives of the French Government through the bi-national Channel Tunnel Safety Authority and its working groups, including the health and safety working group which considers safety matters arising out of the construction of the channel tunnel. The health and safety working group meets on average once a month. This year the group met on 25 January, 22 February, 13 March, 26 March and 26 April.

Mr. Tony Lloyd: To ask the Secretary of State for Employment what discussions have been held over the need to harmonise working standards and practices when the Channel tunnels meet; and whether there will be a harmonisation of relevant national legislation.

Mr. Nicholls: A series of discussions have been held in the Channel Tunnel Safety Authority's bi-national health and safety working group on the health and safety arrangements which will need to be put in place when the tunnels meet. No final decisions have yet been taken about these arrangements.

Mr. Tony Lloyd: To ask the Secretary of State for Employment if he will undertake an inquiry into the safety of working practices to report as a matter of urgency on construction of the channel tunnel.

Mr. Nicholls: No. The prime responsibility for health and safety rests with employers. Transmanche Link has

told my right hon. and learned Friend the Secretary of State that it is to re-examine all working practices and procedures in the light of recent incidents. It has agreed to share with the Health and Safety Executive the results of an internal audit of safety arrangements and work practices. The accident prevention advisory unit of the Health and Safety Executive is already undertaking an audit of safety practice in relation to the maintenance of the tunnel boring machines.

Mr. Tony Lloyd: To ask the Secretary of State for Employment if he will make a statement on the death of Mr. William Cartman on Monday 7 May during work on the channel tunnel.

Mr. Nicholls: The accident which led to the death of Mr. William Cartman on Monday 7 May is currently under investigation by the Health and Safety Executive. My right hon. and learned Friend the Secretary of State met senior management of the channel tunnel contractors, Transmanche Link, on 10 May to discuss the safety arrangements on site. Transmanche Link has undertaken to re-examine all working practices and procedures in the light of recent incidents.

Mr. Tony Lloyd: To ask the Secretary of State for Employment what information and statistics exist about *(a)* accident rates, *(b)* death rates and *(c)* serious injury on the French and British sides of construction of the channel tunnel.

Mr. Nicholls: The Health and Safety Executive holds information and statistics on accidents on the channel tunnel construction site reported to it under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1985 (RIDDOR). The collection of information and statistics for the French side of the project is a matter for the French authorities. Information about accidents is exchanged in the Channel Tunnel Safety Authority's health and safety working group for accident prevention purposes.

Mr. Tony Lloyd: To ask the Secretary of State for Employment what is the relationship between the Health and Safety Executive and the Channel Tunnel Safety Authority.

Mr. Nicholls: The Health and Safety Executive is responsible for enforcing the Health and Safety at Work, &c. Act and the relevant statutory provisions which apply to the United Kingdom channel tunnel construction sites. The Channel Tunnel Safety Authority is a bi-national body established under the treaty of Canterbury and its duties are set out in that treaty. An HSE official is a member of the safety authority.

European Social Fund

Mr. Worthington: To ask the Secretary of State for Employment on what date he submitted the United Kingdom operational programme to fulfil objectives 3 and 4 of ESF to the European Commission for the 1990 programme.

Mr. Eggar: The initial Great Britain operational programme applications for ESF support concerning objectives 3 and 4 were submitted to the European Commission on 31 August 1989. The Northern Ireland operational programme applications were submitted on 29 August 1989. The European Commission has subsequently adopted the community support framework for these objectives, which determines the amounts and priorities for ESF support and now requires us to revise the programmes in accordance with these.

Mr. Tony Lloyd: To ask the Secretary of State for Employment what representations he has received from voluntary organisations about the delays in the processing of applications for the European Community social fund.

Mr. Eggar: I have received written representations from five voluntary organisations about the delays in processing applications for the European social fund.

Race Discrimination

Mr. Corbyn: To ask the Secretary of State for Employment how many alleged cases since 1976, of race discrimination under the 1976 Act, have been lodged with the central office of industrial tribunals for England and Wales where the respondent was either a regional health authority, district health authority or formally an area health authority; and if he will give a breakdown by year naming each health authority, and the number of cases lodged; how many of these alleged cases came before a tribunal, giving a breakdown by year, naming each health authority and the number of cases heard; and how many of the cases heard by the industrial tribunal were successful, giving a breakdown by year, naming each health authority and the number of successful cases.

Mr. Nicholls: The information requested could be obtained only at disproportionate cost.

Schools-Industry Compacts

Mr. David Martin: To ask the Secretary of State for Employment how much his Department plans to spend over the next four years to support schools-industry compacts.

Mr. Eggar: Over the next four years my Department plans to spend in the region of £27 million to support schools-industry Compacts in inner city areas.

In addition, my right hon. Friend the Secretary of State for Trade and Industry announced on 24 April 1990 that the Government intend to support local business education partnerships across the country. My Department will lead this initiative from April 1991. Details of the financial provision for this initiative are yet to be finalised.

Health and Safety Regulations

Mr. David Young: To ask the Secretary of State for Employment if he will make representations to the Health and Safety Executive about the case for putting prosecutions of those breaching health and safety regulations through the Crown court and not initially through the magistrates court.

Mr. Nicholls: All cases must by law go initially to the magistrates court. Under section 19 of the Magistrates Court Act (1980), responsibility for referral of cases to Crown court rests with the justices.

Mr. Nellist: To ask the Secretary of State for Employment what was the outcome of his meeting with Transmanche Link following the death of William Cartman on 7 May; and if he will make a statement.

Mr. Nicholls *[holding answer 14 May 1990]:* My right hon. and learned Friend the Secretary of State met Mr. Jack Lemley, chief executive of Transmanche Link (TML), who assured him that the highest priority would be given to safeguarding the health and safety of workers employed on the construction of the channel tunnel.

My right hon. and learned Friend reminded TML that although the Health and Safety Commission and Executive have extensive powers which they have used and will continue to use to enforce United Kingdom safety legislation, the prime responsibility for safety at the site rested with the management, as with any contract.

HSE inspectors will continue to monitor safety standards at the site and will not hesitate to enforce action that they consider necessary.

Ms. Ruddock: To ask the Secretary of State for Employment if he will make it his policy to encourage people on employment training courses to train in skill shortage areas.

Mr. Nicholls *[holding answer 14 May 1990]:* It is my right hon. and learned Friend's policy to encourage eligible unemployed people to join employment training with the aim of securing employment on completing training, including training in skill shortage occupations where appropriate, within the resources available.

Written Answers to Questions

Wednesday 16 May 1990

NORTHERN IRELAND

Stevens Inquiry

Mr. A. Cecil Walker: To ask the Secretary of State for Northern Ireland what is the total cost of the Stevens inquiry; how many persons have been taken in for questioning as a result of this inquiry and subsequently released without charge; and how many persons are now in custody as a result of this inquiry.

Mr. Brooke: Ninety-four persons, have been arrested as a result of the inquiry led by DCC Stevens. Fifty-nine have been charged, and 24 persons are now in custody. The final cost of the inquiry is not yet available. Up to 24 April, however, £307,000 had been spent. It is estimated that final costs for the period ending 31 March 1990 will be around £500,000.

Fair Employment

Rev. William McCrea: To ask the Secretary of State for Northern Ireland if he will list all firms in Mid-Ulster which are registered with the Northern Ireland Fair Employment Commission in Strabane district council, Omagh district council and Cookstown district council areas.

Mr. Needham: Information in the form requested is not yet available. The Fair Employment Commission expects, however, to be in a position to provide information in that form later this year.

Rev. William McCrea: To ask the Secretary of State for Northern Ireland if he will list the numbers of employees in each public organisation by the Fair Employment Commission's definition of Protestant and Roman Catholics in Omagh council area for those companies or organisations on the fair employment register.

Mr. Needham: The Fair Employment Commission holds monitoring information on the numbers of people employed by public authorities which are specified under the Fair Employment (Specification of Public Authorities) Order (NI) 1989. This is not however disaggregated by district council area.

Mineral Extraction, Cavanacaw

Rev. William McCrea: To ask the Secretary of State for Northern Ireland what conditions are being imposed upon the mineral operation being carried on at Cavanacaw, Omagh so as to ensure the future welfare and safety of the environment; and whether final approval has been granted for the mineral extraction in this area.

Mr. Needham: The conditions of the prospecting licence include provision for restoration of lands affected by prospecting operations. No approval has been given for a mining lease in the Cavanacaw area near Omagh, but planning permission has been granted for a temporary exploration trench for mineral exploration subject to conditions imposed in the interest of amenity and road safety. In addition, a consent has been granted for the making of a discharge into a waterway under the terms of the Water Act (NI) 1972 subject to conditions to ensure that the waterway will not be polluted. I have sent copies of the planning decision notice and the Water Act consent to the hon. Gentleman and the Library.

Cash Limits

Mr. Michael Brown: To ask the Secretary of State for Northern Ireland if he will make a statement about the cash limit for Northern Ireland departmental services for 1990-91.

Mr. Brooke: Subject to parliamentary approval of the main estimates for Northern Ireland departmental services through the Draft Appropriation (No. 2) (Northern Ireland) Order 1990 which was laid before Parliament today, the following changes will be made to the cash limit for Northern Ireland departmental services (NIDI) for 1990-91 (only the first of these affects the level of public expenditure resources available to Northern Ireland). The changes are:

(a) an addition of £6·7 million in respect of the 1990 Health Service review body awards. This provides additional public expenditure provision for the health and personal social services boards in Northern Ireland: the addition will be charged to the reserve and will not therefore add to the planned total of United Kingdom public expenditure;
(b) a reduction of £15 million, reflecting an increase in the estimates of the employers' and employees' contribution to the Health Service. As a transfer within central Government this does not affect public expenditure;
(c) a reduction of £10 million, reflecting higher forecast repayments of borrowings by Northern Ireland Electricity;
(d) a reduction of £4·6 million, reflecting reduced expenditure on the rundown of the gas industry in Northern Ireland.

The last two items reflect reallocation of resources within existing plans from cash-limited services to non-cash-limited services.

The net effect of these changes is a reduction of £22·9 million in the cash limit NIDI, from £2,972·194 million to £2,949·294 million.

Mr. Brian Nelson

Mr. A. Cecil Walker: To ask the Secretary of State for Northern Ireland if he will make a statement on the security role of Brian Nelson in north Belfast.

Mr. Brooke *[holding answer 30 April 1990]:* Mr. Nelson is currently in custody charged with possession of information likely to be of use to terrorists. His case is therefore sub judice and I can make no comment about it.

Beef Industry

Mr. McGrady: To ask the Secretary of State for Northern Ireland what financial or other arrangements he proposes to make to alleviate the financial problems now affecting the beef industry in Northern Ireland.

Mr. Peter Bottomley *[holding answer 14 May 1990]*: The Northern Ireland beef sector will benefit considerably from the changes agreed at the recent EC price-fixing negotiations. It is estimated that returns to beef producers will increase by about £8 million in a full year as a result of the changes in beef support and agrimonetary arrangements which were secured. The Northern Ireland beef sector should benefit, in particular, from the reduction in monetary compensation amounts on trade in cattle and beef across the land border with the Republic of Ireland and with other regions of the EC.

OVERSEAS DEVELOPMENT

Third World Economic Development

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the reply on 14 May from the Minister for Overseas Development to the hon. Member for Hendon, South, if he will list in the *Official Report* details of studies of the development role of a social market economy sponsored by his Department.

Mrs. Chalker: The information is as follows:

ODA sponsored research on the role of markets and economic liberalisation

	Duration	*Cost (to ODA)* £
1. Pricing and trade structure in the Chinese economy[1] Drs. Ahmed/Hussain/Stern, LSE	1987-90	172,568
2. Policy change in the Chinese grain sector Dr. Buckwell, Wye	1987-88	14,800
3. Conditional aid programmes: Lessons from the World Bank's experience of structural adjustment loans Professor Mosley, Manchester Professor Toye, IDS	1987-90	109,187
4. World Bank report on long term perspectives for sub-Saharan Africa Mr. S. Please, World Bank	1988-90	50,000
Total		346,555

[1] Not yet completed.

ATTORNEY-GENERAL

Courts (Access)

Mr. Harry Barnes: To ask the Attorney-General if he has any plans to improve access for disabled people to courts and other law buildings.

The Attorney-General: New and adapted or reconditioned court buildings provide, to the maximum possible extent, all the facilities required for the disabled, including lifts and ramps as necessary. Other buildings have had improvements incorporated where this has been feasible. New court rooms are designed to high acoustic standards which benefit the hard of hearing. Internal signs are made as clear as possible. Court staff are always available to assist disabled court users.

PRIME MINISTER

Community Charge

Mr. Wigley: To ask the Prime Minister what representations she has received from Criccieth town council concerning the community charge; and if she will make a statement.

The Prime Minister: A letter has been received from Criccieth town council and a reply has now been sent by my right hon. Friend the Secretary of State for Wales.

Correspondence

Mr. Lewis: To ask the Prime Minister when she expects to reply to the letter dated 17 April from the Reverend Andy Lindop of the Parish of St. John's, Mosley Common, Worsley, regarding the charge capping of Wigan metropolitan borough council.

The Prime Minister: There is no record of the letter to which the hon. Member refers having been received. May I suggest that a copy is sent to my right hon. Friend the Secretary of State for the Environment, who will arrange for an early reply.

Parliamentary Questions

Mr. Wigley: To ask the Prime Minister if she will take steps to ensure that Ministers do not avoid the answering of priority written questions within the established time scale by stating in answer to such a question that a Minister will write to the hon. Member who asked the question; and if she will make a statement.

The Prime Minister: It is for individual Ministers to decide how to answer questions.

Disarmament

Mr. Kaufman: To ask the Prime Minister whether it continues to be her policy that nuclear disarmament in Europe has gone far enough.

The Prime Minister: The Government support arms control agreements, whether nuclear or conventional, which enhance stability and allow security to be maintained at lower levels of forces.

EDUCATION AND SCIENCE

Agricultural and Food Research

Mr. Dalyell: To ask the Secretary of State for Education and Science what assessment has been made of the success or otherwise of the system of three-year contracts at the AFRC institutes, as to whether personnel starting on a three-year contract fulfil that contract.

Mr. Jackson: The Agricultural and Food Research Council has recently reviewed all short-term appointments at its institutes. The majority of these appointments are three-year contracts. The results of the review indicate that AFRC's policy of recruiting staff on short-term appointments is successful and that the majority of personnel appointed in this way completed their contract.

Mr. Dalyell: To ask the Secretary of State for Education and Science what assessment he has made of the

selective scientific effectiveness of *(a)* those on three-year contracts attached to AFRC institutes and *(b)* those on core programmes.

Mr. Jackson: Responsibility for such assessments falls essentially to the Agricultural and Food Research Council itself. I understand that the council maintains a rigorous assessment of programmes and their effectiveness at its institutes by means of four-yearly visiting groups and annual reviews. This includes core programmes and three-year contracts, whether funded by the council itself or by industry.

FOREIGN AND COMMONWEALTH AFFAIRS

Western Sahara

Sir David Steel: To ask the Secretary of State for Foreign and Commonwealth Affairs what support Her Majesty's Government are giving to the Secretary-General of the United Nations following his recent visit to Morocco and Algeria in making progress towards holding the referendum in the western Sahara.

Mr. Waldegrave: We have consistently supported the United Nations Secretary-General in his efforts to find a solution to the dispute over the western Sahara. We have also joined our Community partners in welcoming the acceptance by both parties of the United Nations Secretary-General's referendum proposals.

Children's Rights

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs when the Government expect to ratify the United Nations convention on the rights of the child.

Mr. Sainsbury: I refer the hon. Member to the reply I gave to the hon. Member for Clydesdale (Mr. Hood) on 9 May 1990, column *176*.

Falkland Islands

Dr. Woodcock: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will estimate the depletion of the illex fishery around the Falkland Islands as a direct result of not applying a 200-mile fishery zone.

Mr. Sainsbury: Recent scientific advice indicates that if the Falkland Islands interim conservation and management zone (FICZ) were extended to 200 miles, escapement for illex squid could be expected to increase by less than 5 per cent. and that effective conservation of the stock requires multilateral efforts to control fishing well beyond 200 miles.

Human Rights

Mr. Maclennan: To ask the Secretary of State for Foreign and Commonwealth Affairs whether Her Majesty's Government will publish information about their periodic reports to the human rights committee under the international covenant on civil and political rights.

Mr. Sainsbury: Copies of our reports under the international covenant on civil and political rights are freely available from the Foreign and Commonwealth Office. Copies have also been placed in the Library of the House.

Palestine

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs how many reports of breaches of human rights in Palestine Her Majesty's Government have received in the past 12 months; and if he will make a statement.

Mr. Waldegrave: We receive frequent reports of human rights abuses in the occupied territories. We regularly take up individual cases with the Israeli authorities on both a national and Community basis. The Israelis are well aware of our view that they should administer the occupied territories in accordance with their obligations under international law.

HOME DEPARTMENT

West Midlands Police

Ms. Short: To ask the Secretary of State for the Home Department (1) if he will call for a report from the chief constable of West Midlands on which years the following officers served in the West Midlands serious crimes squad: DS James Milligan 6269, DI Terence Mills 4512, DS Paul Owen 5056, DC John Perkins 4145, DC Alan Pickering 3273, DC James Price 9307, DC Michael Quin 2274, DS John Rawlings 1353, DC John Rawlings 3540, DS Peter Reynolds 3772, DS Timothy Russell 7099, DC Laurence Shaw 5498, DS Michael Swinneton 8296 and DI Henry Thomas;

(2) if he will call for a report from the chief constable of West Midlands on which years the following officers served in the West Midlands serious crimes squad: DS David Ford 9210, DCI Robert Goodchild 9416, DS William Guilt 4587, DC Alfred Hayward 6764, DI Peter Higgins 3435, Det. Supt. Mick Holder, DC Michael Houkins 2344, DS Colin James 6924, DS Roy Jennings 5062, DC Conrad Joseph, DS Richard Leary 2487, DS Danny Lloyd 7448, DS Leslie Leek 1691, DC Robert Maison 9110, DC Hugh McLelland 6540, DCI Paul Matthews, DS James McManus 2303 and DC Charles 4175;

(3) if he will call for a report from the chief constable of West Midlands on which years the following officers served in the West Midlands serious crimes squad: DS Martin Thomas 9362, DC David Woodley 2853, DC Clifford Wesley 3455, DCI Banks 1317, Det. Supt. Bob Morris, DCI Roy Taylor 'A'61, Det. Supt. Stan Beechey, DC Paul Bucknall 5269, DS Brian Morton, DC Brookes 7099, DI Geoffrey Edwards 6861, DS Michael Doyle 7302, DC Alan Campbell 6444 and DS Bryant 45;

(4) if he will call for a report from the chief constable of West Midlands on which years the following officers served in the West Midlands serious crimes squad: DC Colin Abbotts 9078, DC Ronald Adams 6220, DS Anthony Ball 6843, DS Peter Bowen 2224, DS Norman Burns 6513, DC David Bowen Evans 5202, DCI John Brown 5436, DI Kenneth Cook 1337, DS Albert Cawley 9085, DS Michael Cooper 9448, Det. Supt. Roger Corbett 9412, DI Eddie Curry 6579, Det. Supt. Brian Davies, DS Joseph Dayle 3457, DS John Davies 7090 and DC Ronald Evans 9292.

Mr. Peter Lloyd: No. My right hon. and learned Friend has no plans to call for a report on such matters.

Disabled Offenders

Mr. Harry Barnes: To ask the Secretary of State for the Home Department how many disabled people are in prisons; and what special arrangements are made for them.

Mr. Mellor: No records are kept centrally of the numbers of prisoners with disabilities, but such information as is available suggests that the numbers are relatively small. Prison establishments seek to meet the needs of those inmates on an individual basis—for example by providing books for the visually handicapped or by modifying cellular accommodation for those with mobility problems. Six establishments have toilets in the hospital area which are suitable for people with disabilities, and the standard brief for the design of future prisons provides for these and other facilities for the disabled.

Mr. Harry Barnes: To ask the Secretary of State for the Home Department what guidance he has given concerning the sentencing of offenders who are disabled.

Mr. John Patten: Sentencing in individual cases is a matter for the courts within their overall powers as laid down by legislation and in accordance with guidance given by the Court of Appeal. The Court of Appeal has made it clear that, for all offenders, custody should be given only when necessary and that it should be no longer than necessary. The national standards for community service orders, which came into effect on 1 April 1989, asked probation areas to ensure that community service placements are available for disabled offenders.

Criminal Injuries Compensation Board

Mr. Darling: To ask the Secretary of State for the Home Department what plans he has to reduce the backlog of cases pending before the Criminal Injuries Compensation Board.

Mr. John Patten: In February we approved the recruitment of 60 extra staff for the board. Ten of these are already in post and the rest are expected to be in post by the end of June.

The reply to a question from my hon. Friend the Member for Westminster, North (Sir J. Wheeler) on 8 December at columns *409-17*, set out the terms of the revised criminal injuries compensation scheme and described other steps taken to improve the board's performance. The revised scheme, which came into effect on 1 February, allows the board to resolve certain cases more quickly by delegating decisions to staff and expediting appeal procedures. The first phase of the major computer project at the board began in March. We shall monitor the effectiveness of these measures in reducing arrears of work at the board.

Mr. Darling: To ask the Secretary of State for the Home Department how many cases awaited determination by the Criminal Injuries Compensation Board as at 31 March; and what is the average time between submission of a claim and its determination.

Mr. John Patten: The number of applications awaiting initial determination by a single member of the board at 31 March was 65,100. In a further 2,842 applications interim awards had been made and the final determination deferred. There were also 9,096 cases awaiting appeal hearings and 10,748 where an award had been offered but not yet accepted by the applicant, making a total of 87,786 applications outstanding. Of these, about 50,000 represent the board's working balance, that is, cases which would be under consideration even if there were no arrears.

Information about the average time taken to resolve applications is not available in the form requested, but the percentage of cases submitted to a single member of the board within certain periods from registration is shown in paragraph 6.1 of the board's 25th annual report (Cm. 900), a copy of which is in the Library.

Demonstration (Arrests)

Mr. Terry Fields: To ask the Secretary of State for the Home Department how many people the police have arrested for incidents arising out of the anti-poll tax demonstration in London on 31 March *(a)* on the day of the demonstration itself and *(b)* as a result of operation Carnaby; and how many of those arrested have been charged.

Mr. Peter Lloyd: I am informed by the Commissioner of Police of the Metropolis that 427 people were arrested on 31 March in connection with the disorder which occurred during and following the demonstration in London against the community charge. Of these, 409 have been charged with criminal offences.

Fifty-two people have subsequently been arrested as a result of the continuing police investigation into the disorder. Of these, 39 have been charged with criminal offences.

Bogus Welfare Workers

Mr. Alfred Morris: To ask the Secretary of State for the Home Department what action he proposes to co-ordinate inter-departmental action in regard to recently reported cases of people posing as health visitors or social workers when visiting families with young children; of how many such cases he is aware; and if he will make a statement.

Mr. Peter Lloyd: I understand from the chief constable of South Yorkshire that the recent inter-force conference about the subject of bogus social workers and health visitors revealed 60 unexplained visits throughout England and Wales. In 24 of these access was gained to the house and in 14 young children were touched.

Police forces across England and Wales are taking co-ordinated action to bring the offenders to justice, consulting local authority social services departments where necessary. They have warned parents throughout the country to take great care about allowing callers access to their children and to contact the police at once if their suspicions are roused. They have advised all those seeking legitimate access to identify themselves. Their advice has been wholly endorsed by a statement issued on 15 May by the Association of Directors of Social Services and the NSPCC.

Strangeways Prison

Mr. Alfred Morris: To ask the Secretary of State for the Home Department how much of the total costs of police involvement in the siege of Strangeways prison he expects to fall on Greater Manchester police authority and how

much will be met by his Department; what study he has made of the effect of the costs to be borne by the Greater Manchester police authority on the performance of the police service in the conurbation; if he is prepared now to meet the costs of police involvement in the siege as a whole; and if he will make a statement.

Mr. Peter Lloyd: I refer the right hon. Member to the reply given to a question from the hon. Member for Manchester, Central (Mr. Litherland) on 8 May at column *28*. We have not yet received from the police authority a full assessment of the additional costs which it incurred as a result of the disturbances.

Police Accommodation Allowance

Mr. Shersby: To ask the Secretary of State for the Home Department if he will make an estimate of the cost to public funds of the provided accommodation allowance payable to police officers in provided accommodation for the year commencing 1 April.

Mr. Peter Lloyd: About 18,000 officers live in provided accommodation. Provided accommodation allowance has been set at £300·00 per officer per year and is payable for three years. Estimates accordingly provide for direct public expenditure of £5·4 million per year on this allowance for each year that it is payable.

Wildlife and Countryside Act

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what information he has in respect of prosecutions, convictions, and penalties levied in connection with deaths of protected species and listed in the Wildlife and Countryside Act 1981 and the Food and Environment Protection Act 1985; and if he will make a statement.

Mr. Peter Lloyd *[holding answer 11 May 1990]:* It is not possible from the information held centrally to distinguish between offences where species protected under the Wildlife and Countryside Act 1981 have been intentionally killed and those where they have been intentionally injured or taken. In 1988 there were a total of 133 prosecutions and 114 convictions under the Act.

In 1988 there were no prosecutions for offences under the Food and Environment Protection Act 1985 which involved the death of a protected species.

Juvenile Offenders

Mr. Thurnham: To ask the Secretary of State for the Home Department what is the latest number of juvenile offenders in youth custody; and if he will make a statement.

Mr. Mellor *[pursuant to his reply, 19 March 1990, c. 455-56]:* The number of juvenile offenders in prison service establishments on 31 December 1989 was 327, not 358 as stated in the earlier reply.

Illegal Broadcasting

Sir John Wheeler: To ask the Secretary of State for the Home Department what information he has about the extent of the problem caused to listeners of authorised commercial radio broadcasts by their inability to tune to authorised stations because of interference by illegal broadcasts; how many complaints he has received from the public; and what discussions he has held with listeners' representative bodies and commercial radio operators.

Mr. Forth: I have been asked to reply.

The radio investigation service (RIS) of my Department's radiocommunications agency receives frequent complaints of radio interference caused by unlicensed broadcasting stations. Officials of the agency regularly correspond with, and on occasions meet, listeners' representative bodies and broadcasting organisations.

HEALTH

Cot Deaths

124. **Mr. Andrew Smith:** To ask the Secretary of State for Health if he will make a statement on the progress made to date by the expert working group set up to assess the work of Mr. Barry Richardson's research into cot deaths.

125. **Mr. Rowlands:** To ask the Secretary of State for Health if he will make a statement on the progress made to date by the expert working group set up to assess the work of Mr. Barry Richardson's research into cot deaths.

126. **Ms. Short:** To ask the Secretary of State for Health if he will make a statement on the progress made to date by the expert working group set up to assess the work of Mr. Barry Richardson's research into cot deaths.

Mrs. Virginia Bottomley: The expert working group set up by the chief medical officer on 9 March was asked to consider and report on the work done by Mr. Mitchell and Mr. Richardson, together with the findings of the laboratory of the Government chemist and any other data; and make any necessary recommendations. He has asked the group to report as soon as possible and will make public its findings.

The experts are working towards a report with commendable speed. The group first met on 3 April and studied Mr. Richardson's then latest paper and other evidence; it met again on 3 May to hear from individuals and associations, with important information, one of whom was Mr. Barry Richardson. It will next meet on 20 June.

Postgraduate Allowance Training (Fees)

97. **Mr. Butler:** To ask the Secretary of State for Health what information he has on the disparity of fees charged by regional advisers for authorising postgraduate education allowance training; and if he has any proposals to standardise such fees.

Mrs. Virginia Bottomley: The Department has had discussions with the committee of regional advisers in general practice in England (CRAGPIE) on a suitable level of fees to be charged for the accreditation of courses for the postgraduate education allowance and we have asked CRAGPIE to agree as a matter of urgency a national scale of fees.

Miscarriages

Miss Emma Nicholson: To ask the Secretary of State for Health what proportion of pregnancies notified to doctors resulted in a miscarriage in each of the last 10 years.

Mrs. Virginia Bottomley: This information is not collected centrally. Information is available centrally only on miscarriages which occur in NHS hospitals or result in a stay in an NHS hospital. Information for the years 1979 to 1985 is given in the table.

Estimated number of hospital stays in NHS hospitals in England with a diagnosis of "spontaneous abortion"

Year	*Estimated numbers*
1979	24,690
1980	26,800
1981	26,310
1982	27,530
1983	28,270
1984	29,790
1985	31,620

Source: Hospital inpatient inquiry.

Hearing Aids

Mr. Alex Carlile: To ask the Secretary of State for Health whether deaf children are required to take out insurance on commercial hearing aids supplied free of charge on the National Health Service; and if he will make a statement.

Mr. Dorrell: I refer the hon. and learned Member to the reply my hon. Friend the then Under-Secretary of State for Health, gave the hon. Member for Gordon (Mr. Bruce) on 1 May at column *538*.

Thalassaemia

Mr. Vaz: To ask the Secretary of State for Health how many deaths there have been from thalassaemia for each year over the last 10 years.

Mr. Dorrell: The information is shown in the table.

Number of deaths from thalassaemia[1] of persons in England and Wales, 1980-89[2]

Year	*Number of deaths*
1980	7
1981	11
1982	5
1983	3
1984	11
1985	12
1986	6
1987	10
1988	6
1989	[2]8

[1] Assigned to the International Classification of Diseases (ICD) ninth revision code 282.4.
[2] Provisional.

Specialist Hospitals

Mrs. Dunwoody: To ask the Secretary of State for Health what provision he is making in the reorganisation of the National Health Service for the maintenance of specialist hospitals; and whether he will make special funding available.

Mrs. Virginia Bottomley: The special health authorities for the London postgraduate teaching hospitals will retain their current status and their specialist teaching, research and service roles. They will, of course, be able to apply for NHS trust status if they wish. The Government intend that the funding of these institutions will continue to enable them to carry out their valuable teaching and research activities.

Mental Illness

Mr. Ashley: To ask the Secretary of State for Health what steps he is taking to ensure that people with mental handicap and mental illness are enabled to give their views about their community care needs during the assessment procedure.

Mr. Dorrell: It is important that proper opportunities are provided for patients to take part in discussions relating to different treatment possibilities; and to agree the programme to be implemented. Our White Paper "Caring for People" stressed that the views of the person requiring care, and those of his or her carers, should be taken into account during the assessment procedure. This includes people with a mental handicap or mental illness. In our guidance to authorities we intend to underline the requirement for assessment procedures to take account of the views of all types of users and their carers.

Abortion

Mr. Alton: To ask the Secretary of State for Health how many abortions were performed on unborn children under statutory ground 2 at 25, 26, 27 and 28 weeks of gestation, respectively, during 1989.

Mr. Dorrell: The provisional figure for 1 January to 30 September 1989 shows no such abortions.

Wakefield District Health Authority

Mr. Hinchliffe: To ask the Secretary of State for Health (1) in view of the costs incurred by Wakefield district health authority arising from the court action taken against it by Mr. Ray Corner, the authority's former director of finance, what action has been taken by his Department in conjunction with Yorkshire regional health authority and Wakefield district health authority to ensure that staff of any rank will not be suspended or dismissed in a similar manner;

(2) what discussions have taken place between his Department, Yorkshire regional health authority and Wakefield district health authority on the suspension and subsequent dismissal by the district general manager of Mr. Ray Corner, the authority's former director of finance;

(3) if he will take steps to ensure that the £24,000 compensation to be paid by Wakefield district health authority to its former director of finance, Mr. Ray Corner, in respect of his suspension and subsequent dismissal from his post and the costs of all legal expenses arising from his action against the authority, will be met from his Department's budget for the preparation for self-governing trusts.

Mrs. Virginia Bottomley: This is a matter for the local health authority. The NHS management executive has been kept informed of developments.

Registered Child Minders

Ms. Armstrong: To ask the Secretary of State for Health how many child minders are registered in *(a)* England, *(b)* Scotland, *(c)* Wales and *(d)* Northern Ireland.

Mrs. Virginia Bottomley: At 31 March 1988 there were 74,588 registered child minders in England. Information about Scotland is a matter for my right hon. and learned Friend the Secretary of State for Scotland. Information about Northern Ireland and Wales are matters for my right hon. Friends the Secretaries of State for Northern Ireland and for Wales.

Ms. Armstrong: To ask the Secretary of State for Health if he will list those local authorities which have waiting periods of *(a)* six to 12 months, *(b)* 12 to 18 months, *(c)* 18 to 24 months and *(d)* over 24 months for registration of child minders.

Mrs. Virginia Bottomley: This information is not collected centrally. It is for local authorities to decide on the appropriate level of resources necessary for carrying out their registration duty under the Nurses and Childminders Registration Act 1948. Where individual cases are brought to the Department's attention, inquiries are made of the local authority concerned to establish the facts and what action, if any, is being taken to remedy the position. Advice will be given on the registration process including the length of time to handle applications in the new guidance to be issued under the Children Act 1989.

Ms. Armstrong: To ask the Secretary of State for Health if he will list those local authorities which have licensed other bodies to register child minders on their behalf.

Mrs. Virginia Bottomley: Under the provisions of the Nurseries and Childminders Regulation Act 1948, as amended, local social services departments have a statutory duty to register child minders. This duty must not be delegated.

So far as is known no such delegation has occurred.

Ms. Armstrong: To ask the Secretary of State for Health how many registered child minders are currently claiming free milk benefit.

Mr. Dorrell: The figures are not kept in the form requested. However, some 90,000 registered child minders, playgroups and day nurseries are registered (under the Welfare Food Regulations 1988) to receive the free milk, or dried baby milk, available for children under five years old in day care. The majority of these are child minders.

Speech Therapists

Mr. Watson: To ask the Secretary of State for Health what is the number of speech therapists per 100,000 population recommended by the Government-commissioned Enderby report; and how many health authorities meet that recommended level.

Mrs. Virginia Bottomley: The article "Communication Disorders, Planning a Service to meet the Needs" published in the December 1989 issue of the *British Journal of Disorders of Communication* by Dr. Enderby and Dr. Davies, and based on research by Dr. Davies funded by the Department, did not make any recommendations about numbers of speech therapists.

Paramedic Training

Mr. Evennett: To ask the Secretary of State for Health (1) whether any extended paramedic training scheme for ambulance crews in England provides a qualification validated by the National Council for Vocational Qualifications; and if he will make a statement;

(2) whether he has any plans to introduce a standard paramedic training syllabus for ambulance crews in England; and if he will make a statement.

Mr. Dorrell: There is already an extended (paramedic) training programme provided by the National Health Service training authority which has been endorsed by the NHS for use by the ambulance service.

The NHSTA is in the process of converting the training syllabus into degrees of competence in accordance with NCVQ requirements in consultation with representatives of the various employment sectors and interested bodies.

"Stockport Health Authority News"

Mr. Andrew F. Bennett: To ask the Secretary of State for Health what was the cost of publishing "Stockport Health Authority News, Special Edition."

Mr. Dorrell: I am advised that each edition of the Stockport health authority's publication "Stockport Health Authority News" costs about £360 to print and is circulated to health staff within the authority.

NHS Reform

Mr. Winnick: To ask the Secretary of State for Health what more recent representations he has received regarding hospitals opting out of the existing National Health Service management structure.

Mrs. Virginia Bottomley: I refer the hon. Member to the reply I gave him on 12 February at columns *22-25*. Since then a further four units have expressed interest in NHS trust status and two others have amalgamated. This brings the total number of units which have expressed interest in trust status to 193.

Benzodiazepines

Mr. Fearn: To ask the Secretary of State for Health what reports he has received of foetal damage caused by benzodiazepines.

Mrs. Virginia Bottomley: On available information, the Committee on Safety of Medicines has received 103 reports of foetal damage which may be associated with benzodiazepines. A report of a suspected adverse drug reaction does not necessarily mean a causal relationship. Product data sheets for benzodiazepines state that these should not be used in pregnancy.

Mr. Fearn: To ask the Secretary of State for Health if he will provide a breakdown of the number of prescriptions issued by community pharmacists for each individual benzodiazepine.

Mrs. Virginia Bottomley: I refer the hon. Member to the reply that I gave him on 27 February at column *121*. Figures for 1989 are not yet available.

Mr. Fearn: To ask the Secretary of State for Health if he will initiate an inquiry into the reasons for the disparity in the number of prescriptions for benzodiazepines given to men and women.

Mrs. Virginia Bottomley: We have taken all reasonable steps to provide doctors with information about the use of benzodiazepines and make them aware of the need to prescribe these drugs carefully. It is for doctors using their professional clinical judgment to decide how best to prescribe for individual patients. An inquiry of the kind suggested would not add new information to aid doctors in their individual prescribing decisions and we therefore have no plans to initiate one.

Mr. Fearn: To ask the Secretary of State for Health what information he has on the number of people who have attempted suicide after withdrawing from benzodiazepines.

Mrs. Virginia Bottomley: This information is not collected centrally.

Bogus Welfare Workers

Mr. Alfred Morris: To ask the Secretary of State for Health what information his Department has on the number of visits made to families with young children by people posing, in the Manchester area and elsewhere, as health visitors or social workers; if there is any action he will be taking; and if he will make a statement.

Mrs. Virginia Bottomley: Maintaining a record of the number of such visits is properly a task for the police. We will keep under review the need for action beyond endorsing advice already given that families should check carefully the credentials of any visitors before allowing them to see young children. No bona fide social worker would personally purport to conduct a medical examination of a child.

Intensive Care

Mr. Alfred Morris: To ask the Secretary of State for Health to what extent the points system for deciding whether patients are to receive life or death intensive care treatment, known as the Apache II scoring system, is used in *(a)* Manchester's and *(b)* other British hospitals in making priority decisions about the use of current resources for such treatment; if his Department has given or will be giving any instructions about use of the system in National Health Service hospitals; and if he will make a statement.

Mr. Dorrell: The decision on whether a patient requires intensive care is a matter for the clinician responsible for that case. We have no plans to issue instructions on the clinical criteria which should be used.

Midwives

Mr. Ashley: To ask the Secretary of State for Health if he will list the regional health authorities in rank order according to the number of trained midwives per 100,000 women of child-bearing age.

Mrs. Virginia Bottomley *[holding answer 8 May 1990]:* The requested information is shown in the table.

Health authorities will have regard to a number of different factors in setting staffing levels for their maternity services. The number of women of child-bearing age is not in itself particularly meaningful for this purpose, given that age distributions and fertility rates within that group will vary in different places.

Midwives[1] employed in the NHS at 30 September 1988 per 100,000 women of child-bearing age[2] within each region
Qualified midwives (WTE) per 100,000 women of child-bearing age

	Per 100,000
England	188·4
North Western	253·5
Yorkshire	207·6
Northern	202·0
West Midlands	199·2
North East Thames	198·5
Mersey	197·0
East Anglian	190·2
Wessex	186·1
Trent	180·5
North West Thames[3]	175·6
South West Thames	168·9
Oxford	167·7
South Western	150·4
South East Thames	143·1

Source: DoH (SM13) Annual census of NHS non-medical manpower and OPCS population census.

[1] Includes hospital and community midwifery staff.

[2] Women of child-bearing age are those between the ages of 15 and 44 years.

[3] Includes staff employed in SHAs.

Conductive Education

Dr. Twinn: To ask the Secretary of State for Health what action has been taken to promote the development in the United Kingdom of conductive education as practised at the Peto institute.

Mr. Scott: I have been asked to reply.

I announced in the House in December 1989 details of our proposal to create a formal link with the Peto institute. We have agreed to provide a total of £5 million from Government funds over four financial years towards the capital costs of the new international institute projected by the Hungarian Government, subject to satisfactory progress with construction and conclusion of an agreement covering access for United Kingdom children and trainee conductors. Discussions to conclude this agreement will take place shortly.

Access for British trainee conductors will be particularly important for the long-term future of conductive education in this country. The Foundation for Conductive Education in Birmingham was formed to establish conductive education in the United Kingdom and has signed a long-term agreement to bring conductive education to this country, under Hungarian direction. To ensure that trainee conductors receive the maximum support for and benefit from their training, the Government are providing more than £92,000 over three years for the foundation to employ a tutor in Budapest.

To help parents who are considering taking a disabled child to the Peto institute in Budapest, we are funding the production by the foundation of a guide offering information about conductive education itself and the financial and other implications of visiting Hungary.

SOCIAL SECURITY

Child Maintenance

Mr. Morley: To ask the Secretary of State for Social Security whether he has any plans to provide an incentive to absent parents to provide maintenance for their children who are living on benefits.

Mrs. Gillian Shephard: Absent parents, like all parents, have a clear legal responsibility to maintain their families wherever they can afford to, but in far too many cases that responsibility has not been fulfilled. No maintenance is paid for over three quarters of lone-parent families receiving income support. Income support for lone-parent families cost £1·9 billion in 1989-90.

As already announced, the Government are reviewing the maintenance system to see what changes need to be made to the way maintenance is awarded, and collected. A survey is under way to provide full and up-to-date information as a basis for deciding the best way forward. We are also examining systems in use in other countries to see what lessons can be learnt. We aim to bring forward proposals later this year.

In the shorter term we have taken action to improve the payment of maintenance under the current system. This includes a new clause introduced to the current Social Security Bill, under which DSS will be able to enforce a lone parent's maintenance order for her when payments are not being made in full, if she is claiming income support. This will ensure that prompt action is taken in all cases and will reduce the chance of the absent parent getting into the habit of non-payment.

Hostels

Mr. Andrew Mitchell: To ask the Secretary of State for Social Security whether he is now in a position to announce help for those hostels which currently do not receive direct payments of income support for service charges.

Mrs. Gillian Shephard: I am pleased to announce that from 21 May all hostels and nightshelters may receive direct payments of income support for service charges, including meals, from the outset of a claimant's residence.

This will safeguard the interests of those hostels which have experienced difficulty collecting service charges from residents. This will still allow those hostels which do not wish to take advantage of the direct payment arrangements to encourage their residents to take responsibility for managing their own finances.

TRANSPORT

Stockport Bypass

Mr. Tom Arnold: To ask the Secretary of State for Transport what is his detailed timetable for the construction of the A6 (M) Stockport north-south bypass.

Mr. Atkins: We expect to publish supplementary orders and a compulsory purchase order in autumn next year. Progress after that depends upon how much objection there is to them. A public inquiry will be necessary if there are unresolved objections. I am writing to my hon. Friend.

Traffic Lights

Mr. Higgins: To ask the Secretary of State for Transport how many new sets of traffic lights have been installed in the Greater London area in the past two years.

Mr. Atkins: Traffic lights have been installed at approximately 300 new sites in the past two years, of which about half were new pelican crossings.

Disabled Drivers

Mr. Harry Barnes: To ask the Secretary of State for Transport what is his policy concerning the access of disabled people and their cars to pedestrian-only areas; and if he will make a statement.

Mr. Atkins: The Department's policy towards the access of orange badge holders' vehicles to pedestrian zones is set out in local transport note 1/87 "Getting the Right Balance".

Orange badge holders' vehicles should not normally need to be exempted from access restrictions if a sufficient number of convenient parking places can be provided. If this is not possible, there may be a case for allowing some form of access for disabled people's vehicles.

The guidance stresses the importance of consultation with organisations representing people with disabilities when zones are being planned.

A copy of local transport note 1/87 has been placed in the Library.

Mr. Harry Barnes: To ask the Secretary of State for Transport how many disabled orange badge holders there are in Derbyshire.

Mr. Atkins: The number is 26,942 at 31 March 1989, the latest date for which figures are available centrally.

Mr. Harry Barnes: To ask the Secretary of State for Transport if he will list those councils which ban vehicles belonging to disabled orange badge holders from pedestrian-only areas.

Mr. Atkins: The decision to ban vehicles displaying an orange badge from pedestrian zones is primarily for individual local authorities to take. Information on the number of local authorities which have implemented such a ban is not held centrally.

Mr. Harry Barnes: To ask the Secretary of State for Transport if he has any plans to amend the orange badge scheme for disabled drivers.

Mr. Atkins: Revised regulations governing the scheme were issued for consultation on 9 April. The changes are designed to clarify the eligibility criteria for badges, curb abuse and tailor the parking concessions provided under the scheme more closely to the needs of severely disabled people.

Major organisations representing disabled people, the local authority associations and the police are being consulted on the detailed changes to the statutory regulations.

A copy has been placed in the Library.

British Rail

Mr. Livsey: To ask the Secretary of State for Transport what Government financial support has been allocated to British Rail provincial and its predecessors in actual terms and real terms in *(a)* 1975-76, *(b)* 1980-81, *(c)* 1985-86, *(d)* 1988-89, *(e)* 1989-90 and *(f)* 1990-91 projected.

Mr. Freeman: Figures for Government support paid to the British Railways Board, including public service obligation grant under EC regulation 1191/69 and section 3 of the Railways Act 1974, and level crossings grant under EC regulation 1192/69, are given in the table. Final claims have not yet been agreed for the years 1988-89 and 1989-90.

	Cash £ million[1]	1990-91 prices £ million[1]
1975[2]	307	1,052
1980[2]	591	1,072
1985-86	838	1,113
1988-89	557	632
1989-90	511	544
1990-91[3]	497	497

[1] Rounded to the nearest £ million.
[2] Before 1984-85 BR's financial year ran from 1 January to 31 December.
[3] This is a planning figure based on a technical adjustment of the figures in Chapter 7 of The Government's Expenditure Plans 1990-91 to 1992-93 (Cm 1007).

Before 1987-88 BR was not required to state the division of grant between sectors. In its annual report and accounts for 1988-89 BR estimated the PSO grant requirement for provincial to be £408 million (£461 million at 1990-91 prices). The Government's objectives for BR for the three years to 1992-93 endorsed BR's own target of reducing provincial's grant requirement to £367 million (1989-90 prices) by 1992-93, and requested BR to examine ways of reducing this by some £20 million.

Parking Act 1989

Mr. Kirkhope: To ask the Secretary of State for Transport when he intends to bring into force the Parking Act 1989.

Mr. Atkins: The Parking Act 1989 is being brought into force by commencement order today. It paves the way for a wider range of parking equipment to be approved for use by local authorities in parking places under their control. In particular "cashless" systems—which offer advantages in security, flexibility and convenience—will be able to be approved for off-street use. An explanatory circular (DTp 2/90 WO 21/90) has been issued to local authorities and is available from Her Majesty's Stationery Office.

East London River Crossing

Mr. Evennett: To ask the Secretary of State for Transport when he expects the present inquiry on the proposed east London river crossing to be concluded.

Mr. Atkins: The public inquiries into certain design changes on this scheme do not start until 3 July. They are being held concurrently with an inquiry into planning applications for the further development of London City airport. I cannot speculate how long these concurrent inquiries will last.

Dock Employment

Mr. Stern: To ask the Secretary of State for Transport what has been the change in employment in docks since the abolition of the dock labour scheme.

Mr. McLoughlin: At the time of abolition there were 9,223 registered dock workers. To date, 4,734 redundancies have been notified to this Department under the compensation payments scheme.

Airport Rail Links

Mr. Fearn: To ask the Secretary of State for Transport what studies his Department has undertaken into the feasibility of through trains from Heathrow and Gatwick airports to Manchester and Birmingham airports.

Mr. Freeman: None. This is for British Rail and airport operators to initiate.

ENVIRONMENT

Rural Industry

122. **Mr. Alex Carlile:** To ask the Secretary of State for the Environment what financial support was given in real terms to industry in rural areas in *(a)* 1979 and *(b)* 1989.

Mr. Heathcoat-Amory: Most Government schemes for financial assistance to industry provide assistance for urban and rural areas alike. Where there are special rural problems in England, the Rural Development Commission, which is grant-aided by my Department, can provide assistance with both economic and social development. The commission's total gross expenditure at 1989-90 prices was £36·6 million in the financial year 1978-79 and £37·2 million in 1989-90.

Urban Regeneration

123. **Mr. Michael J. Martin:** To ask the Secretary of State for the Environment when there will be a Government response to the Audit Commission document, "Urban Regeneration and Economic Development."

Mr. Moynihan: I will write to the hon. Member.

Property Transfers, London

Mr. Chris Smith: To ask the Secretary of State for the Environment if he will list all those properties vested in the London residuary body, with a voluntary organisation or organisations in occupation, which have been transferred to the relevant borough council; and if he will give the estimated market value and the consideration paid for transfer in each case.

Mr. Heathcoat-Amory: The London residuary body has disposed of interests in the following properties occupied by voluntary organisations to the relevant borough councils. Sales at less than the estimated market value at the time of disposal are subject to clawback provisions and to covenants as to use.

Address	Estimated market value £	Consideration paid £
13-15 Stockwell road, SW9	350,000	1
5-5A Westminster Bridge road, SE1	2,000,000	1
286 Camden road, N7	240,000	1
Palingswick House, King street, W6	2,000,000	1
80 York way, N1	2,000,000	1
Rio Cinema, 103 Kingsland Road, E8	100,000	1
65 Bell road, Hounslow	140,000	140,000
177 Abbey street, SE1	225,000	224,000
153 Hammersmith road, W14	325,000	325,000

Waste Recycling

Mr. Colvin: To ask the Secretary of State for the Environment, pursuant to his reply of 25 April, *Official Report*, column *322*, (1) whether the incentive to which he

referred for waste collection authorities which recycle waste, will apply to a mechanised recycling plant receiving mixed domestic waste;

(2) what steps he proposes to take to ensure that the introduction of financial credits for waste collection authorities will be used for diverting waste from landfill, rather than as a means for funding source separation and that schemes which subsequently result in a higher percentage of waste diverted from landfill, but that do not require source separation, will not be disadvantaged by the support offered through public expenditure;

(3) what steps he proposes to take to ensure that recycling initiatives, such as financial credits from one public body to another, designed to promote source separation of waste, will not be allowed to disadvantage market-led and funded schemes for waste reclamation and recycling.

Mr. Heathcoat-Amory: The Government wish to encourage all environmentally beneficial and cost-effective methods of recycling domestic waste and avoiding disposal to landfill. The proposal for recycling credits, which we hope will be the subject of an amendment to be brought forward to the Environmental Protection Bill, is not intended to favour one recycling method over another. It will simply seek to ensure that the benefits of landfill avoidance feed through as financial incentives to those responsible for diverting domestic waste to recycling, whether in the public sector or not.

Mr. Hayward: To ask the Secretary of State for the Environment what encouragement is being given to local authorities that wish to increase the level of recycled waste.

Mr. Heathcoat-Amory: The provisions of the Environmental Protection Bill will require every local authority involved in waste collection or disposal to make plans that will give priority to the recycling of waste wherever practicable. Other provisions of the Bill will allow them to specify environmentally favourable options for waste disposal, such as recycling, even if they are not the cheapest in purely financial terms and will require waste disposal authorities to pass to collection authorities the savings that accrue because refuse has been recycled rather than passed to them for disposal. The Bill will also strengthen the existing powers of local authorities to arrange recycling schemes for their localities.

The Government are also working with local authorities to develop projects such as recycling city in Sheffield and Cardiff and similar plans in other areas which can, when fully evaluated, be used as models for future schemes. We shall be providing comprehensive advice to local authorities to assist them in the production of recycling plans and the development of recycling projects.

Chipboard Factories

Mr. Beith: To ask the Secretary of State for the Environment (1) what steps he is taking to take account of the views of environmental groups in respect of emissions from chipboard factories; and if he will make a statement;

(2) if he will make it his policy to set an emission limit of just particles from timber dryers at 25 mg per cubic metre in respect of chipboard factories; and if he will make a statement.

Mr. Heathcoat-Amory: Chipboard factories will come under the new and more rigorous controls provided by part I of the Environmental Protection Bill. Operators of chipboard factories will be required to use the best available techniques not entailing excessive cost (BATNEEC) to minimise emissions and their potential for harming the environment.

Guidance will be issued on appropriate air pollution controls for these processes and it is intended that this will contain a limit for emissions of particulate matter which is achievable using BATNEEC. Bodies representing relevant interests, including environmental ones, will be given the opportunity to comment on the draft guidance before it is issued by my right hon. Friend the Secretary of State.

Political Activities (Disqualification)

Mr. Flannery: To ask the Secretary of State for the Environment what are his estimates of the numbers of individuals disqualified from political activities as a result of the Local Government and Housing Act.

Mr. Heathcoat-Amory: On the basis of the lists received from 428 out of the 491 authorities concerned, I understand that some 32,000 holders of local authority posts in England have been included in lists under section 2 of the Local Government and Housing Act 1989 as subject to political restrictions. This figure does not include all posts of chief executive, monitoring officer, chief officer and deputy chief officer, whose posts are subject to the political restrictions but are not necessarily included in the lists under the 1989 Act.

Local government officers whose posts are in these lists, other than the holders of the specific posts I have mentioned, have the right to exemption if the independent adjudicator considers that their posts do not meet the statutory criteria.

Wild Geese

Mrs. Ray Michie: To ask the Secretary of State for the Environment when he last made a statement regarding wild geese management.

Mr. Heathcoat-Amory: My right hon. Friend has made no recent statement on this subject. Various steps have been taken to control wild geese where necessary including scaring and limited shooting.

Drinking Water

Mr. Anthony Coombs: To ask the Secretary of State for the Environment what level of investment is planned over the next five years to improve standards of drinking water.

Mr. Heathcoat-Amory: Water undertakers in England and Wales will be spending £1·8 billion, at November 1989 prices, up to the end of 1995 to remedy current situations of non-compliance with the EC drinking water directive.

Sewage Outfalls

Mr. Butler: To ask the Secretary of State for the Environment what information he has on the practicality of sterilising sewage outfalls by the process of infusing hydrogen peroxide.

Mr. Heathcoat-Amory: My Department has received information on the use of hydrogen peroxide as a disinfectant from Interox Chemicals Ltd. which markets the "Oxymaster" range of disinfectants based on peracetic acid.

Dogs

Mr. Thurnham: To ask the Secretary of State for the Environment what further measures he intends to take to reduce the problems caused by dogs; and if he will make a statement.

Mr. Heathcoat-Amory: We remain committed to the package of measures outlined in the consultation paper "Action on Dogs" which we issued last year. These include duties on local authorities to deal with strays and to enforce the existing requirement that dogs should wear a collar and identification tag. We are discussing with the RSPCA and others how this package might be strengthened in some respect. We intend to legislate at a convenient opportunity.

Unleaded Petrol

Sir Dudley Smith: To ask the Secretary of State for the Environment how many grades of unleaded petrol are now marketed; and what guidance is given to drivers as to which grade will not prove harmful to their cars, where these are converted for unleaded petrol use.

Mr. Heathcoat-Amory: Two grades of unleaded petrol are being marketed—95 octane "Premium" and 97/98 octane "Super" or "Super Plus". The vast majority of new cars can use 95 octane and from 1 October this year all new cars will be required to be able to do so. Super unleaded is being marketed for a relatively small number of cars that cannot be, or are not, tuned for 95 octane. Any car that is tuned for 95 octane can use the super fuel but will show no advantage for the extra expense. The Department has issued guidance on which existing cars can use 95 octane unleaded, and information is also being disseminated by the motor and petrol trades. Any motorist who does not find unequivocal guidance in his car manual or from one of the other sources should consult his dealer or other qualified person.

Cleveland Structure Plan

Mr. Frank Cook: To ask the Secretary of State for the Environment when he will publish the draft modifications to the Cleveland structure plan; what are the reasons for the delay; and what assessment he has made of the damage to development prospects in the area arising from such delay.

Mr. Moynihan: It is hoped to publish the Secretary of State's proposed modifications to the Cleveland structure plan in June. It has not been possible to do so earlier because of the need to resolve some complex issues raised in the report of the panel which conducted the examination in public. I am not aware of any damage to development prospects in Cleveland as a result of this timetable. Local planning authorities have continued to carry out their functions and, where appropriate, have taken the new structure plan into account as a material consideration in reaching their decisions. Similarly, recent appeal decisions issued by the Secretary of State have had regard to the emerging structure plan.

Endangered Species

Mr. Dalyell: To ask the Secretary of State for the Environment, pursuant to his reply to the hon. Member for Linlithgow of 26 February, *Official Report*, columns *21-22*, whether he will seek to recover the operating costs of the Endangered Species (Import and Export) Act 1976, as he is empowered to do under section 1(5) of that Act.

Mr. Heathcoat-Amory: Section 1(5) of the 1976 Act empowers the Secretary of State to charge for the issue of a licence under the Act. He has no plans to invoke those powers at present.

Mr. Dalyell: To ask the Secretary of State for the Environment (1) pursuant to his reply to the hon. Member for Linlithgow of 26 February, *Official Report*, columns *21-22, (a)* if he will publish the list provided by the Nature Conservancy Council in 1985 of species unlikely to survive in captivity, and therefore eligible for protection under section 3 (dd) of the Endangered Species (Import and Export) Act 1976 and *(b)* which of those listed species are still exempt from licensing under that Act or any other legislation and not restricted for import;

(2) if he has conveniently available figures to show how many birds of species included in the Nature Conservancy Council's list of species unlikely to survive in captivity were recorded in Ministry of Agriculture, Fisheries and Food's quarantine statistics as imported into the United Kingdom during 1988; and what was the average mortality suffered on arrival or in quarantine.

Mr. Trippier: I will write to the hon. Member.

Mr. Dalyell: To ask the Secretary of State for the Environment, pursuant to his reply to the hon. Member for Linlithgow of 26 February, *Official Report*, columns *21-22*, what action his Department takes to ensure that sufficient regard is taken of section 3(dd) of the Endangered Species (Import and Export) Act 1976, in consideration of its schedules and in the administration of licences.

Mr. Heathcoat-Amory: In the light of the Ministry of Agriculture, Fisheries and Food quarantine statistics for 1988 we are considering whether, in view of section 3(dd), any further species should be brought within the control of the 1976 Act. Inclusion in the list provided by the Nature Conservancy Council of species which generally do not survive well in captivity except in specialist hands is a factor which is taken into account in deciding import applications for those species.

Radiation

Mr. Strang: To ask the Secretary of State for the Environment if he will list all aspects of governmental involvement with nuclear radiation; and if he will provide a breakdown of the allocation of responsibilities between the different Government Departments for radioactive materials and waste production, control and management.

Mr. Heathcoat-Amory: The Secretary of State for the Environment is responsible for radioactive waste management strategy in England, and for the regulation of the use and the authorisation for disposal of radioactive substances under the Radioactive Substances Act 1960. Other Government Departments with responsibilities for radioactive materials include the Department of Energy; Ministry of Agriculture, Fisheries and Food; Ministry of Defence; Department of Health; Welsh Office; Scottish Office; Northern Ireland Office; Department of Transport; Department of Employment.

Leeds Development Corporation

Dr. Hampson: To ask the Secretary of State for the Environment what progress Leeds development corporation has made to date; and if he will make a statement.

Mr. Moynihan: Leeds development corporation was established less than two years ago and it has already done much to stimulate the regeneration of its area.

Since designation there has been nearly £60 million of private sector investment, more than 1·5 million sq ft of industrial and commercial floor space completed and 105 dwellings completed or under construction. Further developments are in the pipeline. This has created over 1,300 construction and 5,200 permanent jobs.

Three major joint development competitions have been launched in partnership with Leeds city council, British Waterways and British Gas. These will provide housing and community facilities and industrial and commercial developments. The corporation is giving high priority to minimise disruption to existing businesses and finding alternative premises where necessary. It is assisting businesses to improve their premises and thereby safeguard existing jobs.

The corporation is improving the environment and has planted 150,000 trees and shrubs. It is working jointly with Leeds city council, British Waterways and the Government's Leeds/Bradford city action team to enhance the potential of the River Aire and the Leeds/Liverpool canal.

I congratulate Leeds development corporation—and those organisations with which it is working—on creating exciting new opportunities for the people of Leeds.

Woolaway Houses

Mr. Stern: To ask the Secretary of State for the Environment how many privately owned Woolaway houses, qualifying for assistance with repair, remain unrepaired *(a)* nationally and *(b)* in Bristol.

Mr. Chope: This information is not available in the form requested. We estimate that there are 1,007 owners of Woolaway houses in England and Wales eligible for assistance under the housing defects legislation. Of these, 291 have received assistance by way of repair, or have repairs under way. The equivalent figures for Bristol are 222 and 86, respectively. A further 53 Woolaway houses in Bristol have been repurchased, and all but 13 of the remaining 83 owners have now received offers of assistance from the council—67 by way of repair, and three by way of repurchase.

Packaging

Ms. Walley: To ask the Secretary of State for the Environment what representations he has received following his call for an all out attack on excessive packaging at a packaging conference on 25 March; and if he will make a statement.

Mr. Heathcoat-Amory *[holding answer 11 May 1990]:* My right hon. Friend and other Ministers have received many representations in support of his call on 25 March for reductions in excessive packaging, and for an enhanced effort to promote recycling by manufacturers, retailers, local authorities, voluntary groups and Government Departments. We have also received representations from the packaging industry emphasising the economic and environmental advantages of well-designed packaging.

Local Government Finance

Sir John Wheeler: To ask the Secretary of State for the Environment what would be the estimated charge on the basis of current expenditure *(a)* per household and *(b)* per capita for each London borough if a system of local income tax were to be introduced.

Mr. Nicholas Bennett: To ask the Secretary of State for the Environment what would be the estimated charge on the basis of current expenditure *(a)* per household and *(b)* per capita for each English district if a system of local income tax were introduced.

Mr. Portillo: I have no information on which to estimate the average amount which would be payable in any area under a system of local income tax either per household or per capita. Estimated local income tax rates which could have applied in each local authority area in 1990-91 were placed in the Library on 4 April.

Sir Alan Glyn: To ask the Secretary of State for the Environment what figure was allowed for in respect of the cost of repairing the roof of Shire hall, Reading, in setting the standard spending assessment for Berkshire county council; and what assessment was made of the likely effect on the level of the community charge in Windsor and Maidenhead.

Mr. Portillo *[holding answer 18 April 1990]:* No specific figure for this item of expenditure was allowed for in calculating the standard spending assessment for Berkshire county council.

The SSA includes support for the costs of capital expenditure fi anced from credit approvals. But at the recommendation of the Association of County Councils, credit approvals for this type of expenditure are distributed on the basis of population rather than for particular projects.

Sir Alan Glyn: To ask the Secretary of State for the Environment what is the effect of the use by the Royal County of Berkshire of capital reserves to fund revenue expenditure on the community charge for Windsor and Maidenhead.

Mr. Portillo *[holding answer 19 April 1990]:* The precept which Berkshire county council has levied on Windsor and Maidenhead reflects the revenue which it has chosen to raise. That in turn reflects its general financial position, including the extent to which capital reserves may generate interest and the extent to which capital expenditure is being financed from revenue income.

Mr. Harry Barnes: To ask the Secretary of State for the Environment, pursuant to his answer of 3 May to the hon. Member for Derbyshire North-East, *Official Report*, columns *617-18*, about local government revenue, if he will list the equivalent percentage details for Wandsworth and Westminster councils.

Mr Chope: The equivalent calculation cannot be made for individual authorities because some revenues are paid to charging authorities' collection funds on behalf of charging authorities and precepting authorities. The

relevant amounts paid into Wandsworth's general fund and collection fund are given in the table. Complete information is not yet available for the city of Westminster.

Amounts to be paid into Wandsworth's General Fund and Collection Fund

	£000
General Fund	
Specific and Supplementary grants (excluding community charge benefit and transitional relief)	34,717
Collection Fund	
Government grants (including community charge benefit and transitional relief)	158,308
Business rates	60,386
Community charges (net of community charge benefit and transitional relief)	23,608

Water Pollution

Ms. Walley: To ask the Secretary of State for the Environment, pursuant to the answer of 4 April, *Official Report*, column *669*, if the source of the solvent affecting groundwater at the Blewbury borehole in south Oxfordshire has been identified.

Mr. Heathcoat-Amory *[holding answer 15 May 1990]:* No definite source of the carbon tetrachloride found in groundwater at the Blewbury borehole has yet been identified. Work is continuing in order to discover the origins of this contamination.

SCOTLAND

Rents-to-Mortgages Scheme

Mr. Bill Walker: To ask the Secretary of State for Scotland whether he has any plans to amend the rents-to-mortgages scheme in Scotland; and if he will make a statement.

Lord James Douglas-Hamilton: Early experience of the rents-to-mortgages trial scheme for Scottish Homes and new town development corporation tenants indicates that it is enabling those who could not previously afford to buy their own homes to do so.

I shall continue to monitor the trial scheme closely to see whether it fulfils its early promise and will make a further statement in due course.

Water Supplies

Mr. Andrew Welsh: To ask the Secretary of State for Scotland if he will list the number of water supplies in Scotland in breach of the 50 micrograms per litre limit of the amount of lead permitted; and if he will list the number of people covered by each water supply.

Lord James Douglas-Hamilton: Water supplies in Scotland do not generally breach the 50 micrograms per litre standard for lead at the point of supply to the consumer. Breaches of the standard at consumers' taps are caused by pick-up of lead from pipes and plumbing systems, mostly within the consumer's property, after the water leaves the mains. Installation of water treatment is in progress in 26 supply areas where it is known that some tap samples fail to meet the standard set in the EC drinking water directive. It is estimated that about 37,000 people in these areas may be involved.

Water authorities are currently embarking on assessments to establish in which zones the new 50 micrograms per litre standard for any sample, as set in the drinking water quality regulations now in force, may not be met and whether additional treatment schemes will be effective in further reducing lead levels at taps.

Criminal Injuries Compensation Board

Mr. Darling: To ask the Secretary of State for Scotland how many cases awaited determination by the Criminal Injuries Compensation Board in Scotland as of 31 March; and what is the average time between submission of the claim and the determination.

Lord James Douglas-Hamilton: Separate details of the number of Scottish cases awaiting determination and of the average time taken by the Criminal Injuries Compensation Board to resolve Scottish cases are not available. The criminal injuries compensation scheme administered by the board provides compensation for victims of crimes of violence throughout Great Britain. For information on a Great Britain basis such as the hon. Member seeks, I refer him to the answer given today to his question to my right hon. and learned Friend the Secretary of State for the Home Department.

Fishing Vessels

Mr. Austin Mitchell: To ask the Secretary of State for Scotland if he will supply figures for the costs and earnings of United Kingdom fishing vessels in Scotland for the period 1983 to 1989 broken down by vessel size *(a)* under 40 ft, *(b)* 40 to 79·9 ft, *(c)* 80 to 109·9 ft, *(d)* 110 to 139·9 ft and *(e)* 140 ft and over.

Mr. Lang *[holding answer 15 May 1990]:* This information is not available in the form requested. I will write to the hon. Member as soon as possible.

Health Service

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland what is the number of junior hospital doctors working in the Royal Hospital for Sick Children in Edinburgh.

Mr. Michael Forsyth: The most recent figures available from Lothian health board show 26 junior doctors with duties in the Royal Hospital for Sick Children, Edinburgh.

Mr. Canavan: To ask the Secretary of State for Scotland whether he will investigate nurse staffing levels at Falkirk and District royal infirmary; and if he will instruct the Forth Valley health board not to implement any further reductions which would threaten the standards of patient care.

Mr. Michael Forsyth *[holding answer 11 May 1990]:* Nurse staffing levels at Falkirk and District royal infirmary are primarily a matter for Forth Valley health board. The nurse staffing numbers for 1989-90 have increased slightly compared to 1988-89. The board has no proposals to reduce the nurse staffing levels at the hospital.

Central Institutions

Mr. Worthington: To ask the Secretary of State for Scotland how much the principals of each of the central institutions were paid in 1987-88, 1988-89, 1989-90 and 1990-91.

Mr. Lang *[holding answer 15 May 1990]:* This information is not held centrally. Until February 1990, the salary levels were determined on the basis of agreements of the Scottish joint negotiating committee for teaching staff in further education which has now been abolished and I am sending to the hon. Gentleman copies of the relevant circulars issued by the joint committee. Salaries are now for determination by the boards of governors of the colleges themselves.

Coastal Erosion

Mr. Wallace: To ask the Secretary of State for Scotland (1) whether he proposes to make any additional funds available to local authorities to enable them to tackle the problems of coastal erosion; and if he will make a statement;

(2) what resources have been made available to local authorities in the present financial year and 1989-90 to tackle the problem of coastal erosion.

Lord James Douglas-Hamilton *[holding answer 15 May 1990]:* Coast protection is one item covered by the capital expenditure allocations made each year by my right hon. and learned Friend for local authorities' water and sewerage programmes. Within their permitted capital expenditure, authorities are free to set their own priorities for expenditure on such works. Allocations for authorities' water and sewerage programmes in 1989-90 totalled £126 million and in 1990-91, £137·5 million. Provisional allocations for 1991-92 total £159·6 million and for 1992-93, £182 million. Nevertheless expenditure on coast protection remains relatively small and in 1988-89 was less than £1 million.

Grants are available to regional and islands councils, under the Coast Protection Act 1949, for coast protection schemes providing that certain criteria are met. The percentage grant available varies from 20 per cent. to 80 per cent. depending on authority. No changes are proposed.

Education (Ethnic Monitoring)

Mr. Worthington: To ask the Secretary of State for Scotland why he has decided not to obtain ethnically based data on pupils and teachers in Scottish schools.

Mr. Lang *[holding answer 15 May 1990]:* Information is currently being collected about the ethnic origin, religion and home languages of all secondary pupils and of primary entrants. It is not proposed to obtain corresponding information about school teachers because so few teachers in Scotland come from minority groups.

EMPLOYMENT

Business Failures, Yorkshire

139. **Mr. O'Brien:** To ask the Secretary of State for Employment how many businesses have failed in the Yorkshire region over the past 12 months; and if he will make a statement.

Mr. Nicholls: The best available guide to trends in numbers of businesses comes from VAT data. In 1988, the latest year for which figures have been published by this Department, an estimated 10,700 businesses came off the VAT register in the counties of North, South and West Yorkshire. Companies may leave the register for a variety of different reasons. In the same period, there were an estimated 13,800 registrations, giving a net increase of 3,100, or 3·3 per cent.

Small Businesses

138. **Mr. Fearn:** To ask the Secretary of State for Employment what information he has regarding *(a)* the general level of debt and *(b)* the sums owed by Government Departments and agencies to small businesses.

Mr. Nicholls: I regret that the information requested is not available.

Training

Ms. Short: To ask the Secretary of State for Employment if he will publish details for Great Britain and for the west midlands region for each year from April 1986 to the most recent date, of the total number of YTS trainees *(a)* within each of the four provider types and their sub-categories and *(b)* with disabilities within each of the four provider types and their sub-categories.

Mr. Eggar: The information requested can be provided only at disproportionate cost.

Mr. Leighton: To ask the Secretary of State for Employment what percentage of the potential client group is receiving employment training.

Mr. Nicholls: The information requested is not available.

Ms. Ruddock: To ask the Secretary of State for Employment how many people are undertaking employment training in each London area office; and how many are women requiring child care costs to be paid.

Mr. Nicholls *[holding answer 14 May 1990]:* The number of people on employment training in each London area office is given in the table. No information is available about the number of women claiming or receiving child care payments because information about the number of trainees receiving child care payments is not disaggregated by sex.

Employment training
In training at 30 March 1990—London region

Area office	*Numbers*
London North	4,935
London West	1,238
London East	2,870
London South	2,129
Inner London North	7,699
Inner London South	3,827

Ms. Ruddock: To ask the Secretary of State for Employment if he will make a statement on his assessment of the effectiveness to date of his policy of encouraging women to take up employment training courses by paying child care costs.

Mr. Nicholls *[holding answer 14 May 1990]:* Assistance with the cost of child care is available to any lone parent in employment training (ET). Payments for help with child care are being made for some 3 per cent. of trainees. After only 18 months of ET I regard this as encouraging.

Health and Safety Executive

Mr. Andrew Welsh: To ask the Secretary of State for Employment what are the staffing levels for *(a)* Scotland and *(b)* Angus for the Health and Safety Executive in each of the last 10 years.

Mr. Nicholls: The following information is available (1 April figures):

	(1) HSE staff based in Scotland	*(2) of which: staff serving HSE's Scotland East Area (including Angus)*
1980	[1]214·0	[1]137·5
1981	[1]214·0	[1]140·5
1982	[1]195·0	[1]130·0
1983	[1]182·5	[1]122·0
1984	[1]174·5	[1]114·5
1985	193·0	118·0
1986	177·0	106·5
1987	180·0	108·5
1988	177·0	109·0
1989	171·0	107·0
1990	177·5	111·0

[1]Staff located in Scotland in mines and quarries inspectorate's Scottish and north eastern district have been excluded as, prior to April 1985, central records cannot identify mines and quarries field staff by location.

Factories

Mr. Bill Michie: To ask the Secretary of State for Employment whether the Health and Safety Executive will undertake or commission research into the proportion of factory premises which are not registered with the factory inspectorate and the proportion of factory employees who work in unregistered premises.

Mr. Nicholls: Each year the factory inspectorate spends a percentage of its resources on the identification and inspection of unregistered fixed workplaces as part of its programme of preventative inspections.

The Health and Safety Executive has no plans to undertake or commission other research into the proportion of unregistered factory premises or the number of employees who work in such premises.

TVEI

Mr. Pawsey: To ask the Secretary of State for Employment what funding is available for the technical and vocational education initiative for 1990-91; and how much was available in 1989-90.

Mr. Eggar: The funding available for the technical and vocational education initiative (TVEI) in 1990-91 is £134 million. Expenditure in 1989-90 was £129 million.

Jobcentres

Mr. Yeo: To ask the Secretary of State for Employment (1) what assessment has been made of the impact on rural areas of the mergers of jobcentres with unemployment benefit offices;

(2) if he will list those towns with populations below 10,000 whose mergers of jobcentres and unemployment benefit offices have taken place in the last 12 months;

(3) if he will list the towns with population below 10,000 whose mergers of jobcentres and unemployment benefit offices will take place during the current financial year;

(4) what steps are being taken to maintain access to his Department's services for people in rural areas following the reduction in the number of jobcentres and unemployment benefit offices resulting from his policy of merging these two.

Mr. Eggar: On 1 December 1989 my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) said that the employment service would be moving progressively to bring jobcentres and benefit offices together under one roof to form a new network of employment service offices.

As part of this development it remains ES policy to provide its clients in rural areas with reasonable access to the full range of ES services. This will continue to be provided in the new network of employment service offices and supplemented in some locations through the use of outreach facilities to deliver advisory and counselling programmes and other services. By the end of March 1990 113 new offices had been established. Some 500 offices are scheduled to be established by March 1991. The information on size of towns where ES offices are located is not readily available and can be provided only at disproportionate cost.

Right hon. and hon. Members are informed when changes are to be made to employment service offices in their constituencies.

Channel Tunnel

Mr. Allen: To ask the Secretary of State for Employment if he will accept anonymous evidence from workers on the channel tunnel for his inquiry into safety.

Mr. Nicholls: It is the Health and Safety Executive's policy to consider any representations made to it about particular safety matters and to treat representations in confidence if asked to do so.

Mr. Tony Lloyd: To ask the Secretary of State for Employment what is the fatal and major injury rate per 100,000 workers for the construction of the channel tunnel on the *(a)* British side, *(b)* the French side and *(c)* for the construction industry as a whole.

Mr. Nicholls *[holding answer 15 May 1990]:* The fatal and major injury rate per 100,000 workers in the construction industry in Great Britain for the year April 1988 to March 1989, the latest period for which information is available, was 275. Comparable incidence rates for the British side of the channel tunnel cannot be calculated because of the considerable rise in employment during the period. Information to enable a figure to be calculated in the form requested for the French side is not available.

Training and Enterprise Councils

Mrs. Dunwoody: To ask the Secretary of State for Employment what training opportunities are available through the training and enterprise councils to women with no qualifications.

Mr. Eggar: Each training and enterprise council will set out in its corporate and business plans how it intends to meet the training requirements of individuals in its area. Where appropriate this will include the provision of training opportunities for those with few or no qualifications, whether women or men.

Fishing Industry (Ex-employees)

Mr. Austin Mitchell: To ask the Secretary of State for Employment what information his Department has, by region, on the employment destination of ex-employees in the United Kingdom fish-catching sector who have left the industry since 1985.

Mr. Nicholls: The information requested is not available.

Age Discrimination

Mr. Wigley: To ask the Secretary of State for Employment if he will introduce legislation to make it illegal to discriminate on the basis of age in employment.

Mr. Nicholls: The Government have no plans to introduce such legislation. The Government believe that older workers are a valuable resource. Age discrimination is unfair to individuals and not in an employer's own interest. We continue to put this message across to employers through various media, particularly in the context of publicity about demographic change. In addition, instructions to jobcentre staff have been strengthened to ensure that all upper age limits on vacancies notified by employers are challenged.

There are encouraging signs that employers are heeding this message. We shall continue our efforts to ensure that this progress continues.

Enterprise Allowance Scheme

Mr. Blair: To ask the Secretary of State for Employment if his Department has any plans to increase the amount paid under the enterprise allowance scheme.

Mr. Eggar: No.

Labour Statistics

Mr. Lewis: To ask the Secretary of State for Employment what is the latest figure for the reduction in jobs in the manufacturing sector since 1979; and what has been the figure for each of the past five years in *(a)* the Bolton and Bury travel-to-work areas and *(b)* the rest of the north-west area.

Mr. Nicholls: The number of employees in employment in the United Kingdom in the manufacturing sector fell by 2,013,000 (27·7 per cent.) between June 1979 and December 1989.

Information about employment in travel-to-work areas is available only from the census of employment. The latest available figures are for September 1987; the earliest on a comparable basis are for September 1981. Between these two dates, the number of employees in employment in the manufacturing industry sector in the Bolton and Bury travel-to-work area fell by 9,600 or 15 per cent.

Changes in employees in employment for the north-west region in the manufacturing sector in each of the past five years are as follows:

Employees in employment—north-west region
Manufacturing industries (SIC 1980 divisions 2 to 4)

December	*Number (thousands)*[1]	*Yearly change (thousands)*[1]	*Yearly percentage change*
1985	670	5	0·8
1986	659	−11	−1·7
1987	668	10	1·5
1988	688	20	2·9
1989	685	−2	−0·4

[1] Unadjusted for seasonal variations.

Low Pay

Mr. Ron Davies: To ask the Secretary of State for Employment if he will make a statement on Her Majesty's Government's policy on low pay.

Mr. Nicholls: The best way to help the lower paid is through continuing economic and employment growth and greater prosperity for all.

Disabled People

Mr. Ashley: To ask the Secretary of State for Employment what information his Department has as to the number of disabled peole who are able to work for *(a)* 10 to 15 hours per week, *(b)* 16 to 19 hours per week and *(c)* 20 to 24 hours per week.

Mr. Eggar *[holding answer 15 May 1990]:* I regret that this information is not currently available. However, a study commissioned by this Department, which will report soon, will provide much new information about people with disabilities including the numbers of hours per week they are able to work.

DEFENCE

Low Flying

Mr. Livsey: To ask the Secretary of State for Defence if he will provide information on the perceived noise decibels for the following aircraft in tactical training areas where they fly at an altitude of 100 ft: *(a)* Hawk, *(b)* Jaguar, *(c)* Tornado and *(d)* F1-11.

Mr. Neubert: The most comprehensive information on aircraft noise currently available to the Ministry of Defence relies on a noise database collected in 1983 during exercise Bedlam, the report of which is already available in the House of Commons Library. To supplement this information, further work is planned this year to provide actual measurements of noise generated by aircraft at heights down to 100 ft but the results of this further work are not expected to be available until early next year. It should be noted that neither the Hawk nor the F1-11 aircraft carry out any operational low-flying training in the tactical training areas.

RAF Chivenor (Helicopters)

Mr. Speller: To ask the Secretary of State for Defence when he expects to replace the Wessex helicopters at RAF Chivenor with Sea King helicopters.

Mr. Archie Hamilton: There are no plans to do so.

Radiation

Mr. McFall: To ask the Secretary of State for Defence if he has any plans to collate centrally the records for radiation dose exposure of submarine refit personnel prior

to 1979; and if he will assess the distribution of total radiation dose exposure for refit workers in the ranges up to 5, greater than 5 to 10, greater than 10 to 15, greater than 15 to 20, greater than 20 to 25, greater than 25 to 30, greater than 30 to 35, greater than 35 to 40, greater than 40 to 45, greater than 45 to 50 and greater than 50 milliSieverts, in terms of percentage of overall work force.

Mr. Neubert: Records of radiation dose exposures of submarine refit personnel prior to 1979 are already held centrally. The analysis requested, however, could be supplied only at disproportionate cost.

Mr. McFall: To ask the Secretary of State for Defence in what form the records for individual radiation dose exposure of submarine refit personnel were collated and held prior to 1979; if they are available to the House; and if he will make a statement.

Mr. Neubert: Individual radiation dose records prior to 1979 are held centrally in paper form. Analysis of this information could be supplied to the House only at a disproportionate cost.

Mr. McFall: To ask the Secretary of State for Defence without identifying any individual by name or by any other means what is the total occupational, whole body equivalent radiation dose exposure of each individual worker employed in the Royal Navy dockyards in the United Kingdom, in milliSieverts, grouped in the bands up to 5, greater than 5 to 10, greater than 10 to 15, greater than 15 to 20, greater than 20 to 25, greater than 25 to 30, greater than 30 to 35, greater than 35 to 40, greater than 40 to 45, greater than 45 to 50 and greater than 50 for each year since the onset of the naval nuclear propulsion programme and if he will make a statement.

Mr. Neubert: The data requested were contained in my reply to the hon. Member on 18 April at column *942*. Further sub-division of the data into 5 mSv intervals can be produced only at disproportionate cost.

Mr. McFall: To ask the Secretary of State for Defence what is the average radiation dose exposure of refit workers involved with the United States nuclear propulsion programme; what is the average radiation dose exposure of refit workers in the United Kingdom; and if he will make a statement.

Mr. Neubert: Information concerning the average radiation dose exposure of American refit workers is a matter for the United States authorities. The figures showing the average radiation dose exposure of refit workers in the royal dockyards were given in my reply to the hon. Member on 2 May at column *944*.

NATIONAL FINANCE

European Community Trade

127. **Mr. James Lamond:** To ask the Chancellor of the Exchequer what was the balance of trade with the European Economic Community in *(a)* 1979 and *(b)* 1989.

129. **Mr. Leadbitter:** To ask the Chancellor of the Exchequer what was the balance of trade with the European Economic Community in *(a)* 1979 and *(b)* 1989.

133. **Mr. Lewis:** To ask the Chancellor of the Exchequer what was the balance of trade with the European Economic Community in *(a)* 1979 and *(b)* 1989.

Mr. Norman Lamont: I refer the hon. Members to the reply that I gave on 18 April 1990, *Official Report*, columns *855-56*.

135. **Mr. Teddy Taylor:** To ask the Chancellor of the Exchequer if he will make a statement on the reasons for the deficit in manufacturing trade with the European Economic Community; and what is the current export/import ratio.

Mr. Norman Lamont: The deficit with the European Community is, like the deficit with other countries, the result of domestic demand temporarily growing faster than domestic supply. The deficit will fall as demand and capacity pressures ease further. The export/import ratio in 1989 was 73 per cent.

Manufactured Goods

128. **Mr. Cryer:** To ask the Chancellor of the Exchequer if he will make a statement on the current deficit in the balance of trade in manufactured goods.

Mr. Norman Lamont: The latest information is available in table A9 of the "Monthly Review of External Trade Statistics", available in the Library of the House, or on the Central Statistical Office database, which may be accessed through the Library.

Value Added Tax

130. **Mr. Amos:** To ask the Chancellor of the Exchequer what was the net number of new firms registered for value added tax purposes for the last year for which figures are available; and if he will make a statement.

Mr. Ryder: On the basis of Customs and Excise data on registrations and deregistrations processed, the net increase in the number of businesses registered for value added tax in 1989 was 84,374. This reflected 261,783 new registrations and 177,409 deregistrations. The net increase was more than three-and-a-half times higher than in 1980.

Interest Rates

131. **Mr. Geraint Howells:** To ask the Chancellor of the Exchequer what representations he has received from businesses and business associations concerning interest rate levels.

Mr. Ryder: My right hon. Friend has received a number of such representations.

Economic Growth

132. **Mr. Livsey:** To ask the Chancellor of the Exchequer what effects he expects the anticipated level of economic growth in 1991 to have on industry.

Mr. Norman Lamont: The latest forecast for the growth of manufacturing industry in the first half of 1991 on a year earlier is ¾ per cent. This forecast was published in the Financial Statement and Budget Report.

Erratic Items (Imports)

134. **Mr. Morgan:** To ask the Chancellor of the Exchequer what is his latest estimate of the level of imports into the United Kingdom of items classified as erratic items, in 1990.

Mr. Norman Lamont: The value of erratic imports, defined as ships, North sea installations, aircraft (together comprising SITC(REV 3) 792 and 793), precious stones (667) and silver (681·1) on a seasonally adjusted, balance of payments basis is £1,801 million, for the first quarter of 1990.

Japanese Investment

136. **Mr. Robert G. Hughes:** To ask the Chancellor of the Exchequer what was the level of Japanese investment in the United Kingdom in *(a)* 1979 and *(b)* 1989.

137. **Mr. Hanley:** To ask the Chancellor of the Exchequer what was the level of Japanese investment in the United Kingdom in *(a)* 1979 and *(b)* 1989.

Mr. Norman Lamont: The available information on the book value of direct investment in the United Kingdom by Japanese companies is given in table 12 of "Business Monitor MO4 (Census of Overseas Assets)" published by the Central Statistical Office. Information on portfolio investment in the United Kingdom, by country, is not available.

Manufacturing Investment

Mr. Pike: To ask the Chancellor of the Exchequer what was regional investment in real constant value terms in manufacturing industries for the latest year for which figures are available and in 1979.

Mr. Norman Lamont: The information is not available in the form requested. However, current price information for capital expenditure (investment) in regional manufacturing industry is published annually in "Business Monitor PA 1002, Report on the Census of Production", summary volume. Copies of this volume up to 1987, the latest available year, are available from the House of Commons Library. Constant price estimates are not made because there are no regional price indices.

Mr. Meacher: To ask the Chancellor of the Exchequer if he will provide the information given in his reply of 8 March, *Official Report*, column *749*, on manufacturing investment, with the privatised companies in a separate column.

Mr. Norman Lamont *[holding answer 9 May 1990]:* I regret that the information cannot be provided. To do so would involve disclosing figures for individual undertakings in breach of the Statistics of Trade Act 1947.

Manufacturing Trade

Mr. Buchan: To ask the Chancellor of the Exchequer if he will publish in the *Official Report* tables showing the balance of payments and the balance in manufacturing trade between the United Kingdom and the other member states of the European Economic Community.

Mr. Norman Lamont: Information on the balance of payments with the EC is available only on an annual basis in the CSO pink book. The latest available data are in section 10 (pages 62-66) of the 1989 edition which is available in the Library. Information on the balance of payments between the United Kingdom and individual member states is not available.

The table shows the balance of trade in manufactures between the United Kingdom and the European Community. The 1988 figure is consistent with the data in the 1989 pink book and the 1989 figure is the latest available.

Balance of trade in manufactures with the European Community[1]

Balance of payments basis	*£ million*
1988	−12,538
1989	−13,583

[1] SITC 5-8.

Crude Oil Exports

Mr. Dobson: To ask the Chancellor of the Exchequer what are the causes of the overseas trade statistics under-recording direct exports of crude oil; who records the tonnages under-recorded; and what is the percentage of the total exports in each year since 1979 represented by the under-recorded direct exports.

Mr. Norman Lamont *[holding answer 9 May 1990]:* The under-recording concerns exports of crude oil loaded offshore directly on to tankers. The powers of the Customs and Excise Management Act do not cover this trade. Until the end of 1987 information was assembled by the Department of Energy from an administrative source known as the prior notice waiver system. This system was ended in December 1987. Although an alternative system was set up, some oil companies failed to report complete data for this trade to Customs. However, the Department of Energy routinely collects information on oil production and disposals, and the comparison of this data with that sent to Customs and Excise enables an adjustment for under-recording to be estimated.

Figures published by the Central Statistical Office for the current account of the balance of payments and for visible trade on a balance of payments basis include an adjustment for the under-recording of oil exports. On this basis therefore oil exports are not under-recorded, although for the most recent months' figures, issued in the monthly trade figures press notice, the adjustments made to oil exports are partly estimated; figures are revised as further details become available.

Figures published for "Overseas Trade Statistics of the United Kingdom" for 1988 did not include any adjustment for under-recorded oil exports. The adjustment advised to Customs by the Department of Energy for 1989 and subsequently, will appear in the cumulative figures.

There was unlikely to have been under-recording under the prior notice waiver system which was discontinued at the end of 1987. About 10 per cent. of total exports of crude oil in each of 1988 and 1989 was not reported by oil companies to Customs and Excise.

TRADE AND INDUSTRY

Non-alcoholic Drinks

13. **Mr. Stott:** To ask the Secretary of State for Trade and Industry what action he proposes to take to tackle any possible overcharging for non-alcoholic drinks.

Mr. Redwood: Action is already in hand to ensure effective competition in wholesale supplies to retailers. Tenants of the major brewers have been free since 1 May to buy non-alcoholic drinks from the most competitive supplier. The supply of carbonated soft drinks was also referred to the Monopolies and Mergers Commission on 25 April.

The retail margin is however determined by the individual retailer. Consumers who feel they are charged too much have the ultimate sanction of taking their custom elsewhere.

Manufacturing Deficit

20. **Mr. Livingstone:** To ask the Secretary of State for Trade and Industry if he will list the EEC countries with which the United Kingdom has a manufacturing trade deficit.

48. **Mr. Tony Lloyd:** To ask the Secretary of State for Trade and Industry if he will list the European Economic Community countries with which the United Kingdom has a manufacturing trade deficit.

91. **Mr. Lofthouse:** To ask the Secretary of State for Trade and Industry if he will list the European Economic Community countries with which the United Kingdom has a manufacturing trade deficit.

Mr. Redwood: In the first quarter of 1990 the United Kingdom had a manufacturing trade deficit with the Federal Republic of Germany, Netherlands, Italy, France, Belgium-Luxembourg, Denmark and Portugal.

Plessey

21. **Mr. Corbett:** To ask the Secretary of State for Trade and Industry what recent representations he has received on the subject of the GEC/Siemens takeover of Plessey.

Mr. Cox: To ask the Secretary of State for Trade and Industry what recent representations he has received on the subject of the GEC/Siemens takeover of Plessey.

Mr. Ridley: I have received two recent representations about the GEC/Siemens takeover of Plessey.

British Exporters

22. **Mr. McWilliam:** To ask the Secretary of State for Trade and Industry if he has any new proposals to help British exporters.

41. **Mr. Allen McKay:** To ask the Secretary of State for Trade and Industry if he has any new proposals to help British exporters.

Mr. Redwood: The volume of United Kingdom exports has continued to grow reflecting the strong position of United Kingdom industry. Excluding oil and erratic items, the volume of exports in the first quarter of 1990 was 8 per cent. higher than a year earlier. There is a wide range of advice and support available from my Department to assist United Kingdom exporters and of which many firms make use.

Regional Policy

23. **Mr. Hood:** To ask the Secretary of State for Trade and Industry if he will make a statement on regional policy.

30. **Mr. Home Robertson:** To ask the Secretary of State for Trade and Industry if he will make a statement on regional policy.

114. **Mr. Norman Hogg:** To ask the Secretary of State for Trade and Industry if he will make a statement on the regions.

Mr. Douglas Hogg: The Government remain committed to an effective regional policy and will continue to make the necessary resources available.

40. **Mr. Ronnie Campbell:** To ask the Secretary of State for Trade and Industry when he last met a regional body of the Confederation of British Industry to discuss regional policy.

97. **Mr. Buckley:** To ask the Secretary of State for Trade and Industry when he last met a regional body of the Confederation of British Industry to discuss regional policy.

99. **Mr. Tom Clarke:** To ask the Secretary of State for Trade and Industry when he last met a regional body of the Confederation of British Industry to discuss regional policy.

Mr. Douglas Hogg: My Department maintains regular contact with the CBI at all levels on a wide range of matters relating to industry.

LAUTRO

24. **Mr. Win Griffiths:** To ask the Secretary of State for Trade and Industry if he will make a statement on the work of the Life Assurance and Unit Trust Regulatory Organisation.

56. **Mr. Bernie Grant:** To ask the Secretary of State for Trade and Industry if he will make a statement on the Life Assurance and Unit Trust Regulatory Organisation.

Mr. Redwood: The Life Assurance and Unit Trust Regulatory Organisation is one of five self-regulating organisations recognised by the Securities and Investments Board under the Financial Services Act 1986. It is responsible for regulating the investment business of insurance companies and friendly societies engaged in retail marketing of life insurance products, and operators of regulated collective investment schemes engaged in retail marketing of units in such schemes.

Estate Agents

25. **Mr. David Evans:** To ask the Secretary of State for Trade and Industry when he expects to bring forward his recently announced proposals to strengthen the law governing the regulation of estate agents.

Mr. Forth: I intend that in the next few weeks a draft order and regulations under the Estate Agents Act 1979

will be sent to interested parties. My proposals for amending the Trade Descriptions Act 1968 by extending it to cover misdescription of real property have already been circulated.

Industrial Investment

26. **Mr. Bidwell:** To ask the Secretary of State for Trade and Industry when he will next meet the director general of the National Economic Development Council to discuss the impact of Government policies on British industrial investment intentions.

29. **Mr. Geoffrey Robinson:** To ask the Secretary of State for Trade and Industry when he will next meet the director general of the National Economic Development Council to discuss the impact of Government policies on British industrial investment intentions.

53. **Mr. Radice:** To ask the Secretary of State for Trade and Industry when he will next meet the director general of the National Economic Development Council to discuss the impact of Government policies on British industrial investment intentions.

Mr. Douglas Hogg: My Department has frequent contacts with NEDO officials on a wide range of business matters and I last chaired the council on 4 April. I have no immediate plans to meet the director general.

Mr. Campbell-Savours: To ask the Secretary of State for Trade and Industry what proposals he has for further industrial investment in the north-west of England.

Mr. Douglas Hogg: My Department will continue to support investment as appropriate in the north-west, including through regional selective assistance and the consultancy and export initiatives.

Financial Services

27. **Mr. Murphy:** To ask the Secretary of State for Trade and Industry if he will make a statement on the efficacy of the system of financial services regulation set up since 1979.

Mr. Redwood: The Financial Services Act 1986, which came into force in April 1988, established a comprehensive structure for the protection of investors and regulation of investment business in the United Kingdom. Under the Act, the Securities and Investments Board has prime responsibility for ensuring that the appropriate standard of protection for investors is provided in respect of persons carrying on investment business.

Steel Industry

28. **Dr. Kim Howells:** To ask the Secretary of State for Trade and Industry if he will make a statement on the future of the steel industry in the United Kingdom.

Mr. Douglas Hogg: I am confident that the United Kingdom steel industry will continue to perform well now that all of it is in the private sector and free from Government interference.

104. **Mr. Hoyle:** To ask the Secretary of State for Trade and Industry if he will make a statement on the future of the steel industry in the United Kingdom.

Mr. Douglas Hogg: I refer the hon. Gentleman to the answer I gave to the hon. Member for Coventry, North-East (Mr. Hughes) earlier today.

89. **Mr. David Nicholson:** To ask the Secretary of State for Trade and Industry how many tonnes of steel per man year were produced in the United Kingdom in *(a)* 1981 and *(b)* 1989.

102. **Mr. David Shaw:** To ask the Secretary of State for Trade and Industry how many tonnes of steel per man year were produced in the United Kingdom in *(a)* 1981 and *(b)* 1989.

Mr. Douglas Hogg: Crude steel production per man year rose from 159 tonnes in 1981 to 344 tonnes in 1989.

Iraq

31. **Mr. Ron Brown:** To ask the Secretary of State for Trade and Industry how many British firms currently trade with Iraq; and if he will make a statement.

Mr. Redwood: Iraq is an important market offering worthwhile opportunities to a wide range of United Kingdom exporters, but we do not keep records of the number of companies involved.

Mr. Caborn: To ask the Secretary of State for Trade and Industry if he will place in the Library information given to potential British exporters to Iraq by his Department and by the British consulate in Iraq.

Mr. Redwood: A selection, and complete list, of the numerous handouts available to potential exporters to Iraq both here and at our embassy in Baghdad have been placed in the Library.

Arms Exports

32. **Mr. Beith:** To ask the Secretary of State for Trade and Industry if he has any plans to review the working of the export licensing system for arms exports.

Mr. Redwood: The administration by my Department of export licensing including arms exports, was thoroughly reviewed in 1988. The need for changes to ensure that the controls remain effective and are efficiently administered is kept under continual review.

Company Prosecutions

33. **Mr. Orme:** To ask the Secretary of State for Trade and Industry how many prosecutions arising from company investigations commenced after 1 June 1979; and how many of the prosecutions were successful.

Mr. Redwood: I am aware of 132 successful prosecutions completed since 1 January 1979 arising from investigations under the Companies Acts; some of those prosecutions may have commenced before that date.

The figure given includes prosecutions carried out not only by my Department but by other prosecution authorities, for example the DPP, Serious Fraud Office and the police.

Further information is given in the annual report prepared under section 729 of the Companies Act 1985 and published by Her Majesty's Stationery Office. This report is available in the Library.

Defence Industry

34. **Mr. Andrew F. Bennett:** To ask the Secretary of State for Trade and Industry if he will make a further statement about the United Kingdom defence industry and attempts to find alternative products.

Mr. Douglas Hogg: I have nothing to add to the replies I have given to the hon. Member's earlier questions on this subject.

Monopolies and Mergers

35. **Mr. Maxton:** To ask the Secretary of State for Trade and Industry if he will initiate a review of monopolies and mergers legislation.

44. **Mr. Meale:** To ask the Secretary of State for Trade and Industry if he will initiate a review of monopolies and mergers legislation.

Mr. Redwood: We have recently implemented the conclusions of our review of mergers policy, which were published in 1988. As we said in our White Paper, "Opening Markets: New Policy on Restrictive Trade Practices", Cm. 727, we are currently reviewing the provisions in the Fair Trading Act 1973 and Competition Act 1980 dealing with the position of the individual, anti-competitive firm.

58. **Mr. Barron:** To ask the Secretary of State for Trade and Industry when he next expects to meet the directors of the Office of Fair Trading to discuss monopolies and mergers.

92. **Mr. Battle:** To ask the Secretary of State for Trade and Industry when he next expects to meet the directors of the Office of Fair Trading to discuss monopolies and mergers.

Mr. Redwood: My right hon. Friend and I met the Director General of Fair Trading on 2 April. There are no further meetings currently planned with Ministers in this Department.

Mr. Cousins: To ask the Secretary of State for Trade and Industry if he will visit the state of Massachusetts to study its regulatory system for mergers and takeovers.

Mr. Redwood *[holding answer 14 May 1990]:* Neither my right hon. Friend nor I have current plans to visit the Commonwealth of Massachusetts.

European Community Trade

36. **Mr. Doran:** To ask the Secretary of State for Trade and Industry when he will next meet his counterparts in the European Commission to discuss United Kingdom trade with the European Community.

73. **Mrs. Dunwoody:** To ask the Secretary of State for Trade and Industry when he will next meet his counterparts in the European Commission to discuss United Kingdom trade with the European Community.

Mr. Redwood: Ministers meet European Commissioners on a regular basis to discuss a range of issues of common interest.

Pharmaceuticals

37. **Mr. Martlew:** To ask the Secretary of State for Trade and Industry what representations he has received on the subject of parallel imports of pharmaceuticals.

Mr. Redwood: Representatives of the pharmaceutical industry have contributed to consultations initiated by my Department on the question of parallel imports in overseas markets.

Eastern Europe

38. **Mr. Hind:** To ask the Secretary of State for Trade and Industry if he has any plans to improve the provision of export credit guarantees for Warsaw pact countries; and if he will make a statement.

Mr. Redwood: The provision by ECGD of export credit guarantees—including those for countries in the Warsaw pact—is kept under regular review. Any improvement in the provision of such guarantees is made as and when justified. A review of ECGD's investment insurance cover for eastern European countries was recently undertaken and as a result some wide-ranging extensions to the scheme for those markets were announced.

Postal Service

39. **Mrs. Maureen Hicks:** To ask the Secretary of State for Trade and Industry if he will make a statement about the future of the postal service monopoly.

Mr. Forth: The letter monopoly is a privilege, not a right. While we keep the options under review, there are no plans to end the letter monopoly at present, although in the event of serious disruption we would consider suspending it. The Government and the Post Office remain fully committed to the existence of a national letter service available to everyone, including those in rural areas, at a reasonable and uniform tariff.

106. **Mr. Allen Adams:** To ask the Secretary of State for Trade and Industry when he next intends to meet the chairman of the Post Office to discuss the future of the postal service.

Mr. Forth: My right hon. Friend the Secretary of State expects to meet the chairman of the Post Office, Sir Bryan Nicholson, on 21 May. They will discuss matters of mutual interest.

Product Safety

42. **Mr. Wray:** To ask the Secretary of State for Trade and Industry what discussions he has had with trading standards officers on product safety.

90. **Mr. Worthington:** To ask the Secretary of State for Trade and Industry what discussions he has had with trading standards officers on product safety.

Mr. Forth: I have met trading standards officers and members of their representative organisations on several occasions at which product safety was one of the issues discussed. Also officials of my Department keep in regular contact with trading standards officers.

72. **Ms. Primarolo:** To ask the Secretary of State for Trade and Industry what discussions he has had with the Consumers Association on product safety.

115. **Mr. Patchett:** To ask the Secretary of State for Trade and Industry what discussions he has had with the Consumers Association on product safety.

Mr. Forth: I have had no recent meeting with the Consumers Association but it meets officials in my Department on a regular basis.

Dangerous Goods

43. **Mr. Steinberg:** To ask the Secretary of State for Trade and Industry if he will consider introducing legislation to extend the time limit for prosecuting sellers of dangerous goods.

45. **Mr. Snape:** To ask the Secretary of State for Trade and Industry if he will consider introducing legislation to extend the time limit for prosecuting sellers of dangerous goods.

117. **Mr. Soley:** To ask the Secretary of State for Trade and Industry if he will consider introducing legislation to extend the time limit for prosecuting sellers of dangerous goods.

Mr. Forth: When the Consumer Protection Act 1987 passed through the House there was no concern expressed about the time limit of six months in respect of prosecutions for a breach of general safety requirement. If there is substantial evidence that this time limit is now leading to proceedings being frustrated I am prepared to consider what might be done to help the enforcement authorities.

66. **Mr. Turner:** To ask the Secretary of State for Trade and Industry what further steps he is taking to strengthen legislation against sellers of dangerous goods.

Mr. Forth: The introduction of the general safety requirement in part II of the Consumer Protection Act 1987 means that it is now a criminal offence to sell any consumer product that is not reasonably safe. This is supported by specific regulations and by a range of enforcement powers that enable action to be taken effectively and swiftly against unsafe consumer goods. I see no justification for further legislation in this area.

Textiles Industry

46. **Mr. Riddick:** To ask the Secretary of State for Trade and Industry when he last met representatives of the textiles industry; and what matters were discussed.

Mr. Douglas Hogg: The Minister for Trade met members of the North East Lancashire Textile Manufacturers Association on 4 May. The main topic of discussion was the multi-fibre arrangement.

Insider Dealing

47. **Mr. Nicholas Brown:** To ask the Secretary of State for Trade and Industry if he will make a statement on the present regulations to deal with insider dealing.

71. **Mr. Buchan:** To ask the Secretary of State for Trade and Industry if he will make a statement on the present regulations to deal with insider dealing.

Mr. Redwood: The Government will continue to pursue all insider dealing cases where prosecution is justified under the code for Crown prosecutors. Convictions have been obtained in 11 out of 20 cases brought under the legislation. Two prosecutions are in progress and 13 inspections into possible breaches of the legislation are being carried out.

The Government published a consultative document on proposals for changes to the law on insider dealing late last year. I am grateful to all who responded, and careful consideration is being given to their comments.

Bankruptcies

49. **Mr. Matthew Taylor:** To ask the Secretary of State for Trade and Industry what are the latest figures on the trend in business bankruptcies in *(a)* the United Kingdom, *(b)* England and *(c)* Cornwall.

Mr. Redwood: Because of the differences in the relevant legislation for the different parts of the United Kingdom, it is inappropriate to provide figures for the United Kingdom as a whole. Separate figures are not available for England or Cornwall. The available information is given in the following table:

Insolvencies—England and Wales

		Individuals			*Companies*		
	Total	*Bankruptcy orders*	*Individual voluntary arrangements*	*Deeds of arrangement*	*Total*	*Compulsory liquidations*	*Creditors' voluntary liquidations*
1989							
1st quarter	2,224	1,972	251	1	2,567	854	1,713
2nd quarter	2,418	2,103	315	0	2,814	1,103	1,711
3rd quarter	2,159	1,837	321	1	2,027	548	1,479
4th quarter	2,565	2,226	337	2	3,047	1,515	1,532
1990							
1st quarter	2,942	2,514	427	1	3,339	1,267	2,072

Insolvencies—Scotland

	Individuals Sequestrations	*Total*	*Companies Compulsory liquidations*	*Creditors' voluntary liquidations*
1989				
1st quarter	445	121	67	54
2nd quarter	659	99	60	39
3rd quarter	563	143	87	56
4th quarter	634	95	45	50

	Individuals Sequestrations	Total	Companies Compulsory liquidations	Creditors' voluntary liquidations
1990				
1st quarter	665	113	60	53

Insolvencies—Northern Ireland

	Total	Individuals Bankruptcy adjudication orders	Other[1]	Total	Companies Compulsory liquidations	Creditors' voluntary liquidations
1989						
1st quarter	59	54	5	28	15	13
2nd quarter	59	52	7	30	16	14
3rd quarter	53	50	3	28	14	14
4th quarter	66	64	2	38	24	14
1990						
1st quarter	58	50	8	27	6	21

[1] Arrangement protection orders and orders for the administration of estates of deceased insolvents.

Procurement and Information Technology

50. **Mr. Cunliffe:** To ask the Secretary of State for Trade and Industry what representations have been made to him about public procurement policy and information technology in the European Economic Community.

65. **Mr. Cummings:** To ask the Secretary of State for Trade and Industry what representations have been made to him about public procurement policy and information technology in the European Economic Community.

86. **Mr. Ernie Ross:** To ask the Secretary of State for Trade and Industry what representations have been made to him about public procurement policy and information technology in the European Economic Community.

Mr. Forth: My right hon. Friend the Secretary of State for Trade and Industry has not received any representations about public procurement policy and information technology in the European Economic Community.

64. **Mr. Rogers:** To ask the Secretary of State for Trade and Industry what is the Department's latest estimate of the balance of trade in information technology with Japan and the United States of America.

75. **Mr. Darling:** To ask the Secretary of State for Trade and Industry what is his Department's latest estimate of the balance of trade in information technology with Japan and the United States of America.

Mr. Ron Davies: To ask the Secretary of State for Trade and Industry what is his Department's latest estimate of the balance of trade in information technology with Japan and the United States of America.

Mr. Redwood: In the year to March 1990 the estimated crude deficit on trade in electronics and information technology products (defined as divisions 75 and 76 of the standard international trade classification) was £2 billion with Japan, and £1·6 billion with the United States of America.

Manufacturing Industry

51. **Mr. Frank Field:** To ask the Secretary of State for Trade and Industry when he next intends to meet the president of the Confederation of British Industry to discuss the performance of British manufacturing industry.

79. **Mr. Eadie:** To ask the Secretary of State for Trade and Industry when he next intends to meet the president of the Confederation of British Industry to discuss the performance of British manufacturing industry.

81. **Mr. Eastham:** To ask the Secretary of State for Trade and Industry when he next intends to meet the president of the Confederation of British Industry to discuss the performance of British manufacturing industry.

87. **Mr. Fisher:** To ask the Secretary of State for Trade and Industry when he next intends to meet the president of the Confederation of British Industry to discuss the performance of British manufacturing industry.

Mr. Douglas Hogg: I have no immediate plans to discuss the performance of British manufacturing industry with the president of the CBI, although I expect to see him at the CBI's annual dinner on 17 May.

Environment Policy

52. **Mr. David Marshall:** To ask the Secretary of State for Trade and Industry if he has any new proposals to encourage British industry to be environmentally friendly.

68. **Mr. Jim Marshall:** To ask the Secretary of State for Trade and Industry if he has any new proposals to encourage British industry to be environmentally friendly.

Mr. Forth: I shall continue to encourage British industry to respond positively to the challenges and opportunities presented by environmental issues.

European Commission

54. **Mr. Bradley:** To ask the Secretary of State for Trade and Industry when he last met the Vice President of the European Commission, Sir Leon Brittan, to discuss competition policy.

60. **Mr. Boateng:** To ask the Secretary of State for Trade and Industry when he last met the Vice President of the European Commission, Sir Leon Brittan, to discuss that part of his remit which affects the United Kingdom.

62. **Mr. Boyes:** To ask the Secretary of State for Trade and Industry when he last met the Vice President of the European Commission, Sir Leon Brittan, to discuss industry policy.

Mr. Ridley: I meet Sir Leon Brittan as and when necessary for discussion of a wide range of topics.

Engineering Products

55. **Mr. Robert Hughes:** To ask the Secretary of State for Trade and Industry what is the current balance of trade in engineering products.

85. **Mr. Sean Hughes:** To ask the Secretary of State for Trade and Industry what is the current balance of trade in engineering products.

Mr. Douglas Hogg: The crude deficit on the balance of trade for engineering products (defined as divisions 71 to 79 of the standard international trade classification) was £8·2 billion in the year to March 1990.

Scotch Whisky

57. **Mr. Wallace:** To ask the Secretary of State for Trade and Industry when he last met representatives of the Scotch whisky industry; and what subjects were discussed.

Mr. Douglas Hogg: I met representatives of the Scotch whisky industry on 5 April to discuss my proposal to introduce legislation permitting gin, rum, vodka and whisky sold on licensed premises to be served in a single round metric quantity of 25 ml from the middle of this year and to prohibit the use of the existing imperial quantities after 31 December 1994. Having considered the industry's representations, I announced on 3 May my intention to consult interested parties about the possibility of also permitting one further metric quantity of 35 ml and of extending to other spirits the requirement for prescribed measures.

Mr. Sims: To ask the Secretary of State for Trade and Industry whether, in view of the United States section 301 initiative against Taiwan in regard to distilled spirits, he is taking steps to ensure that any resultant liberalisation applies equally to Scotch whisky.

Mr. Redwood: The authorities in Taiwan are well aware of United Kingdom concerns. Her Majesty's Government have no dealngs with the Taiwanese authorities, but United Kingdom concerns on this and other matters are put across very clearly in Taipei and London by the Anglo-Taiwan Trade Committee, a private organisation set up to promote British exports to Taiwan.

The Scotch Whisky Association recently went on a mission to Taiwan during which further representations were made to the appropriate Taiwanese authorities.

Departmental Reorganisation

59. **Mr. Bill Michie:** To ask the Secretary of State for Trade and Industry if he has yet reached a decision on the reorganisation of his Department.

74. **Mr. Austin Mitchell:** To ask the Secretary of State for Trade and Industry if he has yet reached a decision on the reorganisation of his Department.

111. **Mr. Morley:** To ask the Secretary of State for Trade and Industry if he has yet reached a decision on the reorganisation of his Department.

Mr. Forth: I have nothing to add to the statement on the structure of my Department which my right hon. Friend made on 21 February in answer to a question from my hon. Friend the Member for Nottingham, East (Mr. Knowles), *Official Report*, columns *783-84*.

Capital Adequacy

61. **Mr. Ian Taylor:** To ask the Secretary of State for Trade and Industry what assessment has been made by his Department of the implications for British financial institutions of any change in arrangements for capital adequacy.

Mr. Redwood: The European Commission has consulted member states and other interested parties in preparing its proposals for a directive on the capital adequacy of Community investment firms, which should be published shortly. The Government will continue to take account of the views of British financial institutions during the negotiation of the directive. I am particularly concerned that the levels of initial capital proposed may be against the interests of smaller and new financial intermediaries.

British-built Cars

63. **Mr. Batiste:** To ask the Secretary of State for Trade and Industry whether he will list the levels of sales in the United Kingdom of British-built cars in *(a)* 1974, *(b)* 1979 and *(c)* 1989.

98. **Mr. Mans:** To ask the Secretary of State for Trade and Industry whether he will list the levels of sales in the United Kingdom of British-built cars in *(a)* 1974, *(b)* 1979 and *(c)* 1989.

Mr. Douglas Hogg: The available figures, showing United Kingdom registrations of British-built cars, are as follows:

(a) 915 thousand;
(b) 750 thousand;
(c) 991 thousand.

Car Production

67. **Mr. Donald Thompson:** To ask the Secretary of State for Trade and Industry whether he will list the numbers of cars produced in the United Kingdom over the last five years.

Mr. Douglas Hogg: I refer my hon. Friend to my replies earlier today to my hon. Friends the Members for Daventry (Mr. Boswell) and for Hornchurch (Mr. Squire).

100. **Mr. Favell:** To ask the Secretary of State for Trade and Industry how many cars were produced in the United Kingdom in *(a)* 1979 and *(b)* 1989.

Mr. Douglas Hogg: The figures are as follows:

(a) 1·070 million.
(b) 1·299 million.

Hosiery and Knitwear

69. **Mr. Janner:** To ask the Secretary of State for Trade and Industry whether he will make a statement regarding the hosiery and knitwear industry in Leicester.

Mr. Douglas Hogg: I refer the hon. and learned Member to my answer to his question given in the *Official Report* for 9 January at column *599*.

West Germany

70. **Mr. Martyn Jones:** To ask the Secretary of State for Trade and Industry if he will make a statement on the level of United Kingdom trade with West Germany.

116. **Mr. Lambie:** To ask the Secretary of State for Trade and Industry if he will make a statement on the level of United Kingdom trade with West Germany.

Mr. Ingram: To ask the Secretary of State for Trade and Industry if he will make a statement on the level of United Kingdom trade with West Germany.

Mr. Redwood: In the first quarter of 1990 United Kingdom visible exports to West Germany were £3 billion, an increase of 20 per cent. over the first quarter of 1989. On the same comparison, visible imports from West Germany rose by 11 per cent., to £5 billion.

82. **Mr. Clelland:** To ask the Secretary of State for Trade and Industry when he last met his West German counterpart to discuss the trade deficit of the United Kingdom with West Germany.

93. **Mr. Frank Cook:** To ask the Secretary of State for Trade and Industry when he last met his West German counterpart to discuss the trade deficit of the United Kingdom with West Germany.

96. **Mr. Cohen:** To ask the Secretary of State for Trade and Industry when he last met his West German counterpart to discuss the trade deficit of the United Kingdom with Germany.

Mr. Redwood: DTI Ministers maintain close contacts with their West German opposite numbers on a range of issues. The Secretary of State last met the Federal Economics Minister, Dr. Haussmann, in London at the Anglo-German summit on 30 March.

Car Industry

76. **Mrs. Fyfe:** To ask the Secretary of State for Trade and Industry when he will next meet the major car manufacturers to discuss matters relating to the car industry.

83. **Mr. Galloway:** To ask the Secretary of State for Trade and Industry when he will next meet the major car manufacturers to discuss matters relating to the car industry.

Mr. Douglas Hogg: The Government have regular contacts with the major car manufacturers on a range of issues of interest to the industry.

80. **Mr. Roger King:** To ask the Secretary of State for Trade and Industry what was the value of British motor industry exports for the year 1989.

Mr. Douglas Hogg: The figure is £8,193 million.

EC Industry Council

77. **Mr. McCartney:** To ask the Secretary of State for Trade and Industry what matters he expects to discuss at the next meeting of the European Economic Community Industry Council.

Mr. Douglas Hogg: The next meeting of the Industry Council, at which I will be representing the United Kingdom, will be held on 28 May. The provisional agenda proposes discussion on steel, shipbuilding, semi-conductors, small and medium-sized enterprises, and audio-visual matters.

Small Investors

78. **Mr. Knapman:** To ask the Secretary of State for Trade and Industry what discussions he has had with institutions in the City of London on ways to encourage the growth in the number of small investors.

Mr. Redwood: I regularly discuss ways of promoting wider share ownership with institutions and individuals, both in the City and elsewhere. In a recent speech to the Institute of Economic Affairs I outlined a number of areas in which further action is needed to encourage the small investor. I also welcome other innovative ways of making the City more accessible to small shareholders which are being developed.

Iron and Steel Exports

84. **Mr. Devlin:** To ask the Secretary of State for Trade and Industry what was the level of exports of United Kingdom-produced iron and steel in *(a)* 1979 and *(b)* 1989.

Mr. Redwood: United Kingdom exports of iron and steel products on an ECSC basis were *(a)* 3·72 million tonnes, with a value of £767 million, in 1979; and *(b)* 5·60 million tonnes, with a value of £1,886 million in 1989.

Industrial Performance

88. **Mr. Adley:** To ask the Secretary of State for Trade and Industry what proposals he has to improve the performance of British industry.

Mr. Douglas Hogg: The Government continue to pursue policies intended to improve the climate for business activity, and to reduce the burdens on business. In addition, my Department continues to operate a range of specific schemes to improve business performance under the enterprise initiative.

Single Market

94. **Mr. Irvine:** To ask the Secretary of State for Trade and Industry how many of the directives necessary to complete the single European market have yet to be implemented; and whether he will make a statement.

Mr. Redwood: The Commission's fifth progress report on the single market shows that the United Kingdom, as recorded by the European Community, has the best record in the Community for the implementation into national legislation of single market measures with nine measures

not implemented as at 1 March 1990. Unfortunately only 21 of the directives have been implemented in all European Community member states.

My Department's publication "Progress on Commission White Paper" also shows that as at 1 March there were 60 individual directives which had been adopted and which were not yet required to have entered into force. Also, 139 measures had not been adopted, five of which had not yet been presented to the Council. Copies of this publication have been deposited in both Libraries.

Textile Trade

95. **Mr. Graham:** To ask the Secretary of State for Trade and Industry which issues he will raise in relation to the international trade in textiles when he next meets his European Economic Community counterparts.

105. **Mr. Ted Garrett:** To ask the Secretary of State for Trade and Industry which issues he will raise in relation to the international trade in textiles when he next meets his European Economic Community counterparts.

110. **Dr. Godman:** To ask the Secretary of State for Trade and Industry which issues he will raise in relation to the international trade in textiles when he next meets his European Economic Community counterparts.

Mr. Redwood: When he sees his EC colleagues at the informal Trade Ministers' meeting in Dublin this week, my right hon. Friend the Secretary of State for Trade and Industry will be discussing developments in the Uruguay round negotiations on international trade in textiles and the way forward, both in relation to the EC's preferred method of phasing out the multi-fibre arrangement over a transitional period and the parallel strengthening of GATT rules and disciplines.

Director General of Fair Trading

101. **Mr. McCrindle:** To ask the Secretary of State for Trade and Industry on how many occasions during the past 12 months he has rejected the formal advice of the Director General of Fair Trading.

Mr. Forth: In the last 12 months formal recommendations from the Director General of Fair Trading have not been accepted on two occasions.

Pirate Radio

103. **Mr. Evennett:** To ask the Secretary of State for Trade and Industry what additional action he intends to take to deal with pirate radio broadcasting in Greater London.

Mr. Forth: Pirate radio is a nuisance that can endanger lives and disrupt business. The radio investigation service of my Department's radiocommunications agency has powers to raid pirate stations and prosecute offenders where this proves necessary. It will be considerably helped in its efforts by new powers in the Broadcasting Bill that is currently before the House.

Passenger Car Prices

107. **Mr. Dykes:** To ask the Secretary of State for Trade and Industry if he will initiate an independent inquiry into passenger car prices in the United Kingdom.

Mr. Douglas Hogg: The Director General of Fair Trading announced on 9 May that he had made a reference to the Monopolies and Mergers Commission on the supply of new motor cars in the United Kingdom.

Business Receiverships

108. **Mr. Ieuan Wyn Jones:** To ask the Secretary of State for Trade and Industry if he will obtain a copy for his departmental library of the recently published KPMG Peat Marwick McLintock survey on the number of businesses forced into receivership.

Mr. Redwood: Yes.

East Midlands

109. **Mrs. Currie:** To ask the Secretary of State for Trade and Industry if he will estimate the level of investment in the east midlands now provided by foreign-owned companies; and how that number may change by 1995.

Mr. Douglas Hogg: According to the latest figures available to the Department's Invest in Britain Bureau, from 1979 to 1989, 142 inward investment decisions were made to locate in the east midlands. These include the establishment of a new business, expansion or acquisition of an existing business and involvement in joint venture. The projects were expected to create 11,640 new jobs and, since 1983 when the relevant records were started, to have safeguarded a further 8,900. The figures are based on information provided by the companies themselves at the time of the investment decision and do not take account of subsequent developments.

Although growth in inward investment in the United Kingdom is expected to continue into the 1990s, it is not possible to predict the likely amount of such investment nor its location.

Consumer Guarantees Bill

112. **Mr. Watson:** To ask the Secretary of State for Trade and Industry what further representations he has had on the Consumer Guarantees Bill.

113. **Mr. Alan W. Williams:** To ask the Secretary of State for Trade and Industry what further representations he has had on the Consumer Guarantees Bill.

118. **Mr. Wilson:** To ask the Secretary of State for Trade and Industry what further representations he has had on the Consumer Guarantees Bill.

Mr. Forth: At the Committee stage of the Bill I undertook to inform members of the Committee of the representations I had received about various aspects of the Bill, where I had the agreement of the parties concerned to do so. This I have done. Further representations received since Committee were made in confidence and it would be inappropriate to give details of them.

Telecommunications

119. **Mr. Ian Bruce:** To ask the Secretary of State for Trade and Industry what plans the Government have to allow more suppliers into the telecommunications market.

Mr. Forth: The major liberalisation which the Government have already introduced in United Kingdom

telecommunications, including the recent announcement of licences for three personal communications networks, has allowed many new suppliers to flourish. I have no further significant plans at present, pending the Government's review, starting in November this year, of the BT/Mercury duopoly in the provision of fixed link services.

Wessex Trust

120. **Mr. Ashdown:** To ask the Secretary of State for Trade and Industry if he will make a statement on action taken by his Department since the collapse of Wessex Trust in 1984.

Mr. Redwood: Between February and July 1986 my Department contributed to the investigation into Wessex Trust co-ordinated by the fraud investigation group of the Crown prosecution service by carrying out inquiries into companies concerned in the affairs of the trust.

Investors' Compensation

121. **Sir William Clark:** To ask the Secretary of State for Trade and Industry what plans he has to amend the Financial Services Act 1986 to empower the Securities and Investments Board to require recognised professional bodies to contribute to the central investors compensation scheme.

Mr. Redwood: None. Paragraph 3 of schedule 3 to the Financial Services Act requires the recognised professional bodies to have adequate arrangements for compensating investors.

Exports (Manufactures)

Mr. John Evans: To ask the Secretary of State for Trade and Industry what steps his Department plans to take to increase exports of British manufactured goods.

Mr. Redwood: In 1989, the United Kingdom exported £75 billion worth of manufactured goods, a 16 per cent. increase on 1988. The Government will continue to follow the macro-economic policies which have created a climate in which United Kingdom firms can prosper and increase their exports. The Government will also continue to provide direct support to United Kingdom firms seeking business overseas by providing a wide range of advice, information and assistance through the British Overseas Trade Board.

Illegal Broadcasting

Sir John Wheeler: To ask the Secretary of State for Trade and Industry how many raids have been carried out in 1990 by radio investigation service enforcement teams in the Greater London area; with what result; and how many prosecutions have been successful.

Mr. Forth: The radio investigation service of my Department's radiocommunications agency has so far this year carried out a total of 169 raids on unlicensed broadcasting stations operating in the Greater London area. On each occasion equipment used in the commission of the offence was seized and on 14 occasions persons believed to be connected with the unlicensed station were interviewed with a view to prosecution.

Between 1 January and 30 April 1990, 33 persons were successfully prosecuted for their involvement with such stations in the Greater London area. The average fine imposed was £287 and average costs of £209 were ordered to be paid. However, one person was sentenced to seven days' imprisonment. Invariably the courts ordered that the equipment used in the offence be forfeited.

Sir John Wheeler: To ask the Secretary of State for Trade and Industry how many officials are employed in radio investigation service enforcement teams in the Greater London area; what is the extent of their workload; and what proposals he has to increase the numbers of such personnel.

Mr. Forth: The radio investigation service of my Department's radiocommunications agency currently employs 25 officers on enforcement work in the Greater London area. Their remit involves regulating all categories of radio use and responding to complaints of interference from authorised users. The performance of the radio investigation service is kept under review to ensure that the service is correctly resourced.

Technology Transfer

Mr. Atkinson: To ask the Secretary of State for Trade and Industry whether the transfer of technology was discussed at the recent Bonn CSCE conference on economic co-operation in Europe; and if he will make a statement.

Mr. Redwood: Among the issues discussed at the conference was the encouragement of exchanges of know-how in a number of fields including the environment, agro-industry and food processing. Participating states also agreed to co-operate in fields such as energy conservation; raw material saving techniques; hydrocarbon technologies; and the safety of nuclear energy installations.

Internal Market Council

Mr. French: To ask the Secretary of State for Trade and Industry if he will make a statement on the Internal Market Council held in Brussels on 14 May.

Mr. Redwood: I attended the Internal Market Council in Brussels on 14 May. The Council held preliminary discussions on the legal protection of computer programmes, and on a proposal for extending the patent life for pharmaceuticals. Further discussions were also held on the European company statute.

The Commission made a presentation on barriers to takeover. The United Kingdom gave a strong welcome to the proposals to amend three directives in company law, which were the Commission's response to a United Kingdom request for action. The proposals represent a step towards a fair and transparent market, in which shareholders' interests are properly respected.

There was also substantive discussion of the motor insurance services directive. The Irish Presidency had worked hard to produce a compromise, which the United Kingdom was prepared to accept, although it did not go as far in liberalising motor insurance as we would have liked. It was disappointing that some member states could not accept even this compromise, and seemed intent on blocking moves towards a common market in motor insurance. The proposal will be discussed again in June following further work in the Committee of Permanent Representatives.

Indonesia

Mr. Madden: To ask the Secretary of State for Trade and Industry if he will make it his policy to refuse export licences for the export of military equipment, including Tornado aircraft and naval vessels, to Indonesia.

Mr. Redwood *[holding answer 14 May 1990]:* Export licence applications for military equipment, including aircraft and naval vessels, are considered on a case-by-case basis, in accordance with stringent criteria. It is not our practice to grant a licence for the export of military equipment which would not be in the national interest or which is likely to be used for internal repression.

Bristol Evening Post

Mr. Sayeed: To ask the Secretary of State for Trade and Industry when he expects to be able to announce his decision over the report by the Monopolies and Mergers Commission on the attempt by Mr. David Sullivan to take a controlling interest in the Bristol Evening Post plc.

Mr. Redwood *[holding answer 14 May 1990]:* The report will be published and the Secretary of State's decision announced as soon as is practicable.

Industrial Output

Mr. Ralph Howell: To ask the Secretary of State for Trade and Industry if he will give details of *(a)* the overall output and *(b)* the output per person engaged, in each of the following industries, for the years 1979 and 1989: (i) agriculture, (ii) the steel industry, (iii) coal mining, (iv) car industry, (v) electrical goods industry, (vi) local government and (vii) the National Health Service.

Mr. Norman Lamont: I have been asked to reply.

Estimates are not compiled on precisely the basis requested, but index numbers of output and of output per head are available for the following industry groups, on a 1985 = 100 basis, as shown in the table:

	Output		*Output per head*	
	1979	*1989*	*1979*	*1989*
(i) Agriculture, forestry and fishing	76·8	98·5	[1]	[1]
(ii) Metals	118·2	124·7	68·1	168·2
(iii) Coal and coke	136·6	105·7	96·8	221·1
(iv) Motor vehicles and parts	132·6	126·1	78·7	127·1
(v) Electrical and instrument engineering	79·2	129·1	65·0	133·0
(vi) Medical, health and veterinary services	[1]	105·0	[1]	[1]

[1] Not available.

Figures for local government are not available.

AGRICULTURE, FISHERIES AND FOOD

Afforestation

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about the release of agricultural land for afforestation.

Mr. Gummer: On 16 March 1988 my right hon. Friend the Secretary of State for the Environment made a statement to the House which set out the Government's objectives for forestry policy in England. In this we foresaw that the main potential for afforestation in England lay on arable land and improved grassland which may no longer be needed for food production.

In addition, there would be some scope for broadleaved and mixed woodlands on unimproved land but the Forestry Commission was instructed not to approve new planting of predominantly conifers in the uplands of England. The only exception would be small areas where it was clear that such planting would be environmentally acceptable.

I believe that this approach is still valid.

Fishing Industry, Dorset

Mr. Ian Bruce: To ask the Minister of Agriculture, Fisheries and Food what plans the Government have for the fishing industry in Dorset.

Mr. Curry: The characteristics of fisheries around our shores vary considerably but our overall aim is to work for effective conservation of fish and shellfish stocks as renewable resources. Further, representatives of the channel coast fishing industry who are members of the area VII whitefish industry advisory committee provide guidance on the management of quotas for the English channel.

Bovine Spongiform Encephalopathy

Mr. Butler: To ask the Minister of Agriculture, Fisheries and Food what forward estimates he has made of the number of cattle likely to become infected with bovine spongiform encephalopathy.

Mr. Maclean: It is not possible to predict with accuracy the number of cattle likely to be affected by bovine spongiform encephalopathy. However, the incidence is not expected to decline significantly until at least 1993.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food if he will now undertake the random sampling for bovine spongiform encephalopathy of all cattle slaughtered for human consumption in the United Kingdom.

Mr. Maclean: We have no plans to do so.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food if he proposes any initiative to sample for bovine spongiform encephalopathy-type disease among *(a)* all food animals, *(b)* companion animals, *(c)* other animals.

Mr. Maclean: We have no plans to do so. However, research into the transmissibility of bovine spongiform encephalopathy to other animals will continue. Research is also being conducted into the possibility of finding a test in the live animal. None is available at the moment.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what advice he has issued to cattle breeders concerning the possible vertical transmissibility of bovine spongiform encephalopathy; and if he will make a statement.

Mr. Maclean: Revised guidelines about all aspects of bovine spongiform encephalopathy are being prepared for issue to farmers.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the occurrence of spongiform encephalopathy in a cat.

Mr. Maclean: Pathologists at the Bristol veterinary school and the central veterinary laboratory at Weybridge have diagnosed a sub-acute spongiform encephalopathy in a five-year-old Siamese cat originating from the Bristol area. Inquiries are being made into the case. At present there is no evidence that the condition is transmissible, nor is there any known connection with any spongiform encephalopathies in other animal species.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food (1) whether he has issued any guidance to the veterinary investigation service concerning the possible incidence of spongiform encephalopathy in domestic animals;

(2) what instruction or guidelines he has given to the veterinary investigation service to monitor for bovine spongiform encephalopathy-type diseases in animals other than cattle; when such guidelines were issued; and if he will place copies in the Library.

Mr. Maclean: The veterinary investigation service is well aware of the need to monitor for the possibility of spongiform encephalopathies in other species and will consider them as differential diagnoses in appropriate cases.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what is the estimate of the number of cattle born to cows subsequently confirmed as bovine spongiform encephalopathy sufferers, since the disease was declared notifiable, which have been *(a)* slaughtered for human consumption, *(b)* exported, *(c)* retained as suckler cows, *(d)* destroyed as suffering a notifiable disease, *(e)* retained as dairy cows or *(f)* otherwise disposed of; and if he will make a statement.

Mr. Maclean: This information is not available.

Mr. Matthew Taylor: To ask the Minister of Agriculture, Fisheries and Food (1) whether any cases of possible or confirmed bovine spongiform encephalopathy-related conditions in domesticated animals have been reported to officials of his Department; and if he will make a statement;

(2) whether any cases of possible or confirmed bovine spongiform encephalopathy-related conditions in domestic cats have been reported to officials of his Department; and if he will make a statement.

Mr. Maclean: Transmissible spongiform encephalopathies can be confirmed only by post mortem histopathology of brain tissue and, apart from bovine spongiform encephalopathy in cattle, are not notifiable. In addition to cattle, these diseases are known to occur naturally in man and in sheep, goats, mule deer, elk and farmed mink.

Some of these diseases have been successfully transmitted under laboratory conditions to a number of species. The experimental animals used have included certain primates, mice, hamsters, sheep, goats, cattle, cats, mink and voles.

In addition, a spongiform encephalopathy has been identified in a zoo antelope and a domestic cat in Great Britain. It is not known whether these diseases are transmissible, or what relationship they have to BSE.

Animal Diseases

Mr. Barry Field: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking in conjunction with his European Community partners to ensure that the risks of the spread of animal diseases are not increased as a result of the introduction of the Europan single market.

Mr. Maclean: In discussions in Brussels I have sought to persuade my European Community partners that changes associated with the realisation of the single market should not be achieved at the cost of an increased risk of spread of animal disease. The directive on veterinary checks on trade in certain animal products, agreed last December after lengthy negotiation, reflects that key contention and leaves me optimistic that in completing the single market we will achieve the right balance between the removal of trade barriers and continued progress towards reducing and eliminating disease threats.

Animal Feed

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will list, for each of the last five years, how many imports of animal feed have been contaminated; and, in each case, if he will list the port concerned, the type of feed, the contaminant involved and whether the feed was *(a)* allowed into the United Kingdom for normal distribution, *(b)* returned to the country concerned or *(c)* dispersed in the United Kingdom.

Mr. Gummer: Since enforcement of the relevant provisions is a local authority responsibility, the information sought is not available centrally and could be produced only at disproportionate cost.

The extent of the import trade is considerable—more than 4 million tonnes a year. The commercial companies involved therefore have a strong interest in maintaining their own monitoring of supplies quite apart from that of the enforcement agencies.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food if he will require the manufacturers of all animal feeding stuffs to label their products indicating the nature and origin of their contents.

Mr. Maclean: Manufacturers will be obliged by a recently agreed European Community directive to declare the origin and the contents of animal feeds. The contents must be declared either by listing specific ingredients or categories of similar ingredients.

This directive will come into force in all member states on 22 January 1992.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food if he will now ban the use of sheep and cattle-derived protein from all animal feeding stuffs.

Mr. Maclean: This material is already banned from use in feedstuffs for ruminant animals. There is no evidence of a scrapie-like disease occurring naturally or under laboratory conditions in pigs and poultry and therefore no reason to ban the use of ruminant protein in their feedstuffs.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food if he will now ban the use of those offals specified in the Bovine Offals Order for consumption by domestic animals.

Mr. Maclean: No. Although inquiries will continue, there is no evidence that the spongiform encephalopathy recently found in a cat is either transmissible or connected with other spongiform encephalopathies.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will publish the results of the analysis of the Spanish cargo of animal feed which was investigated at Goole, giving details of which organisation carried out the tests, where the contaminants came from and how the cargo came to be contaminated.

Mr. Gummer: Enforcement of the Feedingstuffs Regulations 1988, as amended, and the Agriculture Act 1970 is the responsibility of local authorities. My officials alerted local authorities and port health authorities on Friday 5 May of the possibility of a contaminated cargo of animal feed disembarking at Goole. In this particular case, the port health authorities took appropriate action and cleared the suspect cargo on Tuesday 8 May.

Pesticides

Mr. Win Griffiths: To ask the Minister of Agriculture, Fisheries and Food when the advisory committee on pesticides last met; and what matters were discussed.

Mr. Maclean: The advisory committee on pesticides last met on 26 April.

The main items discussed were a request for approval of a new pesticide and reviews of four existing approvals. In addition, the committee considered tributylin esters in industrial wood preservatives and anti-fouling paints; home-made pesticides; mineral hydrocarbons in food; liaison with the Food Safety Directorate consumer panel and control of the Blandford fly.

Council of Ministers

Mr. John Greenway: To ask the Minister of Agriculture, Fisheries and Food what representations he has received from the National Farmers Union on the outcome of the last Council of Ministers meeting.

Mr. Maclean: The price-fixing settlement reached last month has been warmly welcomed by the farming community, including the National Farmers Union.

Consumer Panel

Mr. Tony Lloyd: To ask the Minister of Agriculture, Fisheries and Food when his consumer panel first met; and what matters were discussed.

Mr. Gummer: The first meeting of the consumer panel took place on 12 March 1990. It discussed a wide range of issues including BSE, food irradiation, water quality and blood enzyme gels in meat products. The minutes of this meeting are publicly available.

Consumers Association

Mr. Cox: To ask the Minister of Agriculture, Fisheries and Food when he last met the Consumers Association to discuss consumer affairs.

Mr. Maclean: Representatives of the Consumers Association attended a meeting with consumer organisations which the Minister hosted on 3 April 1990.

Discussions focused particularly on the European Community price-fixing proposals, GATT and food labelling.

Small Farms

Mr. Amess: To ask the Minister of Agriculture, Fisheries and Food if he has any plans to increase assistance to small farms.

Mr. Gummer: All farms will benefit from the recent agreement on farm prices for 1990-91, which we estimate will boost farmers' returns by at least £500 million in a full year. We have no plans to provide additional assistance to small farms.

Green Currency

Mr. Boswell: To ask the Minister of Agriculture, Fisheries and Food how much green currency disparities have recently been reduced.

Mr. Gummer: At the farm price settlement, agreement was reached on green pound devaluations which will have the effect of significantly reducing the monetary gaps between green and market exchange rates in the United Kingdom. On the basis of exchange rates at the time of the settlement the monetary gaps for crops will be reduced by 55 per cent., for milk by 38 per cent., beef by 55 per cent., pigmeat by 86 per cent. and sheep by 56 per cent. This compares with reductions of one third originally proposed by the Commission.

Green rate changes agreed for other member states will have the effect of reducing or removing monetary gaps for all sectors except cereals in Germany and the Netherlands and cereals, rice, oilseeds, fruit and vegetables, cotton and beef in Spain where it was agreed that no changes would take place.

Salmon

Mr. Stern: To ask the Minister of Agriculture, Fisheries and Food approximately how many salmon are now fished from the River Severn and its tributaries.

Mr. Curry: Statistics provided by the former Severn Trent water authority and the National Rivers Authority are published annually by my Department. Catches of salmon in the River Severn catchment for the last five years for which figures are available are given in the table.

	1984	*1985*	*1986*	*1987*	*1988*
Method of capture					
Rod and line	545	1,256	1,254	929	1,362
Commercial instruments	3,376	1,651	3,300	2,963	3,511
TOTAL	3,921	2,907	4,553	3,892	4,873

Insect Damage

Mr. Dalyell: To ask the Minister of Agriculture, Fisheries and Food (1) what response he has given to the submission on changed risk of insect damage in a changed climate from AFRC Rothamsted; and what funds are available for this work;

(2) if he will list the projects contributing to the study of changes in the *(a)* abundance of, and *(b)* development of potential pest problem insects, as a result of climatological change or global warming.

Mr. Maclean: The Department has advised the AFRC's Rothamsted experimental station that funds amounting to some £100,000 are to be set aside over three years for research there on any change in the risk of insect damage in a changed climate. Work on this project, which was submitted in response to a request by my chief scientists group as an initial step in the Department's programme of research in this area, is due to start in 1991-92.

Mr. Dalyell: To ask the Minister of Agriculture, Fisheries and Food what estimates his Department has made of the need for aphid identifiers over the next decade; and what steps he is taking to make financial provision for such training.

Mr. Maclean: No staff of this description are employed by the Ministry. Entomologists are employed in a number of capacities and their deployment and training are kept under review.

Conservation (Training Courses)

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will list the number of regional training courses on wildlife and landscape conservation that have been held for Agricultural Development Advisory Service officers in each year from 1979 to 1990 and the region in which the courses occurred.

Mr. Gummer: Information on regional training on wildlife and landscape conservation for Agricultural Development Advisory Service officers over the period specified is not available. However, records since 1987 show that more than 30 conservation courses have been held in regions. A breakdown of this total is as follows:

	1987	*1988*	*1989*	*1990 (planned)*
Northern	—	1	1	1
Midlands and Western	2	4	3	3
Eastern	3	2	4	—
South-Eastern	1	2	2	1

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food how many regional and national training courses on wildlife and landscape conservation are planned for Agricultural Development Advisory Service officers for 1990.

Mr. Gummer: A comprehensive programme of six national and 11 regional training courses on aspects of wildlife and landscape conservation is proposed for 1990.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will list the number of national training courses on wildlife and landscape conservation that have been held for Agricultural Development Advisory Service officers in each year from 1979 to 1988.

Mr. Gummer: Records of national training on wildlife and landscape conservation for Agricultural Development Advisory Service officers are available from 1980 onwards. The number of courses held each year is as follows:

	Number
1980	2
1981	4
1982	4

	Number
1983	4
1984	5
1985	7
1986	8
1987	2
1988	1

Meat Exports

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what action he proposes to take to overturn the current West German ban on bone-in beef from the United Kingdom.

Mr. Maclean: Following the European Community's scientific veterinary committee opinion earlier this year that British beef does not pose a problem for public health, our export trade with West Germany is getting back to normal levels under existing Community rules.

Cattle Exports

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what action he proposes to take in respect of the European Economic Community ban on live cattle exports from the United Kingdom.

Mr. Maclean: We will keep the position under review in the light of new developments on bovine spongiform encephalopathy generally.

Product Labelling

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food if he proposes to introduce regulations to prohibit or require the labelling of products from transgenic animals.

Mr. Maclean: Subject to parliamentary approval, we intend to use powers under the Food Safety Bill to introduce regulations providing for a positive approval system for any food produced by genetic manipulation techniques, including any products from transgenic animals for food use. We have also specifically asked the Food Advisory Committee to consider, on a case-by-case basis and within the context of the Food Labelling Regulations, the need for special labelling of these products following their approval.

Scrapie

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food if he will introduce measures requiring the processors of ruminant remains to ensure the treatment of such remains and temperatures adequate to destroy scrapie and scrapie-infective agents.

Mr. Maclean: The treatments needed to destroy scrapie-like agents during the rendering process are not known. Research will be undertaken into the inactivation of the agent.

River Mersey

Mr. Tony Lloyd: To ask the Minister of Agriculture, Fisheries and Food what programmes the Government have implemented or plan to implement to encourage the application and development of clean technology in the River Mersey area.

Mr. Heathcoat-Amory: I have been asked to reply.

Part I of the Environmental Protection Bill will apply integrated pollution control to industrial and other processes which have a significant potential to pollute. Under integrated pollution control, discharges to the water environment will be subject for the first time to requirements to apply clean technology to minimise polluting wastes and render them harmless. Many such processes are located in the Mersey basin.

Mr. Tony Lloyd: To ask the Minister of Agriculture, Fisheries and Food what progress the River Mersey campaign has made towards the agreements in the North sea conference for *(a)* 50 per cent. reduction in red list substances and *(b)* 70 per cent. reduction in heavy metals.

Mr. Heathcoat-Amory: I have been asked to reply.

It was agreed at the second North sea conference to reduce quantities of substances that are persistent toxic and liable to bioaccumulate, reaching the North sea by values in the order of 50 per cent. The Government took the view that other seas around the United Kingdom would be given the same degree of environmental safeguarding. Progress in implementation of this was published in the United Kingdom North sea action plan which was presented to the third North sea conference in March 1990. The Mersey catchment basin has made a satisfactory contribution to this progress.

It was agreed at the third North sea conference, for substances that cause a major threat to the marine environment, and at least for dioxines, mercury, cadmium and lead, to achieve reductions between 1985 and 1995 of total inputs of the order of 70 per cent. or more, provided that the use of the best available technology or other low waste technology measures enables such reductions. The Department is preparing guidance on how this should be implemented.

Sewage Sludge Disposal

Mr. Tony Lloyd: To ask the Minister of Agriculture, Fisheries and Food what is Government policy with regard to the dumping of industrial effluent into sewerage systems.

Mr. Heathcoat-Amory: I have been asked to reply.

Treatment in a sewage works may be an appropriate solution for certain industrial effluents. The discharge of any such effluents to a public sewer requires the consent of the water service company under section 2 of the Public Health (Drainage of Trade Premises) Act 1937, and it may impose conditions. Discharges from sewage works or sewers to rivers or coastal waters require the consent of the National Rivers Authority.

Mr. Tony Lloyd: To ask the Minister of Agriculture, Fisheries and Food if the Government plan to build more incinerators to dispose of sewage sludge as sea dumping is phased out.

Mr. Heathcoat-Amory: I have been asked to reply.

It is the responsibility of the water service companies to make provision for the disposal of sewage sludge. It is likely that a greater proportion of sewage sludge will be incinerated as dumping of sludge at sea is terminated.

Mr. Tony Lloyd: To ask the Minister of Agriculture, Fisheries and Food if heavy metal and other contaminants are released into the environment at the same level in sewage sludge as in sea dumping.

Mr. Maclean: In excess of 95 per cent. of sewage sludge is water. The solid element is largely organic matter which will decompose in the environment whether on land or in the sea. Contaminants associated with this organic matter are likely to be released into the environment. In many cases, however, contaminants such as heavy metals are rapidly reabsorbed on to other solid materials such as clay particles.

WALES

Moorings

Mr. Wigley: To ask the Secretary of State for Wales if he will arrange to discuss with his Wales tourist board, the Crown Estate and yachting and boating interests, the policy being followed by the Crown Estate with regard to charges for moorings in Welsh resorts; and if he will make a statement.

Mr. Roberts: I have no plans to do so.

Planning Appeals

Mr. Nicholas Bennett: To ask the Secretary of State for Wales if he will give the number of planning appeals made to the Welsh Office against decisions made by each Welsh local authority in 1987, 1988 and 1989 together with the number of appeals upheld in each year against each authority.

Mr. David Hunt: The information is not available in the form requested. Records of planning appeals are held for each district in which they occur but not for the planning authority to whose decisions they relate. Since 1989 records have also been kept of appeals within national parks. The information available is:

Clwyd

District	*1987*		*1988*		*1989*	
	AP	*AL*	*AP*	*AL*	*AP*	*AL*
Alyn and Deeside	37	9	24	7	30	5
Colwyn	28	6	25	5	32	10
Delyn	24	5	25	10	42	12
Glyndwr	21	5	27	6	36	4
Rhuddlan	23	9	22	10	32	11
Wrexham Maelor	31	10	47	14	37	8
Total	164	44	170	52	109	50

Dyfed

District	*1987*		*1988*		*1989*	
	AP	*AL*	*AP*	*AL*	*AP*	*AL*
Carmarthen	16	4	28	9	56	7
Ceredigion	31	7	57	8	81	11
Dinefwr	15	2	16	3	42	5
Llanelli	30	9	22	9	33	9
Preseli	19	2	15	5	26	1
South Pembrokeshire	14	3	21	2	49	6
Total	125	27	159	36	287	39

Mid Glamorgan

District	*1987*		*1988*		*1989*	
	AP	*AL*	*AP*	*AL*	*AP*	*AL*
Cynon Valley	14	3	18	3	27	7
Merthyr Tydfil	12	4	19	4	9	4
Ogwr	41	6	62	8	58	14
Rhondda	10	0	14	5	29	7
Rhymney Valley	16	4	16	7	24	5
Taff Ely	38	6	38	10	56	10
Total	131	23	167	37	203	47

South Glamorgan

District	*1987*		*1988*		*1989*	
	AP	*AL*	*AP*	*AL*	*AP*	*AL*
Cardiff	67	21	73	21	103	36
Vale of Glamorgan	74	21	55	21	101	32
Total	141	42	128	42	204	68

West Glamorgan

District	1987 AP	1987 AL	1988 AP	1988 AL	1989 AP	1989 AL
Port Talbot (formerly Afan)	9	1	4	1	4	1
Lliw Valley	32	6	26	5	31	4
Neath	11	5	10	3	22	5
Swansea	58	10	69	22	78	30
Total	110	22	109	31	135	40

Gwent

District	1987 AP	1987 AL	1988 AP	1988 AL	1989 AP	1989 AL
Blaenau Gwent	14	1	7	3	15	6
Islwyn	19	6	13	5	29	6
Monmouth	76	12	70	12	105	18
Newport	37	8	49	6	73	10
Torfaen	19	6	26	7	33	6
Total	165	33	165	33	255	46

Gwynedd

District	1987 AP	1987 AL	1988 AP	1988 AL	[1]1989 AP	[1]1989 AL
Aberconwy	51	6	51	14	61	12
Arfon	34	7	29	3	37	2
Dwyfor	48	9	41	9	57	13
Meirionnydd	13	1	25	4	0	0
Ynys Mon	59	23	56	17	71	18
Total	205	46	202	47	226	45

Powys

District	1987 AP	1987 AL	1988 AP	1988 AL	[1]1989 AP	[1]1989 AL
Brecknock	26	6	28	6	23	3
Montgomery	7	2	22	5	30	5
Radnor	5	1	13	4	12	0
Total	38	9	63	15	65	8

National Parks	1989 AP	1989 AL
Snowdonia	32	9
Brecon Beacons	21	4
Pembrokeshire Coast	24	6
Total	77	19

[1] Excludes appeals within national parks.
AP: Appeals made.
AL: Appeals allowed.

New Housing

Mr. Nicholas Bennett: To ask the Secretary of State for Wales if he will give details of the new-built housing provided in each local authority area in 1987, 1988 and 1989 provided by *(a)* the private sector, *(b)* local authorities and *(c)* housing associations.

Mr. David Hunt: Information on housebuilding completions for 1989 is given in the following table. The total number of housebuilding completions was 11,388 in 1989, compared with 11,037 in 1988 and 9,254 in 1987. Data by local authority area for 1987 and 1988 were published in "Welsh Housing Statistics No. 9 1989", a copy of which is in the House of Commons Library.

New dwellings completed 1989

	Private sector	Local authorities	Housing associations
Alyn and Deeside	148	29	0
Colwyn	358	0	34
Delyn	229	0	12
Glyndwr	249	42	7
Rhuddlan	67	24	16
Wrexham Maelor	371	12	24
Carmarthen	205	4	2
Ceredigion	262	3	65
Dinefwr	222	0	22
Llanelli	63	81	0
Preseli Pembrokeshire	229	20	29
South Pembrokeshire	162	0	0
Blaenau Gwent	167	39	64
Islwyn	87	28	0
Monmouth	327	16	121
Newport	453	105	0
Torfaen[1]	245	0	0
Aberconwy	151	0	24
Arfon	101	31	40
Dwyfor	78	0	8
Meirionnydd	51	12	0

	Private sector	Local authorities	Housing associations
Ynys Mon	182	0	21
Cynon Valley	148	0	67
Merthyr Tydfil	165	20	26
Ogwr	399	0	0
Rhondda	81	0	73
Rhymney Valley	182	24	80
Taff Ely	437	24	16
Brecknock	150	12	65
Montgomeryshire[2]	317	73	79
Radnor	216	0	4
Cardiff	1,070	0	462
Vale of Glamorgan	958	6	0
Port Talbot	87	0	40
Lliw Valley	233	6	14
Neath	141	4	0
Swansea	302	9	50
Wales	9,293	624	1,465

[1] Including data for Cwmbran which was previously identified separately as a new town.
[2] Including data for Newtown which is designated as a new town.

Health Authority Expenditure

Mr. Wigley: To ask the Secretary of State for Wales if he will publish a table showing to the most recent available date, the cost of administrative and clerical staff as a proportion of net revenue expenditure for each health authority in Wales; and if he will make a statement.

Mr. David Hunt: The information requested for 1988-89 (the latest year for which information is available) is as follows:

	Per cent.
Clwyd	6·5
East Dyfed	6·7
Gwent	6·5
Gwynedd	6·7
Mid Glamorgan	6·3
Pembrokeshire	6·7
Powys	5·6
South Glamorgan	7·6
West Glamorgan	6·4
All district health authorities	6·7
WHCSA	47·2
HPAW	26·5
All Welsh health authorities	7·2

Source Health authorities' annual accounts.

It is to be expected that Powys health authority, which does not have a large acute sector, has a lower than average proportion of its revenue expenditure accounted for by administrative and clerical costs and that South Glamorgan health authority with its teaching and regional services responsibilities has a higher than average figure. WHCSA and HPAW are not really comparable since the nature of their functions and consequently their staff mixes are different from each other and from those of district health authorities.

Mr. Wigley: To ask the Secretary of State for Wales if he will publish a table showing for the decade 1979 to 1989 what was the average cost of administrative and clerical staff as a proportion of net revenue expenditure of *(a)* all health authorities in Wales, excluding South Glamorgan and *(b)* Gwynedd health authority.

Mr. David Hunt: The information requested is as follows:

	Gwynedd health authority Per cent.	District health authorities[1] Per cent.	Welsh health authorities[2] Per cent.
1979-80	6·6	6·1	6·6
1980-81	12·3	13·3	13·8
1981-82	11·8	15·6	16·1
1982-83	11·3	12·1	12·6
1983-84	11·2	11·8	12·4
1984-85	8·1	7·2	7·8
1985-86	7·6	6·8	7·4
1986-87	7·3	6·6	7·2
1987-88	7·0	6·6	7·1
1988-89	6·7	6·4	7·1

[1] Excludes South Glamorgan health authority.
[2] District health authorities plus WHCSA (formerly WHTSO) and HPAW but again excluding South Glamorgan heath authority.
Source: Health authorities' annual accounts.

Geriatric Services

Mr. Wigley: To ask the Secretary of State for Wales what was the number of discharges and deaths of elderly people in Gwynedd from National Health Service hospitals in the county for each year from 1980 to 1989, together with the number of beds, including acute, rehabilitation and support, which were available for elderly people in these hospitals in each of these years.

Mr. David Hunt: The latest available data, relating to the number of discharges and deaths of people aged 65 and over from NHS hospitals in Gwynedd, are as follows:

	Numbers
1980	8,676
1981	9,765
1982	8,951
1983	11,151
1984	11,250
1985	12,559
1986	14,626
1987	15,592
1988	16,553

Information on the number of beds specifically available for the elderly is not available centrally. While information on the number of beds in specialties designated as geriatrics, psychogeriatrics and elderly mentally ill is available, beds in other specialties (eg general medicine, general surgery) can be used for people of all ages.

In-patient Treatment

Mr. Wigley: To ask the Secretary of State for Wales what is the average length of stay for in-patients for all surgical conditions in each of the district health authorities in Wales, respectively, analysed *(a)* by district general hospitals and *(b)* by district general hospital and community hospitals combined.

Mr. David Hunt: The available information is given in the following table:

Health authority	Average length of stay (days) for surgical specialties[1] 1988-89	
	District general hospitals	All hospitals
Clwyd	5·8	5·7
East Dyfed	5·7	5·9
Gwent	5·5	5·7

Health authority	*Average length of stay (days) for surgical specialties* [1] *1988-89*	
	District general hospitals	*All hospitals*
Gwynedd	5·8	5·1
Mid Glamorgan	5·7	6·0
Pembrokeshire	5·8	5·8
Powys	—	—
South Glamorgan	5·8	6·4
West Glamorgan	6·4	6·6

[1] General surgery, ENT, traumatic and orthopaedic surgery, ophthalmology, radiotherapy, urology, plastic surgery, thoracic surgery, dental surgery, orthodontics, neurosurgery and gynaecology.

Parliamentary Questions

Mr. Wigley: To ask the Secretary of State for Wales if he will recruit into his Department additional staff to facilitate expeditious replies to parliamentary questions.

Mr. David Hunt: No. Providing for timely answers to parliamentary questions is given high priority by my staff.

Health Authority Posts

Mr. Wigley: To ask the Secretary of State for Wales how many *(a)* medical and *(b)* administrative posts are currently officially frozen in each of the nine district health authorities in Wales.

Mr. David Hunt: This information is not available centrally.

X-Ray Waiting Times

Mr. Wigley: To ask the Secretary of State for Wales if he will undertake a study into the time delay in processing and analysing X-ray studies by Gwynedd health authorities; and if he will publish a table showing over the past five years the average waiting time from when a request is made by a doctor for an X-ray for a patient, to the taking of that X-ray and the average time from taking the X-ray to the results being available to the relevant doctor.

Mr. David Hunt: The information requested is not available centrally. The hon. Gentleman has written to me separately about the processing of X-ray investigations and I shall reply to him when I have seen the comments of Gwynedd health authority.

Cardiff Development Corporation

Mr. Morgan: To ask the Secretary of State for Wales what are the terms and conditions of employment, including the length of contract and severance terms, of the chief executive of Cardiff development corporation.

Mr. David Hunt: The chief executive of Cardiff Bay development corporation is an employee of the corporation. The terms and conditions of employment are, therefore, matters for the chief executive and the board of the corporation. An indication of the chief executive's salary is given in the corporation's annual report.

Private Nursing Homes

Mr. Wigley: To ask the Secretary of State for Wales if he will list, giving the full postal address and the number of authorised beds in each instance and the date of opening all private registered nursing homes in Wales.

Mr. David Hunt: I will write to the hon. Gentleman as soon as details have been obtained from district health authorities and place a copy of my letter in the Library of the House.

Hospital Closures

Mr. Wigley: To ask the Secretary of State for Wales if he will list in the *Official Report* every hospital closure which has been approved by his Department between 3 May 1979 and 1 June 1987; and the date on which approval to close that hospital was given.

Mr. David Hunt: I will write to the hon. Gentleman and place a copy of my letter in the Library of the House.

Mr. Wigley: To ask the Secretary of State for Wales, pursuant to his reply of 9 May, *Official Report*, column *152-53*, what factors account for the delay in sending formal notification to the authority of, and making a public announcement about, the closure of Caernarfon cottage hospital after the decision to close the hospital had been taken; when the chairman and general manager of Gwynedd health authority were told of his decision; and if he will make a statement.

Mr. David Hunt: Unfortunately, a typing error resulted in the date of approval of closure of the cottage hospital Caernarfon, being recorded as 20 March 1990 in my hon. Friend's answer when the correct date was 20 April 1990. I apologise for this mistake.

Mr. Wigley: To ask the Secretary of State for Wales (1) what was the original estimate in 1987 for the additional annual running costs at Bronygarth hospital, Penrhyndeudraeth, in order to accommodate the transfer to that hospital of services currently provided at Ysbyty Madog, Porthmadog; and what is his latest estimate of this additional annual running cost;

(2) what was the original estimated net capital cost, excluding sales value, of his closure of the Madog memorial hospital, Porthmadog and the transfer of facilities to Bronygarth hospital; and what is his latest estimate of this cost.

Mr. David Hunt: I refer the hon. Gentleman to my hon. Friend's reply of 14 May 1990 at column *296*.

Mr. Wigley: To ask the Secretary of State for Wales how much capital expenditure on buildings and equipment has been incurred at the cottage hospital, Caernarfon, since the beginning of the financial year 1984-85; and if he will make a statement.

Mr. David Hunt: I shall write to the hon. Gentleman and place a copy of my letter in the Library of the House.

Mr. Wigley: To ask the Secretary of State for Wales what is the most recent available estimate of the net annual savings which will be achieved by Gwynedd health authority from the closure, respectively, of *(a)* Ysbyty Coffa Madog, Porthmadog, *(b)* Druid hospital, Llangefni, *(c)* Groesynyd hospital, Conwy, *(d)* Ysbyty Dewi Sant, Bangor, and *(e)* the cottage hospital, Caernarfon; and what will be the net annual savings achieved from each of these closures, respectively, in 1990-91, and 1991-92.

Mr. David Hunt: Following the issue of the Welsh Office's letters of 3 and 22 March 1989 which conveyed

approval of Gwynedd health authority's proposals to close Madog memorial hospital, Druid hospital, Groesynyd hospital and St. David's hospital, Bangor, detailed issues relating to the closures are a matter for the health authority, subject to compliance with the relevant conditions set out in the letter of 3 March. The hon. Gentleman should therefore contact the health authority for further information.

I shall write to the hon. Gentleman about the cottage hospital, Caernarfon.

Mr. Wigley: To ask the Secretary of State for Wales if he will review the decision of Gwynedd health authority to make a temporary closure of the gynaecology annexe ward at St. David's hospital, Bangor, and take steps to ensure that women awaiting childbirth do not have to share facilities with women awaiting termination of pregnancy.

Mr. David Hunt: Gwynedd health authority is to consider the temporary closure of the gynaecology annexe at its meeting on 21 May in the light of consultation with interested local bodies. Any concerns that the hon. Gentleman may have about the proposals should therefore be made known to Gwynedd health authority.

Mr. Wigley: To ask the Secretary of State for Wales whether Gwynedd health authority, in considering its hospital closure programme, followed the requirements of planning paper 5 on procedures for consultation on the closure and change of use of health buildings; and if he will make a statement.

Mr. David Hunt: This issue was addressed in the letters of 3 March 1989 and 20 April 1990 from the Welsh Office to the general manager of the health authority, which were copied to the hon. Gentleman.

Mr. Wigley: To ask the Secretary of State for Wales whether the provisions of service planning paper 5 are mandatory on health authorities in Wales considering the closure or change of use of hospitals; and what action he takes if health authorities do not follow such provisions.

Mr. David Hunt: Service planning paper 5 sets out the guidance on the consultative procedures to be followed by health authorities when proposing to close or change the use of health buildings. My action in cases where authorities do not follow its provisions depends on the individual circumstances.

Gwynedd Health Authority

Mr. Wigley: To ask the Secretary of State for Wales on how many occasions during the past five years his Department has granted temporary financial assistance to Gwynedd health authority; on what dates such assistance was granted; what sums were involved; and what requirements were placed on the health authority, prior to such assistance being agreed, with respect to its strategy for restoring financial balance in the medium term.

Mr. David Hunt: A loan of £1·3 million was provided to Gwynedd health authority by cash limit adjustment on 8 February 1988. The loan was made on the understanding that the authority had determined and was consulting on a plan for restoring its financial balance by the end of 1991-92; £0·5 million of this sum was provided for revenue purposes and £0·8 million for capital purposes in recognition of the authority's immediate cash flow problems. The whole of the loan was repaid by the authority the following year.

Mr. Wigley: To ask the Secretary of State for Wales whether, prior to 7 February, Gwynedd health authority had given any indication to the director of the National Health Service in Wales as to its likely overspend in either 1989-90 or 1990-91; and if he will make a statement.

Mr. David Hunt: The financial plan submitted by the Gwynedd health authority in April 1989 indicated that the authority would cover its projected expenditure in 1989-90 only through the achievement of significant savings from the service rationalisation measures set out in the action plan which it drew up in 1987-88 and the use of a small loan from another health authority. The financial plan also projected the need for substantial loans in 1990-91 to facilitate the capital expenditure necessary to achieve further service rationalisation measures and hence achieve its aim of restoring financial balance in the medium term.

At its annual review meeting with the executive committee of the health policy board in September 1989, the authority indicated that there had been a deterioration in its financial position since the submission of its financial plan, and that additional remedial action would be necessary if the authority were to contain its expenditure within its notified resources and that this action was to be discussed by the health authority at its meeting in November.

The income and expenditure monitoring form submitted by the health authority for the period ended 31 December, confirmed the slippage in the authority's planned programme of savings and indicated that this shortfall would be compensated by the transfer of funds from the authority's capital allocation to its revenue allocation.

Mr. Wigley: To ask the Secretary of State for Wales what steps he has taken following the information being given by Gwynedd health authority in February to his Department that it anticipated facing a £4 million shortfall in 1990-91; and if he will make a statement.

Mr. David Hunt: I refer the hon. Gentleman to the replies that I gave him on Thursday 10 May and Monday 14 May.

Mr. Wigley: To ask the Secretary of State for Wales who appointed the consultants currently investigating the financial difficulties of Gwynedd health authority.

Mr. David Hunt: I refer the hon. Gentleman to the answer given to him on 14 May at columns *288-89*.

Mr. Wigley: To ask the Secretary of State for Wales whether he has received any application from Gwynedd health authority to sell the Coed Mawr office site in Bangor; and if he will make a statement.

Mr. David Hunt: The health authority has delegated authority to sell the Coed Mawr office site.

Mr. Wigley: To ask the Secretary of State for Wales how many abortions have taken place in Gwynedd since Gwynedd health authority decided to curtail its family planning services; and what was the number for the comparable period preceding that decision.

Mr. David Hunt: I understand that Gwynedd health authority proposes to consider the outcome of the local consultation exercise on measures to reduce overspending, including a temporary reduction in family planning services, at its meeting on 21 May.

Written Answers to Questions

Thursday 17 May 1990

THE ARTS

Bands

Mr. Fisher: To ask the Minister for the Arts what financial support *(a)* the Arts Council and *(b)* regional arts associations have given to (i) brass bands and (ii) silver bands in each of the last 10 years.

Mr. Luce: This information is not held centrally. However, both the Arts Council and the regional arts associations are active in supporting the work of brass and silver bands where a professional input is involved. In particular, the Arts Council will consider applications for financial assistance under its music for small groups programme.

NATIONAL FINANCE

Manufactured Goods

Mr. Skinner: To ask the Chancellor of the Exchequer if he will make a statement on action he proposes to reduce the deficit in trade in manufactured goods.

Mr. Norman Lamont: The deficit in trade in manufactures will fall as domestic demand and capacity pressures ease and exports increase. There are clear signs that this is happening; in the first quarter of 1990 the volume of exports of manufactures—less erratics—was 9½ per cent. higher than in the same quarter a year earlier, while imports were only 1 per cent. higher.

Public Expenditure

Mr. Leighton: To ask the Chancellor of the Exchequer what is the average public expenditure per capita paid for out of national taxation for each citizen of *(a)* the United Kingdom and *(b)* Northern Ireland.

Mr. Norman Lamont: Public expenditure is financed from a number of sources including taxation, national insurance contributions, borrowing, interest and dividend receipts and local authorities' revenue collection. There is, generally, no direct linkage between specific areas of expenditure and sources of revenue. Consequently, information is not available in the form requested.

Information on per capita general Government expenditure in the United Kingdom and Northern Ireland, financed from all sources including local authority revenue collection, was given in the reply to my hon. Friend the Member for Wrye Forest (Mr. Coombs) on 19 December 1989, *Official Report*, columns *179-90*.

G7 Countries (Interest Payments)

Mr. Allen: To ask the Chancellor of the Exchequer if he will list how much gross domestic product is used for scheduled interest payments *(a)* in the public sector and *(b)* in the private sector of the G7 countries.

Mr. Ryder: United Kingdom sector net interest payments and GDP data are published in the CSO "Blue Book", 1989 edition. General Government net interest payments are published in the CSO's "Financial Statistics". Data on sectoral net interest payments and GDP for the other G7 countries are published by the OECD in "National Accounts volume II, 1975-1987".

Civil Service Pensions

Mr. Meacher: To ask the Chancellor of the Exchequer if he will give an estimate of the number and percentage of the total of *(a)* pensions in payment to retired civil servants, *(b)* pensions to be paid to existing civil servants on retirement which are/will be (i) uprated in line with prices each year and (ii) uprated by any other formula.

Mr. Ryder: There are 385,395 pensions in payment to retired civil servants, plus a further 117,905 dependants' pensions. The numbers of pensions in payment is expected to show some increase for the next 10 to 15 years. All civil service pensions, in common with other public service pensions, are uprated annually in line with prices.

EC Finance Ministers

Mr. Simon Coombs: To ask the Chancellor of the Exchequer if he will make a statement on his recent meetings with other European Community Finance Ministers.

Mr. Ryder: My right hon. Friend the Chancellor of the Exchequer regularly meets his Community counterparts at the Council of Economic and Finance Ministers, the last meeting of which took place in Luxembourg on 23 April. My right hon. Friend made a statement in the House about the outcome on 25 April, *Official Report*, column *238*.

In addition, my right hon. Friend sees his European colleagues for bilateral discussion from time to time, most recently Sr Carli, the Italian Minister of Finance, on 30 April in Rome.

Petrol Prices

Sir Dudley Smith: To ask the Chancellor of the Exchequer if it remains Government policy that unleaded petrol should cost significantly less than the leaded variety.

Mr. Ryder: Yes.

Civil Service Costs

Mr. Chris Smith: To ask the Chancellor of the Exchequer what was the total cost of civil service support for the Financial Secretary on the occasion of the debate on the private Member's motion on Monday 14 May.

Mr. Lilley: Ministers generally receive support for debates from the civil service on matters of fact and Government policy. Separate costings are not available.

Economic Statistics

Mr. Higgins: To ask the Chancellor of the Exchequer if, further to his statement to the Treasury and Civil Service Committee on 3 April, he can now announce his plans to improve the quality of economic statistics.

Mr. Major: I have arranged for the Central Statistical Office to take further steps to improve the quality of

statistics in three areas—services, companies and balance of payments. My aim is to introduce these changes as quickly as possible so that some results will begin to appear in the figures as early as the end of this year. This is a development made possible by last summer's reorganisation of the CSO which was undertaken to enable improvements to be made to economic statistics.

On services, I propose that extensions are made to quarterly inquiries of turnover in the services industries, and that more information on external trade in services is collected on a quarterly basis. On company statistics, I propose to obtain more quarterly information on capital expenditure, stockbuilding and profits. On balance of payments (and other financial) statistics, I propose that the quarterly direct investment inquiry should be expanded, and that more information be collected about United Kingdom companies' financial transactions with domestic and overseas residents. Because of the severe problems with balance of payments statistics, I have asked the CSO to undertake a thorough review over the next 12 months of the way in which these statistics are collected and compiled.

In addition, I have asked the CSO, in consultation with the appropriate bodies, to consider the case for wider use of statutory surveys. This should improve the quality of statistics by increasing response rates. It should also ensure that the burden on businesses is shared more fairly.

HOME DEPARTMENT

Prison Disturbances

Mr. Sheerman: To ask the Secretary of State for the Home Department how many cellular spaces were destroyed during the recent prison disturbances.

Mr. Mellor: A total of 1,908 inmate places were lost during the recent prison disturbances at Bristol, Cardiff, Dartmoor, Glen Parva, Long Lartin, Manchester, Pucklechurch and Stoke Heath, of which 561 have now been brought back into use.

Mr. Sheerman: To ask the Secretary of State for the Home Department when he expects to receive the findings of Lord Justice Woolf's inquiry into the recent prison disturbances.

Mr. Waddington: I have not asked Lord Justice Woolf to report by any particular time, but I know that he attaches importance to delivering his report to me at the earliest possible date.

Deportations

Mr. Cohen: To ask the Secretary of State for the Home Department how many deportations have taken place from the United Kingdom under regulations which relate to the cases of Messrs Alexander and Oladehinde since his Department lodged its appeal; and if he will make a statement.

Mr. Peter Lloyd: The divisional court decided on 21 February 1990 that members of the immigration service could not exercise deportation powers on behalf of the Secretary of State. This decision was reversed by the Court of Appeal on 15 March and an appeal has been made to the House of Lords. Despite the Court of Appeal judgment, the immigration service has not exercised the relevant powers since 21 February and action on outstanding affected cases has been suspended since that date. No affected deportation orders have been enforced since 21 February, although 34 people concerned have opted to leave the country under the voluntary supervised departure arrangements.

Electoral Rights

Mr. David Nicholson: To ask the Secretary of State for the Home Department in what circumstances citizens of Namibia enjoy the right to vote in United Kingdom elections.

Mr. Peter Lloyd: Namibia joined the Commonwealth on 21 March 1990 and those of her citizens resident in the United Kingdom will become eligible to register as electors here once an Order in Council is made adding Namibia to the list of Commonwealth countries in schedule 3 to the British Nationality Act 1981.

Football

Mr. Atkinson: To ask the Secretary of State for the Home Department, further to his reply of 8 May, *Official Report*, column *21*, if he will make a statement on the meeting with representatives of the Football League and the Football Association.

Mr. Waddington: On 8 May I met at my request representatives of the Football Association and the Football League. I told the football authorities that it was unacceptable that they should ignore advice from a chief officer of police that a particular fixture ran a high risk of serious disorder. I indicated that it was their public duty to act on such advice. The Football League representatives accepted that they had been wrong to ignore the advice from the Dorset police on the Bournemouth *v.* Leeds United fixture on 5 May.

The Football League agreed to work out urgently with the Association of Chief Police Officers effective arrangements for obtaining police advice about the scheduling of fixtures and to act upon it on all occasions.

Extradition

Mr. Butler: To ask the Secretary of State for the Home Department how many United Kingdom citizens have been sought for extradition by foreign powers in the latest available year; and into what categories of alleged offence they fell.

Mr. John Patten: The United Kingdom does not distinguish between extradition requests in respect of its own nationals and nationals of other countries. For this reason, the nationality of those whose return is sought is not centrally recorded.

During 1989, extradition proceedings were commenced against 35 individuals in England and Wales. The offences were as follows:

Offence	*Number of applications*
Murder	1
Armed robbery	1
Theft	5
Burglary	2
Robbery	4
Obtaining property by deception	2

Offence	Number of applications
Forgery	3
Fraud	8
Embezzlement	2
Parental kidnapping	1
Indecent exposure	1
Handling stolen goods	1
Drugs	10

In some cases, extradition was sought for more than one offence.

Mr. Butler: To ask the Secretary of State for the Home Department how many extraditions have been applied for by the United Kingdom in the latest available year; and into what categories of alleged offence they fell.

Mr. John Patten: In England and Wales during 1989, extradition applications in respect of 29 individuals were made to foreign and Commonwealth countries. The alleged offences were as follows:

Offence	Number of applications
Murder	2
Armed robbery	1
Assault	1
Malicious wounding	1
Theft	12
Burglary	2
Obtaining money/property by deception	8
Forgery	3
Fraud	3
Receiving/handling stolen goods	3
Deception	1
Bankruptcy	1
False accounting	1
Procuring the execution of a valuable security	1
Perjury	1
Conspiracy to pervert the course of justice	1
Evasion of liability by deception	1
Drugs	5

In some cases, extradition was sought for more than one type of offence.

Women Prisoners

Mr. Sheerman: To ask the Secretary of State for the Home Department how many women prisoners from Her Majesty's remand centre Pucklechurch the prison department has failed to produce in court on the due date following their removal to Her Majesty's prison Holloway after the disturbances in April 1990.

Mr. Mellor: Of the 44 female prisoners temporarily transferred from Her Majesty's remand centre Pucklechurch to Her Majesty's prison Holloway on 23 April as a result of the disturbances, five were not produced in court on the due date because of difficulties in arranging escorts over the long distances involved.

All the women have now been transferred back to Her Majesty's remand centre Pucklechurch and arrangements have been made with the courts concerned to produce those not produced on the original due date.

Smoke Alarms

Mr. Alex Carlile: To ask the Secretary of State for the Home Department if he will make it his policy to require every home in the United Kingdom to be fitted with a functioning smoke alarm; and if he will make a statement.

Mr. John Patten: We would not anticipate legislation for this until at least the outcome of current research is known. Meanwhile, we are encouraging the installation and maintenance of smoke alarms on a voluntary basis. Since 1987, the proportion of homes with smoke alarms installed has increased from about 9 to 38 per cent.

Sex Offenders

Mr. Roy Hughes: To ask the Secretary of State for the Home Department (1) what consultations took place with interested parties in the county of Gwent before a decision was taken to move prisoners into the county who have been convicted of sex offences;

(2) what additional security precautions, including recruitment of additional staff, have been taken following the decision to move into Gwent certain prisoners who have been convicted of sex offences.

Mr. Mellor: The role of Usk has recently been changed to that of an adult training prison. I have written to my hon. Friend the Member for Monmouth (Sir J. Stradling Thomas) explaining the position and officials have written in similar terms to local authorities and other interested parties.

In its former role, Usk held those convicted of a wide range of offences, including sex offences. A prisoner's present and past offences are among the factors taken into account in assessing his security requirements and, therefore, the establishment to which he will be allocated.

Some work to upgrade physical security at Usk has already been completed. Other measures have been identified and work will be completed as soon as possible. The number and type of prisoners held there are within the capacity of existing staffing levels and appropriate to the general security standard of the establishment.

Birmingham Pub Bombings

Mr. Mullin: To ask the Secretary of State for the Home Department, pursuant to his answer of 14 May, if a copy of the Devon and Cornwall report will be made available to solicitors for the men convicted of the Birmingham pub bombings.

Mr. Waddington: No. The report will be confidential. Its purpose will be to assist me in reaching a decision on whether to take any action to intervene in the safety of the convictions in the light of the representations I have received.

Mr. Mullin: To ask the Secretary of State for the Home Department, pursuant to his answer of 14 May, whether the West Midlands chief constable will comment on the findings of the Devon and Cornwall inquiry when he submits the report to the Home Secretary.

Mr. Waddington: This will be a matter for the chief constable of the West Midlands police once he has had an opportunity to consider the report of the Devon and Cornwall police's inquiry.

Mrs. Khadija Bi

Mr. Madden: To ask the Secretary of State for the Home Department when a decision is going to be taken on the application of Mrs. Khadija Bi, whose date of birth is 1 January 1936, and family to join Mr. Sadiq Hussain (Ref: H 155772/HUL 30/90) who was interviewed in Hull on 20 February last.

Mr. Mellor: The application is currently being considered by the immigration department and a decision will be reached shortly.

Security Vetting

Mr. Redmond: To ask the Secretary of State for the Home Department (1) if he will list by year for the last 10 years the number of people for which his Department is responsible who have been negatively vetted;

(2) if he will list by year for the last 10 years the number of posts for which his Department is responsible that required negative vetting.

Mr. Waddington: It is not our practice to give detailed information about security vetting procedures.

Strangeways Prison

Mr. Litherland: To ask the Secretary of State for the Home Department if he will make a statement on the future of Strangeways prison, Manchester.

Mr. Mellor *[pursuant to the reply, 8 May 1990, c. 28]:* After reviewing a range of options, my right hon. and learned Friend the Home Secretary has concluded that the redevelopment of Her Majesty's prison Manchester should be based on a major refurbishment of the inmate accommodation—including the installation of integral sanitation—and the provision of a range of new and improved supporting facilities. This approach offers, we believe, the best prospect of bringing the accommodation at Her Majesty's prison Mancheser back into use as quickly as possible, so as to end the use of police cells and ease pressures on other parts of the prison system in the north, while at the same time seizing this opportunity to make much-needed improvements in conditions and facilities at Manchester.

About 970 places should be available within three years. Of these, over 300 places—in the remand wings—should all be available after about a year. The need for remand places in the north-west is, however, so great that the main part of the remand centre—K wing, the least damaged of the wings—will be repaired and brought back into use within 4 or 5 months, albeit without installing integral sanitation at this stage. It will be used with the places in the undamaged hospital to provide accommodation for up to 200 inmates who would otherwise be in police cells. Additional security will be provided, as will opportunities for education, religion, and physical education.

The programme of work is estimated in all to cost over £60 million at outturn prices. It will be undertaken to stringent timings and management contracting will be used to assist in this.

Discussions will now commence with all the interested parties including the board of visitors, Her Majesty's prison Manchester and the trade unions on the detailed arrangements to be made within the framework which I have set out, including their operational consequences and arrangements for dealing with commitments to courts in the Manchester area.

Other measures will, however, be needed at other establishments in the north, and we shall be discussing these with boards of visitors and trade unions at the establishments concerned.

PRIME MINISTER

European Political Union

Q12. **Mr. Allen:** To ask the Prime Minister what discussions she has had with other Heads of Government on the name of a politically unified Europe; and what has been the result.

The Prime Minister: I have had no such discussions.

Hungary

Q29. **Mr. Dalyell:** To ask the Prime Minister what action Her Majesty's Government are taking on the recommendations of Professor Paul Hare, of Heriot-Watt university, in relation to encouraging British financial institutions to counteract Hungarian over-dependence on financial institutions in Dusseldorf and Frankfurt, by British participation in the Hungarian economy and by linguistic, scientific and marketing practice assistance; and if she will make a statement.

The Prime Minister: British financial institutions' involvement in the development of the Hungarian economy is a matter for their commercial judgment. The Government's know-how fund is available for projects in Hungary including linguistic and marketing training. The Export Credits Guarantee Department is now considering applications for investment insurance in eastern Europe.

Cyprus

Q55. **Mr. Cox:** To ask the Prime Minister if she will list the issues concerning Cyprus that she discussed with the Prime Minister of Turkey during her recent visit to that country.

The Prime Minister: I discussed with President Ozal prospects for the future of the Cyprus intercommunal talks. Mr. Ozal reaffirmed his Government's support for the United Nations Secretary-General's good offices mission and said that Turkey accepted the common objective of a bizonal and bicommunal state in Cyprus.

Scottish Constitutional Convention

Q138. **Mr. Harry Ewing:** To ask the Prime Minister if she will accept an invitation from the hon. Member for Falkirk, East in his capacity as joint chairman of the Scottish constitutional convention to address the convention at its July or September meetings.

The Prime Minister: No.

Image Building

Mr. Allen: To ask the Prime Minister whether she will review the official guidance for the Government information service that image building, whether explicit or implied, is not acceptable.

The Prime Minister: There is no need to do so.

Government Employees

Dr. David Clark: To ask the Prime Minister what are the rules governing the procedures under which personnel employed by Her Majesty's Government speak to hon. Members.

The Prime Minister: Ministers are accountable to Parliament for the policies and actions of their Departments, and will usually wish to be present at briefings of Members when policy issues are involved. Briefings of Members by civil servants on factual matters may be undertaken at the discretion of Ministers. On next steps agencies, I refer the hon. Member to my reply to the hon. Member for Newport, West (Mr. Flynn) on 15 May, *Official Report*, column *374-75*.

Security Vetting

Mr. Redmond: To ask the Prime Minister if she will make a statement as to the difference between *(a)* positive and *(b)* negative vetting.

The Prime Minister: It is not the normal practice to give detailed information about vetting procedures.

Jordan (Arms Purchases)

Mr. Rogers: To ask the Prime Minister what undertakings were given by Jordan during her negotiations with King Hussein on the Jordan defence package about the forwarding of arms, ammunition and equipment to Iraq.

The Prime Minister: It is customary to include provisions restricting transfer in any major arms sales agreement.

Mr. Rogers: To ask the Prime Minister (1) what financial agreements were considered during her negotiations with King Hussein on the Jordanian defence package;

(2) whether her office authorised the preferential interest rates accorded to Jordan in the financing of the purchase of arms and ammunition under the Jordon defence package.

The Prime Minister: The financial arrangements governing defence sales of this kind are a matter of commercial confidence.

Engagements

Mr Lewis: To ask the Prime Minister if she will list her official engagements for Thursday 17 May.

Mr. Meale: To ask the Prime Minister if she will list her official engagements for Thursday 17 May.

Mr. Eastham: To ask the Prime Minister if she will list her official engagements for Thursday 17 May.

Mr. Stern: To ask the Prime Minister if she will list her official engagements for Thursday 17 May.

Mr. Barry Field: To ask the Prime Minister if she will list her official engagements for Thursday 17 May.

The Prime Minister: This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House I shall be having further meetings later today, including one with President Mubarak of Egypt.

HEALTH

Syringes

Mr. Vaz: To ask the Secretary of State for Health why he has decided to exclude one third millilitre syringes from the list of items available on prescription.

Mrs. Virginia Bottomley: One third millilitre syringes have recently been introduced into the market in this country. Our view is that there is insufficient clinical demand for this product to be included in the list of appliances GPs may prescribe. We are keeping the matter under review.

Mr. Vaz: To ask the Secretary of State for Health how many *(a)* one third millilitre syringes, *(b)* one half millilitre syringes and *(c)* one millilitre syringes were issued on prescription for 1989, 1988, 1987 and 1986.

Mrs. Virginia Bottomley: One third millilitre syringes have never been available on general practitioners' NHS prescriptions. Disposable syringes in one millilitre and one half millilitre sizes for use with U100 insulin became prescribable on 1 September 1987. Estimated prescribing figures in England are:

Period	*Size*	*Total*
1987		
1 September to 31 December	0·5ml	10 million
	1ml	Not available
1988		
January to December	0·5ml	27·3 million
	1ml	4·9 million
1989		
January to June (latest available data)	0·5ml	13·9 million
	1ml	5·4 million

Dukeries Community Hospital

Mr. Andy Stewart: To ask the Secretary of State for Health when he will be able to announce the start of the new Dukeries community hospital.

Mr. Dorrell: Hospital building is a matter for the relevant regional health authority. I therefore suggest that my hon. Friend contacts Sir Michael Carlisle for the information he seeks.

Abortion

Mr. Alton: To ask the Secretay of State for Health what instructions or advice his Department has issued to National Health Service hospitals concerning abortions after the 24th week of gestation.

Mrs. Virginia Bottomley: I refer the hon. Member to the reply that I gave him on 22 March at column *730*.

Mr. Alton: To ask the Secretary of State for Health (1) how many notifications of abortions from 1989 have been received by the chief medical officer of the Department of Health six months or later after the abortion took place;

(2) what action his Department takes in cases where notifications of abortions are received by the chief medical officer later than the time specified by abortion regulations.

Mrs. Virginia Bottomley: The provisional data available suggest that in 1989 a total of 323 notifications were received six months or more after the month of termination. All notification forms are scrutinised by staff authorised by the chief medical officer. Where the forms received appear clearly to have been sent later than the period specified in the regulations, without a reasonable explanation, the matter may be taken up with the doctor concerned.

Hearing Aids

Mr. Wigley: To ask the Secretary of State for Health whether deaf children are required to insure commercial hearing aids supplied by the National Health Service.

Mr. Dorrell: I refer the hon. Member to the reply my hon. Friend the then Parliamentary Under-Secretary of State for Health gave to the hon. Member for Gordon (Mr. Bruce) on 1 May at column *538*.

Hepatitis

Sir Dudley Smith: To ask the Secretary of State for Health what estimate he has of the number of professional people and workers who are at risk in contracting hepatitis B as a result of their duties and what approximate percentage have been inoculated against it.

Mr. Dorrell: Hepatitis B can be contracted in many ways in private life as well as through professional activity. For this reason, it is difficult to provide an accurate estimate of the numbers of professional people and workers at risk of contracting the disease as a result of their duties. The incidence of hepatitis B in both the general public and public service workers has declined markedly from a total of 1,785 laboratory reports in 1985 to 644 such reports in 1988.

Professional people considered at risk may have been vaccinated either through occupational health services or by their general practitioners, and it is not possible therefore to estimate the percentage who have received vaccination.

Sir Dudley Smith: To ask the Secretary of State for Health what steps he has taken to ensure that all who are at risk through their work in the public service have been given adequate warning about hepatitis B and information as to how they can obtain inoculation against it.

Mr. Dorrell: Departmental advice regarding hepatitis B vaccination is contained in the joint committee on vaccination and immunisation's memorandum "Immunisation against Infectious Disease". A new edition of this memorandum will be published this month, copies of which will be placed in the Library. The potential risks arising from work in the public service have been drawn to the attention of the relevant occupational health services whose responsibility it is to assess those who may be considered for vaccination.

National Health Service Trusts

Mr. Canavan: To ask the Secretary of State for Health how many expressions of interest have been made for hospitals to opt out of existing arrangements within the National Health Service; and if he will make a statement.

Mrs. Virginia Bottomley: A total of 193 units have expressed an interest in NHS trust status, including a number with more than one hospital.

Health Link Workers

Mr. Rooker: To ask the Secretary of State for Health what considerations led his Department to cease to sponsor the health link worker for the Chinese community in Birmingham; and if he will make a statement.

Mr. Corbett: To ask the Secretary of State for Health for what reasons he has decided to withdraw funding for a health link worker with the Chinese community in Birmingham from 11 July; and what steps he is taking to ensure the continuation of this service.

Mr. Dorrell: As part of the "Helping the Community to Care" initiative, the Department of Health funded a health link worker post within the Birmingham Chinese community centre for the years 1988-89 and 1989-90. As with all these schemes, central funding for this project was planned to last for a limited period.

Nurses (Training)

Mr. Burns: To ask the Secretary of State for Health whether he has approved the implementation of Project 2000 nurses training in any additional schools of nursing.

Mrs. Virginia Bottomley: I am pleased to announce that approval has been given today to implementation of Project 2000 in 14 more schools of nursing during 1990-91, subject to the necessary educational approval being obtained from the English national board. They cover the following 30 health districts:

Lancaster; East, South and West Cumbria
Harrogate and Northallerton
North and South Lincolnshire, Nottingham, and Central Nottinghamshire
West Suffolk
Hillingdon
Barking, Havering and Brentwood
Canterbury and Thanet, South-East Kent
Croydon, Merton and Sutton
Southampton and South-West Hampshire
East and West Berkshire
Cornwall and Plymouth
Herefordshire, Kidderminster, Worcester, and Bromsgrove and Redditch
South Sefton, Southport and Formby
Salford, Bolton

In addition, I am able at this stage to give approval in advance to implementation in 1991-92 for three further schools, covering a further five health districts:

Shropshire, Staffordshire
City and Hackney
Stockport and Glossop

The total funding to be made available by the Department for the implementation of Project 2000 in 1989-90 and 1990-91 will be approximately £38 million.

Multiple Births

Mr. Wigley: To ask the Secretary of State for Health when the findings of the national study of triplets and higher order births will be published.

Mr. Dorrell: During the first half of July.

Benzodiazepines

Mr. Fearn: To ask the Secretary of State for Health if he intends to contra-indicate benzodiazepines for pregnant women.

Mrs. Virginia Bottomley: I refer the hon. Member to the reply I gave him on 16 May.

Mr. Fearn: To ask the Secretary of State for Health how much industry contributed to helping those addicted to benzodiazepines to withdraw from them in the last year for which figures are available.

Mrs. Virginia Bottomley: The information requested is not held centrally.

Vaccinations

Mr. Meacher: To ask the Secretary of State for Health how much money was spent on vaccinations at GPs' surgeries in 1989.

Mr. Dorrell: Figures are not available on a comprehensive or consistent basis. The cost of item of service payments to GPs for vaccination and immunisation in the general medical service in financial year 1989-90 was £41 million. The basic ingredient cost of prescriptions for vaccines written by GPs and dispensed by community pharmacists and dispensing doctors in calendar year 1989 (financial year figures are not yet available) was £26 million; this excludes the cost of dispensing fees, and takes no account of discount, container allowance or VAT. These figures do not include the cost of vaccines which GPs obtain from health authorities or from any other source, information on which is not held centrally.

ENERGY

UKAEA Chairman

Mr. Eadie: To ask the Secretary of State for Energy what will be the salary of Mr. John Maltby as part-time chairman of United Kingdom Atomic Energy Authority.

Mr. Baldry: The salary of Mr. John Maltby as part-time chairman of the UKAEA will be £50,000 per annum.

Electricity Prices

Mr. Morgan: To ask the Secretary of State for Energy (1) what assessment he has made of the probable rise in electricity prices for large electricity-intensive industries, when the transitional price-cap expires;

(2) what assessment he has made of the effect on the electric arc steel-making industry of the ending of the qualifying industrial users schemes;

(3) what assessment he has made on the effects on heavy industry of the ending of the qualifying industrial users schemes;

(4) what representations he has received about the ending of the qualifying industrial users schemes for intensive industrial electricity consumers.

Mr. Baldry: Future prices to large users are a matter for negotiation between customer and supplier. It would be premature to try to predict the outcome of those negotiations. Privatisation is benefiting such customers by enabling them to seek competing bids for supply. Many have already succeeded in negotiating price reductions. Disputes between regional electricity companies and customers may also be referred to the Director General of Electricity Supply.

EDUCATION AND SCIENCE

Local Management of Schools

Mr. Madden: To ask the Secretary of State for Education and Science, pursuant to the reply of 14 May, if he will name the local education authority which has sought to defer the implementation of LMS.

Mrs. Rumbold: Rochdale.

Rothera point

Mr. Simon Hughes: To ask the Secretary of State for Education and Science what assessment he has made of the implications for wildlife from the construction of the airstrip at Rothera Point.

Mr. Jackson: An assessment of the implications for wildlife from the construction of the airstrip is given in the final comprehensive environmental evaluation published in September 1989 by the Natural Environment Research Council, prior to placing the contract for the construction. This document was referred to in my reply to my hon. Friend the Member for Suffolk, South (Mr. Yeo) on 19 October 1989, *Official Report*, column *189*, and a copy is in the Library.

Mr. Simon Hughes: To ask the Secretary of State for Education and Science how many seals are killed each year by personnel at the British Antarctic Survey station on Rothera point; how many deaths are classified as intentional, and how many as accidental; what is the purpose of the intentional deaths; what is the explanation for the accidental deaths; and if he will make a statement.

Mr. Jackson: No accidental seal deaths have ever been reported from Rothera. Meat from some 140 seals is however used annually to feed about 30 sledge dogs at the Rothera base. There is full compliance with the agreed measures for the conservation of Antarctic flora and fauna of the Antarctic treaty.

Mr. Simon Hughes: To ask the Secretary of State for Education and Science what is the origin of the materials being used to construct the British Antarctic airstrip at Rothera point; and if he will make a statement.

Mr. Jackson: The origin of materials being used to construct the airstrip at Rothera point is given in the final comprehensive environmental evaluation published in September 1989 by the Natural Environment Research Council, prior to construction. A copy of the report is in the Library.

Mr. Simon Hughes: To ask the Secretary of State for Education and Science what company is constructing the British Antarctic strip at Rothera point; on what basis the contract was awarded; and what safeguards exist in the contract relating to environmental protection.

Mr. Jackson: Pelly Construction Company of Whitehorse, Yukon, Canada is constructing the airstrip at Rothera. The contract was awarded by competitive tender and in consideration of experience, expertise and cost. Environmental safeguards were incorporated into the tender exercise and thence into the contract. They are given in the final comprehensive environmental evaluation published in September 1989 by the Natural Environment Research Council, prior to construction. A copy of the report is in the Library.

Mr. Simon Hughes: To ask the Secretary of State for Education and Science what discussions he has had with other countries in respect of measures to ensure environmental protection in connection with the operation of the British Antarctic airstrip at Rothera; and if he will make a statement.

Mr. Jackson: A draft comprehensive environmental evaluation for the Rothera airstrip was circulated to all Antarctic treaty consultative parties for comment in 1989 —as well as to environmental, non-governmental organisations such as Greenpeace, Friends of the Earth, and the International Union for the Conservation of Nature.

Mr. Simon Hughes: To ask the Secretary of State for Education and Science if he has a provisional estimate of the number of aircraft likely to be using the British Antarctic airstrip at Rothera.

Mr. Jackson: A provisional estimate of the number of aircraft likely to be using the Rothera airstrip is five, all operated by the British Antarctic Survey in support of its science programme. I would also refer the hon. Member to the reply that I gave on 11 May, *Official Report* column *243*, on the use of the airstrip.

Mr. Simon Hughes: To ask the Secretary of State for Education and Science what precautions have been taken to prevent fuel spills at the British Antarctic airstrip being built at Rothera point; and if he will make a statement.

Mr. Jackson: Precautions to prevent fuel spills at the Rothera airstrip are given in the final comprehensive environmental evaluation published in September 1989 by the Natural Environment Research Council, prior to construction. A copy of the report is in the Library.

The fuel handling and emergency containment facilities are designed to Canadian Arctic standards. Facilities will exist to contain any spillage considered likely to result from national operations.

Educational Performance

Mr. Straw: To ask the Secretary of State for Education and Science what work is being undertaken or supported by Her Majesty's Government *(a)* to compare educational performance with that of other OECD countries and *(b)* to compare levels of performance after the introduction of the national curriculum with those before.

Mr. MacGregor: The Government are participating in a current OECD project which aims to develop a set of educational indicators applicable to the education system of all OECD member countries. The School Examinations and Assessment Council has a remit to analyse national curriculum assessment data, and will be considering how to compare these with earlier performance, particularly at age 16.

Ryrie Rules

Mr. Barry Field: To ask the Secretary of State for Education and Science what advice he has given polytechnics on privately funded projects in the light of the retirement of the Ryrie rules.

Mr. Jackson: The provision of advice to polytechnics and colleges funded by the Polytechnics and Colleges Funding Council is a matter for the council. The PCFC is encouraging institutions to seek a variety of sources of funding for capital projects and, subject to investment appraisal, gives priority to projects where substantial external funding has been raised.

Thalassaemia

Mr. Vaz: To ask the Secretary of State for Education and Science how much money was spent nationally on research in thalassaemia for each of the last 10 years.

Mr. Jackson: The Medical Research Council is the main Government agency for the promotion of medical and related biological research in this country. The council's total expenditure on research projects which could in whole or part be related to thalassaemia in the last 10 years is as follows:

	£000's
1979-80	211
1980-81	489
1981-82	697
1982-83	611
1983-84	666
1984-85	681
1985-86	906
1986-87	1,042
1987-88	1,057
1988-89	1,154

Figures for 1989-90 should be available in July. Research on thalassaemia may have been undertaken by university departments and medical schools with support from the University Funding Council (UFC) block grants and by health authorities; but information on this is not collected centrally. Charities may also be spending money on research into thalassaemia.

British Antarctic Survey

Mr. Simon Hughes: To ask the Secretary of State for Education and Science who has been appointed as environmental officer for the British Antarctic Survey; and what matters were of consideration in deciding the appointment.

Mr. Jackson: Mr. Shears will take up his post on 4 June 1990. The requirement of the post was a minimum of a good honours degree in the environmental sciences and a minimum of four years' postgraduate experience in aspects of environmental management, including waste management, and conservation. Relevant postgraduate qualifications were also sought. Normal Civil Service Commission procedures were followed in making the appointment.

National Curriculum

Mr. Jack: To ask the Secretary of State for Education and Science whether he plans to accept the advice given to him by the National Curriculum Council on core skills for 16 to 19-year-olds.

Mr. MacGregor: I have today written to the National Curriculum Council (NCC), endorsing in principle the list of core skills it proposes, namely:

communication
problem solving
personal skills

numeracy
information technology
modern language competence.

I have also written to the School Examinations and Assessment Council (SEAC), asking it to use the list as the basis of further work. The NCC advised that the first three core skills should be built into all AS and A-levels, and that the remaining three should be built into syllabuses where this does not distort the nature of the subject. I have asked SEAC to advise me by the end of July on the practicability of building in the various core skills in this way. There must of course be no question of compromising the academic standards of AS and A-levels.

I have also commended to SEAC the idea, put forward by the NCC, that the themes of social and economic understanding, scientific and technological understanding and aesthetic and creative understanding should be included as guiding principles for those who design syllabuses at AS and A-level.

The NCC's report comments on how attainment in the core skills might be described; how it might be assessed and reported; and how credit transfer might be developed. These are all issues on which I have already invited advice from SEAC. I have therefore asked SEAC to comment on those sections of the NCC report when it gives its advice in July.

Finally, NCC stresses in its report that the core skills it has identified are suitable not only for those taking AS and A-levels but for all young people aged 16 to 19. I have accordingly, with the agreement of my right hon. and learned Friend the Secretary of State for Employment, asked the National Council for Vocational Qualifications (NCVQ), in consultation with the further education unit (FEU) and SEAC, to consider the applicability of the NCC list of core skills to vocational qualifications and report on this before the end of July.

NORTHERN IRELAND

Bomb Damage

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland whether the Housing Executive carries out emergency repairs to *(a)* executive homes and *(b)* private properties following damage by terrorist bombs.

Mr. Peter Bottomley: Assistance is available under the first-aid repair scheme for householders whose dwellings have been damaged as a result of terrorist activity. The Northern Ireland Housing Executive operates the scheme for public sector housing. The Department of the Environment at present deals with privately owned residential properties.

The Housing Executive maintains a 24-hour emergency call-out service which renders immediate remedial work to weatherproof all dwellings, public and private, as a result of criminal damage.

Harbour Road, Ballyhalbert

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what assessment he has made of the effectiveness of road safety precautions along Harbour road, Ballyhalbert, County Down; whether local residents have expressed any concern about danger from traffic; how close the traffic is to the front doors of homes along this section of road; how wide is the carriageway; what evidence he has of traffic driving on the existing footway; and whether he has any proposals to widen Harbour road.

Mr. Peter Bottomley: No specific assessment has been made of the effectiveness of road safety precautions along Harbour road at Ballyhalbert, County Down. Correspondence from a resident expressing concern about danger from traffic is currently being investigated. Traffic on the carriageway is separated from the houses by a 1·5 m wide strip at road level. There is no evidence of traffic driving on the footway on the shore side of the road. There are no plans at present to widen Harbour road.

Sewage Station, Portavogie

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what proposals he has to replace the foul sewage station on the foreshore at Portavogie, County Down; and if he will make a statement.

Mr. Peter Bottomley: The sewage pumping station at New road, Portavogie, will be converted to an underground macerator station later this year.

Gas Pipelines

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many kilometres of mains gas pipeline is still considered serviceable of the remaining mains gas distribution network in Northern Ireland.

Mr. Needham: No repairs or maintenance works have been carried out on the mains gas distribution network since the closure of the former town's gas undertakings, so considerable degeneration in the former network can be assumed. Its precise condition could not be determined without a detailed and expensive technical investigation.

Mr. Beggs: To ask the Secretary of State for Northern Ireland whether he will consult the Manx Government regarding their participation in any future project to pipe gas from Morecambe bay through the Isle of Man to South Down in Northern Ireland.

Mr. Needham: Consultations with the Manx Government are a matter for my right hon. and learned Friend the Secretary of State for the Home Department, but no such project has been proposed.

General Medical Practices

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many general medical practices have withdrawn from the health centres at *(a)* Bangor, *(b)* Lisburn, *(c)* Limavady and *(d)* Coleraine; how many practices remain at each of these four centres; from which other health centres general medical practices have withdrawn; and whether there are any plans to extend existing health centres or to provide new health centres for general medical practices.

Mr. Needham *[holding answer 14 May 1990]:* The numbers of general medical practices that withdrew from the four health centres during the past three years and the numbers now remaining are shown in the table:

	Bangor	*Coleraine*	*Limavady*	*Lisburn*
Practices withdrawn	3	1	0	0
Practices remaining	6	2	3	8

The numbers that withdrew from other health centres in the same period are:

Practices withdrawn:
Cookstown 1
Moneymore 1

There are no plans to extend existing or to provide new health centres to accommodate additional general medical practices. The improvement or extension of facilities at existing health centres is a matter for the appropriate health and social services board.

OVERSEAS DEVELOPMENT

Vietnamese Boat People

Mr. Lester: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to tackle the root causes of the departure of boat people from Vietnam; what role non-governmental organisations can play in this; and if he will make a statement.

Mrs. Chalker: I welcome the recent UNHCR initiative aimed at tackling the root causes of the migration of Vietnamese boat people through intensified non-governmental organisation (NGO) activity. In response, I am pleased to announce the setting up of a special scheme to support NGO activities in those parts of north Vietnam from which boat people have predominantly come in recent years. Under the special scheme, ODA will meet 80 per cent. of the costs of agreed humanitarian and economic projects put forward by British NGOs in the target areas. A sum of £1 million has been set aside to support these projects, separate from and additional to the allocation of £20 million for projects worldwide under the joint funding scheme.

Though most of the population in the camps is from the north, not all boat people come from the north. Indeed, two thirds of arrivals in Hong Kong this year have come from the south of Vietnam. I have therefore decided to add Vietnam to the list of countries participating in the general joint funding scheme, under which the ODA meets 50 per cent. of the costs of agreed NGO projects. The details of the new scheme will be discussed with British agencies at working level shortly. I am confident that we shall receive a good response.

ENVIRONMENT

Farmers (Compensation)

53. **Mr. Cran:** To ask the Secretary of State for the Environment what plans he has to review the arrangements governing the compensation paid to farmers for the compulsory purchase of land and buildings.

Mr. Moynihan: Compensation for all types of interests in compulsorily purchased land and buildings is based on their market value. Those affected are also reimbursed their costs arising from the compulsory purchase. In addition farmers may be entitled to farm loss payments to help them start farming on unfamiliar land. These arrangements are all under review. Our consultation paper on land compensation and compulsory purchase legislation, issued in March 1989, contained proposals for improvements, including proposals relating to farm loss payments. We plan to introduce legislation on these proposals when the parliamentary timetable permits.

Bellwin Scheme

Mr. Redmond: To ask the Secretary of State for the Environment if, for each event which led to the activation of the Bellwin scheme since 1 April 1989, he will list the qualifying local authorities and the total grant aid paid to each of them.

Mr. Portillo: Activations of the Bellwin scheme for England since 1 April 1989, with the exception of those for the flooding in the Severn valley and Maidenhead, have applied to all local authorities. Whether an authority qualifies for grant will depend on whether its eligible expenditure exceeds its threshold. Because the earliest deadline for the submission of claim forms is 30 June 1990 there is as yet no information on how many authorities will claim or how much grant will be paid.

Polychlorinated Biphenyls

Mr. Dalyell: To ask the Secretary of State for the Environment what study he is making of the problems of leakage of polychlorinated biphenyls from hydraulic irrigation made available to him by Dr. Chris Mason of the Department of Biology in the university of Essex, and consequent dangers to others.

Mr. Heathcoat-Amory: Neither I, nor my right hon. Friend the Minister of Agriculture, Fisheries and Food, have any record of receiving copies of a report from Dr. Mason on the problems of leakage of polychlorinated biphenyls (PCBs) from hydraulic irrigation pumps.

My officials have written to Dr. Mason to obtain a copy of the report and when I have studied it, I shall write to the hon. Member.

Mr. Dalyell: To ask the Secretary of State for the Environment what research is available to him on the concentration of polychlorinated biphenyls in large oily fish favoured by marine mammals.

Mr. Heathcoat-Amory: Marine mammals show considerable variation in their feeding patterns and movements as illustrated in research on seals monitored around the Isle of May in the Firth of Forth and commissioned by my Department from the Natural Environment Research Council's sea mammal research unit. In some localities, marine mammals show a preference for oily fish such as herring, mackerel and sandeel.

As part of their general monitoring programme of commercial species consumed by humans, both the Ministry of Agriculture, Fisheries and Food, and in Scotland, the Department of Agriculture and Fisheries monitor PCB levels in herring and mackerel. These show generally that concentrations of lipophilic contaminants such as PCBs are higher in the tissues of oily fish than in other fish with a lower natural lipid content, but not so high in edible tissues as to affect human health. As yet no comparable data are available for sandeels, but DAFS is currently considering new work on the food chains of marine mammals and this will address in particular the bio-accumulation of persistent organochlorines such as PCBs.

Dangerous Dogs

Mr. Shersby: To ask the Secretary of State for the Environment what information he has concerning the number of successful prosecutions mounted under the

provisions of the Dangerous Dogs Act 1989; how many dangerous dogs have been destroyed under the provisions of section 1(a); how many owners have been disqualified from having custody of a dog under section 1(b); and what advice he is giving to local authorities on the operation of the Act.

Mr. Peter Lloyd: I have been asked to reply.

There are no statistics yet available for the number of successful prosecutions mounted under the provisions of the Dangerous Dogs Act 1989. This Act extended the powers available to a court on a complaint under section 2 of the Dogs Act 1871 together with additional rights of appeal and enhanced penalties. It is not possible from the information held centrally to isolate such penalties from others under section 2 of the Dogs Act 1871.

Guidance on the Dangerous Dogs Act was given in Home Office circular 63/1989, copies of which were placed in the Library on 9 August 1989.

Action for Cities

Mr. Andrew Mitchell: To ask the Secretary of State for the Environment what level of investment the Government plan for the inner cities under the action for cities programme in the current year.

Mr. Moynihan: Spending under the action for cities initiative is planned to be about £4 billion in 1990-91, compared with just over £3 billion in 1988-89 and just under £3·5 billion in 1989-90.

Rates (Hammersmith)

Mr. Carrington: To ask the Secretary of State for the Environment what would be the average capital value rates bill on a property worth (i) £50,000, (ii) £80,000 and (iii) £100,000 in Hammersmith in 1990-91 assuming such a system had to raise the same amount of revenue as the community charge.

Mr. Chope: Figures placed in the Library on 4 April show illustrative levels of capital value-based rates in 1990-91 were such a system to be used to raise the same amount nationally as the community charge. The implied bills in Hammersmith and Fulham for properties worth (a) £50,000, (b) £80,000 and (c) £100,000 are £868, £1,389 and £1,736 respectively.

Housing (Disabled People)

Mr. Hannam: To ask the Secretary of State for the Environment whether he has received a copy of Shelter's report entitled, "Our Homes, Our Rights—Housing, Independent Living and Physically Disabled People; and if he will make a statement.

Mr. Chope: The report is based on a survey of 21 local authorities in England and Wales.

Local Government Finance

Mr. Hannam: To ask the Secretary of State for the Environment what criteria he has set for exemption from payment of the community charge by people with acquired brain damage; what guidance has been issued to general practitioners in this respect; and if he will make a statement.

Mr. Chope: A person is exempt from the personal community charge on the ground of severe mental impairment if he or she is entitled to one of a number of qualifying benefits and is in receipt of a certificate from a registered medical practitioner stating that he or she is severely mentally impaired. For the purposes of the community charge legislation, a person is severely mentally impaired if he or she has a severe impairment of intelligence and social functioning, however caused, which appears to be permanent.

Guidance to general practitioners has been issued in a circular letter from the Department of Health, dated 3 November 1989. A further letter of guidance will be issued shortly.

Mr. Barron: To ask the Secretary of State for the Environment when he last met representatives of the Association of Metropolitan Authorities to discuss local government finance.

Mr. Chope: My right hon. Friend met representatives of the Association of Metropolitan Authorities and other local authority associations on 27 March. They discussed the community charge and other issues.

Mr. Sheerman: To ask the Secretary of State for the Environment in how many local authority areas single prisoners who maintained unoccupied property would be liable to pay standard community charge at greater than a multiple of 0.

Mr. Chope: The information is not yet available.

Mrs. Gorman: To ask the Secretary of State for the Environment what is the average level of community charge, discounting the safety net, in inner London in boroughs that were *(a)* Conservative controlled and *(b)* Labour controlled before 3 May.

Mr. Chope: Conservative controlled—£227. Labour controlled—£516. The figures are based on charges at 1 April 1990.

Mr. Michael Brown: To ask the Secretary of State for the Environment what would be the average capital value rates bill on a property worth (i) £50,000, (ii) £80,000 and (iii) £100,000 in London in 1990-91 assuming such a system had to raise the same amount of revenue as the community charge.

Mr. Chope: Figures placed in the Library on 4 April show illustrative levels of capital value based rates in 1990-91 were such a system to be used to raise the same amount nationally as the community charge. The implied average bills for inner and outer London are:

Value of property £	*Inner London* £	*Outer London* £
(i) 50,000	743	507
(ii) 80,000	1,189	811
(iii) 100,000	1,486	1,014

Mr. Boswell: To ask the Secretary of State for the Environment when he next plans to meet representatives of the local authority associations to discuss the relative effects of a tax on property values and the community charge.

Mr. Chope: We have no plans to discuss a tax on property values with representatives of the local authority associations.

Mr. Teddy Taylor: To ask the Secretary of State for the Environment what a person on average male earnings would pay in local income tax in 1990-91 in order to raise the same amount of revenue as the community charge in London.

Mr. Chope: The level of local income tax payable by a person on average male earnings would depend on the precise way in which such a system were introduced and on the precise tax allowances which were available. Illustrative figures exemplifying possible local income tax rates and the bill payable with a taxable income of £12,800 were placed in the Library on 4 April.

Mr. Robert G. Hughes: To ask the Secretary of State for the Environment whether he has any plans to replace the community charge with a tax based on property floorspace.

Mr. Chope: No.

Mr. Hardy: To ask the Secretary of State for the Environment if he will list the local authorities in England which within the consideration given in regard to the determination of the standard spending assessment for 1990-91 emerged as more socially deprived than Rotherham.

Mr. Chope *[holding answer 14 May 1990]:* The main measure of relative social deprivation within standard spending assessments is the all ages social index which is used in the assessment of the standard spending assessment elements for all other services and for other social services. The composition of this index is described fully on page 24 of the Revenue Support Grant Distribution Report (England) which was approved by the House on 18 January. The following authorities are those which have higher scores on this index than Rotherham:

Authorities with all ages social index scores greater than Rotherham's

Avon CC
Barking and Dagenham
Barnet
Barrow in Furness
Bath
Bedfordshire
Berkshire CC
Birmingham
Blackburn
Blackpool
Bolton
Bournemouth
Bradford
Brent
Brighton
Bristol
Burnley
Bury
Calderdale
Cambridge
Camden
Cannock Chase
Carlisle
Cheltenham
Chester
Cleveland CC
Corby
Cornwall CC
Coventry
Crewe and Nantwich
Croydon
Darlington
Derby
Derwentside
Devon CC
Doncaster
Dover
Durham CC
Ealing
Easington
East Staffordshire
East Sussex CC
Eastbourne
Enfield
Exeter
Gateshead
Gillingham
Gloucester
Gravesham
Great Grimsby
Great Yarmouth
Greenwich
Hackney
Halton
Hammersmith and Fulham
Haringey
Harlow
Harrow
Hartlepool
Hastings
Havant
Hillingdon
Hounslow
Hove
Humberside County Council
Hyndburn
Ipswich
Isles of Scilly
Islington
Kensington and Chelsea
Kent County Council
Kerrier
Kettering
Kingston upon Hull
Kingston-upon-Thames
Kirklees
Knowsley
Lambeth
Lancashire County Council
Lancaster
Langbaurgh-on-Tees
Leeds
Leicester
Leicestershire County Council
Leominster
Lewisham
Lincoln
Liverpool
Luton
Manchester
Medina
Merton
Middlesbrough
Milton Keynes
Newark and Sherwood
Newcastle upon Tyne
Newham
North Bedfordshire
Northampton
Northamptonshire County Council
Norwich
Nottingham
Nottinghamshire County Council
Nuneaton and Bedworth
Oldham
Oxford
Pendle
Penwith
Peterborough
Plymouth
Portsmouth

Preston
Reading
Redbridge
Redditch
Restormel
Richmond-upon-Thames
Rochdale
Rochester upon Medway
Rossendale
Rugby
Rushmoor
Salford
Sandwell
Scunthorpe
Sefton
Sheffield
Shepway
Slough
South Shropshire
South Tyneside
Southampton
Southend-on-Sea
Southwark
St. Helens
Stockton-on-Tees
Stoke-on-Trent
Sunderland
Swale
Tameside
Thamesdown
Thanet
Thurrock
Torbay
Tower Hamlets
Trafford
Tunbridge Wells
Walsall
Waltham Forest
Wandsworth
Watford
Wear Valley
Wellingborough
Westminster
Weymouth and Portland
Wirral
Wolverhampton
Wrekin
York

Mr. Nicholas Winterton: To ask the Secretary of State for the Environment, pursuant to his reply of 9 May, how much of the additional £2·5 billion in budgeted receipts for local authorities in the current financial year over the last financial year will be received by authorities which at the time of setting the community charge were under *(a)* Labour control, *(b)* Conservative control, *(c)* Liberal Democrat control and *(d)* under no outright control.

Mr. Portillo *[holding answer 16 May 1990]:* A breakdown of the £2·5 billion estimate is not possible on information currently available. The increases in demands and precepts in 1990-91 over the estimated equivalent figures for 1989-90 uprated by 8·1 per cent. are as follows:

Political control of authority	*Increase in £ million*
Conservative	690
Labour	790
SLD or Liberal	30
No overall control	420
Other	10

Mr. Nicholas Winterton: To ask the Secretary of State for the Environment whether he has any estimate of the percentage of the additional £2·5 billion in budgeted receipts for local authorities in the current financial year over the last financial year which will *(a)* be used to build up reserves which were depleted in the last financial year and *(b)* be spent upon services.

Mr. Portillo *[holding answer 16 May 1990]:* Local authorities as a whole are budgeting to draw down about £500 million from reserves in 1990-91.

Mr. Nicholas Winterton: To ask the Secretary of State for the Environment what would be the increase per capita in the level of community charge paid by residents in an area if their local authority were to increase by £1 per capita its total revenue; and what comparative increase would be borne by payers of the uniform business rate in the same area.

Mr. Portillo *[holding answer 16 May 1990]:* Local authorities have a number of ways of increasing their revenue, not all of which increase the community charge in their area, and none of which impacts directly on payers of the uniform business rate.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment what proportion of the grant settlements for Westminster city council for the year 1990-91 related to a calculation of needs.

Mr. Chope: As for all other charging authorities, the RSG entitlement for Westminster is calculated on the basis of the Revenue Support Grant Distribution Report (England), approved by the House on 18 January, and is related to the assessment of the cost of providing a standard level of service. In Westminster's case, this amount is reduced by the £75 per adult contributions of the safety net.

Mr. John Evans: To ask the Secretary of State for the Environment if he plans to increase central Government assistance to local authorities to reduce the community charge.

Mr. Portillo: We will be taking decisions on the amount of central Government support to local authorities in the next few months. The detail of the revenue support grant settlement for 1991-92 will be the subject of consultation with the local authority associations in the autumn.

Mr. Colvin: To ask the Secretary of State for the Environment what would be the average capital value rate bill on property worth (i) £50,000, (ii) £80,000 and (iii) £100,000 in England in 1990-91 assuming such a system had to raise the same amount of revenue as the community charge.

Mr. Chope: Figures placed in the library on 4 April show illustrative levels of capital value-based rates in 1990-91 were such a system to be used to raise the same amount nationally as the community charge. The implied average bills in England for properties worth (i) £50,000, (ii), £80,000 and (iii) £100,000 are £528, £845 and £1,056 respectively.

Tenants' Choice

Mrs. Gorman: To ask the Secretary of State for the Environment if he will make a statement on the initiatives taken on and the level of resources committed to promoting tenants' choice.

Mr. Chope: The Department carried out a national publicity campaign to make tenants aware of their rights

and opportunities under tenants' choice at the time of its introduction in March 1989. This cost £524,000. It was followed in March this year by a regionally based publicity campaign, costing £130,000, in some areas where awareness of tenants' choice remained relatively low. Last week, I launched a series of four explanatory videos about tenants' choice, which the Housing Corporation will make available to interested groups of tenants. These cost £120,000. Further publicity may be undertaken later this year. The Housing Corporation also provides advice and information to tenants as part of its day-to-day work on tenants' choice.

Lake District

Mr. Ieuan Wyn Jones: To ask the Secretary of State for the Environment whether his Department has any plans to extend the environmentally sensitive areas programme currently in operation in the Lake district.

Mr. Heathcoat-Amory: There is no such programme currently in operation in the Lake district.

Farmland (Conversion)

Ms. Walley: To ask the Secretary of State for the Environment whether he will make a statement on the progress of the pilot scheme administered by the Countryside Commission in which farmers are paid to convert land for wildlife or recreational use.

Mr. Heathcoat-Amory: The countryside premium scheme which was launched last June is currently operating on a pilot basis in seven counties in eastern England. Under these arrangements farmers who have taken land out of agriculture production under the set-aside scheme administered by the Ministry of Agriculture, Fisheries and Food, agree to take prescribed measures to manage the land in ways which will be beneficial to wildlife, the local community and the landscape. I have been delighted with the response to the scheme so far. In less than a year since the scheme was launched agreements have been signed with 115 farmers covering nearly 15 per cent. of the land eligible for the premium scheme.

Landfill Sites

Ms. Walley: To ask the Secretary of State for the Environment if he will identify those landfill sites which his Department considers represent a threat to the environment; what remedial action is required; and what action he is taking to ensure the safety of these sites.

Mr. Heathcoat-Amory: Responsibility for assessing environmental threats associated with individual landfill sites rests with the appropriate waste disposal authorities, working in conjunction with the National Rivers Authority and Her Majesty's inspectorate of pollution. It is for the authorities concerned to decide upon appropriate remedial action in each case. For the particular problem of landfill gas, the Government have made special provision of £33 million in the form of supplementary credit approvals for 1990-91, to allow authorities to undertake remedial work on those sites where problems have been identified.

Waste Disposal

Ms. Walley: To ask the Secretary of State for the Environment if he will list the special waste disposal facilities operational in the west midlands area.

Mr. Heathcoat-Amory: This information is not held centrally. It is the responsibility of waste disposal authorities to make details of disposal site licences available for public inspection. I understand that the west midlands hazardous waste unit, based at Walsall, should be able to provide the information the hon. Member seeks.

Ms. Walley: To ask the Secretary of State for the Environment if he will give an estimate of the volume of *(a)* household waste, *(b)* industrial waste and *(c)* special waste produced in the west midlands area and disposed of in the west midlands area for each of the next five years.

Mr. Heathcoat-Amory: Regional estimates are not held centrally. It is for waste disposal authorities in preparing and reviewing waste disposal plans under section 2 of the Control of Pollution Act 1974, to include future estimates of the kinds of quantities of controlled waste arisings and disposals in their area based upon relevant survey work. I understand that the west midlands joint committee is currently preparing a revised plan for its area.

Smoke Alarms

Mr. Wigley: To ask the Secretary of State for the Environment what plans he has for making smoke alarms mandatory.

Mr. Chope: A consultation paper containing proposals for amendments to part B, "Safety in Fire", of the Building Regulations 1985 was issued in March this year. It includes a proposal that new dwellings not protected by an automatic fire detection and alarm system should be provided with one or more self-contained smoke alarms. Comments on the proposals in the consultation paper have been invited by 30 June.

Otters

Mr. Dalyell: To ask the Secretary of State for the Environment what information he has on the threatened extinction of the otter.

Mr. Heathcoat-Amory: A major national otter survey, covering 8,606 sites in England, Scotland and Wales, was carried out in 1977-79, and repeated in 1984-86. The repeat survey showed a higher percentage of sites with otters present, indicating likely population recovery in particular in Wales, Scotland and the south-west, north-west and Welsh borders of England. Between the two surveys, legal protection for the otter was introduced and the use of organochlorine insecticide was reduced. These two positive factors seem likely to have contributed to the apparent recovery in distribution.

Mr. Dalyell: To ask the Secretary of State for the Environment what research is available to him on the damage caused to otters' wombs by polychlorinated biphenyls.

Mr. Heathcoat-Amory: I am not aware of any study which directly links exposure to PCBs to damage to otters' wombs. However, several studies have been reported

which may be indirectly related to the effects of PCBs on the reproductive performance of otters. These are reviewed in a draft environmental health criteria document which will be published by the International Programme on Chemical Safety. The relevant section of the draft has been prepared by the Institute of Terrestrial Ecology (NERC) under contract to my Department and as part of the United Kingdom contribution to the international programme.

Ivory

Mr. Tony Banks: To ask the Secretary of State for the Environment what information he has received from the records of trade in ivory maintained by his Department in accordance with article VIII.6 of CITES in terms of the impact in the United Kingdom of the ban on ivory trade.

Mr. Heathcoat-Amory: None. In accordance with normal practice, records of trade in ivory in 1990, which are being maintained under article VIII.6 of CITES, will not be collated until early 1991.

Mr. Tony Banks: To ask the Secretary of State for the Environment what details he possesses in his Department of tradeable ivory currently held in the United Kingdom.

Mr. Heathcoat-Amory: I refer the hon. Member to the answer given to him by my hon. Friend the Minister for the Environment and Countryside on 1 May 1990, *Official Report*, column *504*.

Leaded Petrol

Mr. Simon Hughes: To ask the Secretary of State for the Environment what steps he is undertaking to establish the incidence of motor vehicles being converted back to be able to run on leaded petrol; and if he will make a statement.

Mr. Heathcoat-Amory: Discussions with motoring organisations following a recent press story produced no evidence to suggest that readjustment to leaded tune is widespread. A minority of cars—their number diminishing all the time—cannot be adjusted to run on unleaded petrol. This is made clear in the Department's booklet "Adjust to Unleaded", and in information diseminated by the vehicle and petrol trades. In all other cases, however, provided that the manufacturer's guidance is followed by competent mechanics, I am confident that motorists will encounter no problems in using unleaded petrol. They will, of course, both contribute to an important environmental improvement and save money by doing so.

Endangered Species

Mr. Tony Banks: To ask the Secretary of State for the Environment what applications for exemption under article 6.1(a) of EC regulation 3626/82 have been considered by his Department in each of the last three years; and how many were granted.

Mr. Heathcoat-Amory: This information is not readily available and could be provided only at disproportionate cost.

Housing Grants

Mr. Madden: To ask the Secretary of State for the Environment how many organisations, funded under section 73, have had such funding stopped; if he will list the names of these organisations; and if he will make a statement.

Mr. Michael Spicer: I refer the hon. Member to the answer I gave to the hon. Member for Hammersmith (Mr. Soley) on 11 May 1990, *Official Report*, column *245*.

Nature Conservancy Council

Mr. Colvin: To ask the Secretary of State for the Environment whether he is yet able to respond to the report of the House of Lords Select Committee on Science and Technology on the Government's proposals for the future of the Nature Conservancy Council.

Mr. Chris Patten: I have today written to Lord Flowers, conveying the Government's response to the Select Committee's most helpful report. A copy has been placed in the Library of both Houses.

City Grant

Mr. Cryer: To ask the Secretary of State for the Environment if he will place in the Library a copy of the application for city grant by 3Ds Ltd.

Mr. Moynihan *[holding answer 15 May 1990]:* No. Information presented by developers in city grant applications is commercially confidential.

Mr. Cryer: To ask the Secretary of State for the Environment when the application for city grant was received for the west end development in Bradford from 3Ds Ltd.; how much grant is being requested; what assessment has been made of the application; when a decision is likely to be made; and if he will make a statement.

Mr. Moynihan *[holding answer 15 May 1990]:* The application for city grant from 3Ds Ltd. for the west end development in Bradford was received on 3 April 1990. The information presented in this application is commercially confidential. The application will be dealt with in the normal way and a decision made as quickly as possible.

Peat

Ms. Walley: To ask the Secretary of State for the Environment what specific guidance has been circulated to local authorities and Government Departments regarding suitable alternatives to peat, if he will list the local authorities to which his Department has given guidance on this subject; and if he will make a statement.

Mr. Heathcoat-Amory *[holding answer 14 May 1990]:* My Department has not circulated any specific guidance to local authorities or other Government Departments on this subject. However, advice on peat alternatives has been provided to some local authorities on a contractual basis by the Agricultural Development and Advisory Service of the Ministry of Agriculture, Fisheries and Food. In addition the Forestry Commission's arboricultural advisory and information service, which is funded by the

Department, is preparing a note on "Organic Soil Amendments" in relation to amenity tree planting. This note will report the results of recent research carried out for the Department and is likely to indicate that the money traditionally spent on bulky organic matter, inluding peat, to establish trees would often be better spent on thorough site preparation and post-planting care. This note will be available to local authorities. Finally, I refer the Member to the concluding paragraphs of the debate on peat resources which took place in another place on 9 May. Lord Reay set out the Government's position in his concluding speech on that debate.

Norman Shaw North (Heating)

Sir Dudley Smith: To ask the Secretary of State for the Environment why the heating system was on full strength in Norman Shaw North on Monday 23 April; what was the outside temperature for the main part of the day; and if he will make a statement.

Mr. Chope: *[holding answer 3 May 1990]:* The highest outside temperature recorded on the roof of the Palace of Westminster on 23 April was 17·2 degrees centigrade. The heating was still on then because neither the House authorities nor the Parliamentary Works Office considered that the weather had settled sufficiently for the boilers to be shut down. Once the boilers have been shut down it is not possible to reheat the building quickly when there is a subsequent drop in temperatures. The situation was reviewed on 30 April and the boilers were then shut down for the summer.

Community Charge

Mr. O'Brien: To ask the Secretary of State for the Environment what representations he has received from parish councils following the introduction of the community charge about the loss of business rate and the exemption of overseas service personnel from the community charge; and if he will make a statement.

Mr. Chope *[holding answer 4 May 1990]:* My right hon. Friend has received many representations from parish councils about the treatment of business rates under the new system. He has received a few about the exemption from liability to pay the community charge of overseas service personnel.

Commercial Rateable Values

Mr. Gregory: To ask the Secretary of State for the Environment what is the anticipated time period for settling an appeal on new commercial rateable values to be completed by the valuation and community charge tribunal for *(a)* the York area and *(b)* England; and if he will make a statement.

Mr. Chope *[holding answer 4 May 1990]:* The length of time will depend on when the proposal to alter the rating list is lodged, whether the ratepayer is able to reach agreement with the valuation officer without recourse to the valuation and community charge tribunal, and, if he is not, on how complex the matter is and on the volume of appeals in the area concerned.

Sewage Disposal

Mr. Tony Lloyd: To ask the Secretary of State for the Environment if the Government have any plans to implement programmes encouraging alternative sewage sludge disposal methods.

Mr. Heathcoat-Amory: The development and operation of alternative sewage sludge disposal methods are a matter for the water service companies themselves. Several novel methods of water or sewage treatment are currently being looked at and the Government encourage this development of new and innovative technology to deal with sludge disposal.

HOUSE OF COMMONS

Mineral Water

Mr. Barry Field: To ask the Lord President of the Council what steps he is taking to review the sale of Perrier water in the House.

Sir Geoffry Howe: None. New production Perrier water will continue to be available on demand in the Dining Rooms.

Mr. Barry Field: To ask the Lord President of the Council what information he has about illness among hon. Members following purchase of sparkling mineral water in the House of Commons.

Sir Geoffrey Howe: None. I understand that no such cases of illness have been reported.

FOREIGN AND COMMONWEALTH AFFAIRS

Namibian Children

Mr. Nicholas Winterton: To ask the Secretary of State for Foreign and Commonwealth Affairs what assistance is being given by Her Majesty's Government to the Internationale Gesellschaft für Menschenrechte in its attempts to ensure that children from Namibia who are currently in children's homes in East Germany are identified before they are returned to Namibia and that their welfare in Namibia is monitored following their return.

Mr. Waldegrave: We are not providing any help to the Internationale Gesellschaft für Menschenrechte.

Mr. Nicholas Winterton: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he has any information concerning the numbers of children from Namibia who are curently in children's homes in *(a)* East Germany, *(b)* Cuba, *(c)* Zambia and *(d)* Czechoslvakia.

Mr. Waldegrave: We have no precise information about numbers of children from Namibia in children's homes abroad. However, we understand from press and other reports that there may be as many as 430 Namibian children in East Germany, 350 in Cuba and 60 in Czechoslovakia. We have no information about numbers of Namibian children in Zambia.

Mr. Nicholas Winterton: To ask the Secretary of State for Foreign and Commonwealth Affairs what information

he has on the involvement of the South-West Africa People's Organisation in expatriating to children's homes in other countries which are sympathetic to its aims the children of Namibians who oppose SWAPO's policy and methods.

Mr. Waldegrave: We are aware of general allegations that Namibian children from families opposed to SWAPO may have been expatriated against their will. These allegations have been denied by the relevant authorities. We have no information about any specific cases.

Immigration

Mr. Madden: To ask the Secretary of State for Foreign and Commonwealth Affairs when a decision is to be made on the application of Mr. Umar Hayat, whose date of birth is 2 January 1967, Ref: KA 0526, to enter the United Kingdom.

Mr. Madden: To ask the Secretary of State for Foreign and Commonwealth Affairs when a decision is going to be taken on the application made to Her Majesty's Government's post in Islamabad on Mrs. Azra Bi, whose date of birth is 1 January 1970 Ref: IMM/98119, to join Mr. Mohd Amanat, who was interviewed in Hull in August 1989.

Mr. Sainsbury: In accordance with the guidelines on the handling of representations by Members of Parliament in immigration cases, issued to Members on 14 December 1988, I have referred these questions to the correspondence unit of the migration and visa department of the Foreign and Commonwealth Office. The hon. Member will receive replies from the unit as soon as possible.

'Bahia Paraiso'

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs if he has any information regarding the oil aboard the Argentinian vessel Bahia Paraiso currently lying in Antarctic waters.

Mr. Sainsbury: According to a report provided by the Argentine authorities at a meeting of the Council of Managers of National Antarctic Programmes (November 1989), the following amounts of oil products were estimated to be still on board the Bahia Paraiso:

568 cu m diesel fuels
73 cu m "Artic" diesel fuels
43 cu m JP1 Aviation Kerosene
9 cu m lubricating oil

Antarctica

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs if it is his intention to arrange any meetings with members of the Antarctic treaty before the special convening of all the Antarctic treaty parties in November.

Mr. Sainsbury: We have no present plans to arrange formal meetings with other Antarctic treaty consultative parties before November.

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs if Her Majesty's Government intend to reconsider their position in the light of the decision by the New Zealand Government not to ratify the convention on the regulation of antarctic mineral resource activities; and if he will make a statement.

Mr. Sainsbury: Our understanding is that the New Zealand Government have not decided against ratifying CRAMRA. Rather they have "set aside" the convention for the time being.

Our position on CRAMRA is unchanged.

TRADE AND INDUSTRY

Scotch Whisky

Mr. Sims: To ask the Secretary of State for Trade and Industry if Her Majesty's Government will continue to make representations to the Japanese Government urging them to fulfil their general agreement on tariffs and trade obligations in full with regard to liquor tax; and if he will make a statement.

Mr. Redwood: Japan reformed its liquor tax last year following a GATT ruling, and Scotch whisky sales in Japan have since increased by 72 per cent. in value. We made strong representations to the Japanese Government last year about whisky lookalike products, which subsequently have not sold well. We continue to watch developments in the Japanese whisky market to ensure that the beneficial effects of the tax changes are not undermined, and will make further representations to the Japanese authorities as appropriate about any problems which arise from the remaining tax differentials.

Mr. Sims: To ask the Secretary of State for Trade and Industry what recent representations have been made to the South African Government about the legislation which prevents certain Scotch malt whiskies from being sold in South Africa.

Mr. Redwood: Her Majesty's Government raised the matter with the South African Board of Trade and Industry on 17 April.

SCOTLAND

Planning Procedures

Mr. Teddy Taylor: To ask the Secretary of State for Scotland under what powers he considers appeals by regional authorities for the calling in of planning decisions by district councils; what are the limits of time required for such decisions; if provision is made for cases where the time limits cannot be kept; and if he will make a statement.

Lord James Douglas-Hamilton: Under the terms of section 179 of the Local Government (Scotland) Act 1973 a district planning authority may appeal to my right hon. and learned Friend against the calling in of a planning application by a regional planning authority. There is no statutory time limit on my right hon. and learned Friend for determining a call-in appeal. SDD circular 29/1988 advised planning authorities that my right hon. and learned Friend would normally reach his decision on an appeal against call-in within 21 days of receiving written statements from both planning authorities.

ICI (Explosives Dumping)

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland why the 1987 licence to dump explosives from ICI's Nobel division in the Clyde estuary was excluded

from the 1989 "Disposal of Waste At Sea" report; what other licences granted in respect of dumping at sea have been excluded from the report; and if he will make a statement.

Mr. Lang: Information on the licence for ICI to dump explosive waste at the Birch Point site in the firth of Clyde was omitted in error from the report "Disposal of Waste at Sea—1986-87". The information in respect of Scotland was based on material which had been compiled for another purpose which did not require information on this type of dump site. The omission of figures in respect of the ICI licence for dumping at Birch Point was not noticed in preparation of this report.

I regret and apologise for this unintended omission. The information which should have been included in the report for 1986 and 1987, and the corresponding details for 1988 and 1989, are as follows:

Licences to dump solid industrial waste at Birch Point in the Firth of Clyde

Licensee	*Amount licensed for dumping (tonnes)*	*Amount dumped (tonnes)*	
		Gross	*Net*
1986 ICI Nobel's	250	19·3	16·0
1987 ICI Nobel's	250	75·0	62·7
1988 ICI Nobel's	250	19·5	15·5
1989 ICI Nobel's	250	102·0	69·1

The licences for ICI in each year permitted dumping of wastes arising from the production of explosives and returned explosives (classes 1-4 of the 1984 Health and Safety Executive list of authorised explosives) including, in 1989, the slurry explosive NE1820 (class 2). The amount permitted for dumping in the licences granted to ICI Nobel applied to the gross quantity of material to be dumped including inert weighting, absorbent and packaging material (which are excluded from the net figures of amounts actually dumped).

Details of all licences issued for the dumping of waste at sea in Scottish waters are available for inspection on a public register maintained by the Department of Agriculture and Fisheries for Scotland as required under section 14 of the Food and Environment Protection Act 1985.

Private Hospitals

Mr. Wilson: To ask the Secretary of State for Scotland how many operations, by type, were carried out in private hospitals in each of the last 10 years on behalf of the National Health Service; and at what cost.

Mr. Michael Forsyth: The information requested is not collected centrally.

DEFENCE

Aircraft Noise

Mr John Greenway: To ask the Secretary of State for Defence whether he has received the final report of the NATO committee on the challenges of modern society pilot study on aircraft noise; and if he will make a statement.

Mr. Neubert: My right hon. Friend has now received this report and a copy has been placed in the Library of the House. The report surveys a very wide range of topics related to aircraft noise, including source noise, noise measurement, community response and health effects, operational considerations and public relations. It identifies areas in which further work is needed and proposes new arrangements for co-ordinating activity and exchanging information within the alliance.

Taking into account the work done by NATO, my Department has set in hand studies into the sources of noise within and around aircraft and to obtain further information on noise levels generated by aircraft operating at low level. A study has also been commissioned to review available information on any possible relationship between aircraft noise and hearing loss. To co-ordinate these and any follow-up studies and to ensure that the conclusions are taken into account in the future design and operation of aircraft, a low flying noise panel has been set up in the Ministry of Defence on which all relevant service, scientific and administrative staff are represented. My Department will also be co-operating fully in the wider co-ordination of activity and exchange of information within NATO as recommended by the CCMS report.

This work underscores the commitment of the Ministry of Defence to seek ways of reducing the impact of defence activities on the environment.

Regimental Mascots

Mr. Fisher: To ask the Secretary of State for Defence what information he has on the aggregate costs of regimental mascots, for those units stationed both in the United Kingdom and abroad, during the last financial year.

Mr. Archie Hamilton: At present 10 regiments are authorised to keep regimental mascots. The majority of costs associated with mascots are met from non-public regimental funds, with certain veterinary and movement costs being paid for from public funds. Records are not held centrally for these costs, which could be isolated only at disproportionate cost.

Mr. Colin Wallace

Mr. Dalyell: To ask the Secretary of State for Defence (1) what are the positions or posts of the senior officials referred to in paragraph 19(a) of his document, "Conclusions and Recommendations of the Enquiry into the Papers relating to Colin Wallace"; whether any of them are still in Government service; and whether any of them have been questioned;

(2) what was the rank of the official referred to in paragraph 13 of the report on the handling of papers relating to Mr. Colin Wallace.

Mr. Archie Hamilton: I have nothing to add to the information contained in the conclusions and recommendations of the report into how papers were overlooked in recent years in the case of Mr. Colin Wallace.

Mr. Dalyell: To ask the Secretary of State for Defence what considerations of public policy informed his decision to give the answer to the intervention of the hon. Member for Linlithgow on 18 October 1989, *Official Report*, column 156.

Mr. Archie Hamilton: None. At the time of the intervention by the hon. Member, the special re-examination of departmental records was still at an early stage.

Mr. Dalyell: To ask the Secretary of State for Defence what search of the archives was carried out before briefing the Prime Minister to answer questions from the hon. Members for Linlithgow and for Brent, East (Mr. Livingstone) in the case of Mr. Colin Wallace between 1981 and 1989, in the light of the report on the mishandling of relevant documents.

Mr. Archie Hamilton: During the period to which the hon. Member refers, some papers were recalled from archives in dealing with inquiries about the case of Mr. Colin Wallace, but as the conclusions of the report into how papers were overlooked makes clear, the main papers concerning Mr. Wallace's disciplinary case remained in archives from 1985 until August 1989.

Mr. Dalyell: To ask the Secretary of State for Defence what stage developments relating to the scrutiny in progress within his Department of files relating to Mr. Colin Wallace had reached on 18 October 1989.

Mr. Archie Hamilton: An early stage.

Mr. Dalyell: To ask the Secretary of State for Defence what were the reasons for the delay between 4 September 1989 and 30 January 1990 in bringing to the attention of the House past inaccuracies in statements relating to Mr. Colin Wallace.

Mr. Archie Hamilton: The period to which the hon. Member refers was taken up by a special re-examination of departmental records relating to the case of Mr. Colin Wallace, and the preparation of the reply which I gave to my hon. Friend the Member for Arundel (Mr. Marshall) on 30 January 1990 at column *110*.

Personal Papers

Mr. Dalyell: To ask the Secretary of State for Defence what is the usual practice of his Department after the resignation of an officer of the rank of major as to where to hold relevant personal papers on file.

Mr. Archie Hamilton: Normally once the immediate action relating to the resignation has been completed, the personal papers are added to the Department's archives.

Iraq (Presidential Guard)

Mr. Rogers: To ask the Secretary of State for Defence what consideration was given to the fact that the presidential guard consisted of three infantry divisions and one armoured division when authorisation was given to the sale of ballistic jackets to the presidential guard of Iraq.

Mr. Alan Clark: All relevant factors are taken into account when exports of defence equipment are considered for any country, but it is not the practice to comment on specific defence sales matters.

Aldermaston

Mr. Rogers: To ask the Secretary of State for Defence if he will set up an inquiry into the management of the contract to construct the A90 plant at Aldermaston by his Department and the Property Services Agency.

Mr. Neubert: No.

Mr. Rogers: To ask the Secretary of State for Defence on what dates the work to replace defective plutonium ductwork and supports in the A90 plant room area—Aldermaston commenced and finished.

Mr. Neubert: The replacement of the zone 1 ductwork in A90 commenced in September 1989 and was completed in April 1990.

Mr. Rogers: To ask the Secretary of State for Defence whether there was any wrongful substitution of materials in the construction and completion of the contract for the A90 building at Aldermaston.

Mr. Neubert: Investigation by both the PSA's central inquiry unit and the Ministry of Defence police found no evidence of the wrongful substitution of materials under the A90 mechanical and electrical contract at AWE Aldermaston. The outcome of these investigations was reported to the House of Commons Defence Committee in March 1990.

Mr. Rogers: To ask the Secretary of State for Defence if his Department's police have submitted to him the results of their investigations into the malpractices that were alleged to have taken place during the construction of the A90 plant at Aldermaston.

Mr. Neubert: Yes.

Mr. Rogers: To ask the Secretary of State for Defence (1) if the plutonium ductwork initially installed in zone 1 of the Aldermaston A90 plant conformed to atomic energy standard specification 6008;

(2) for what reasons the £5 million replacement of zone 1 plutonium ductwork in the A90 plant room area Aldermaston was required.

Mr. Neubert: I refer the hon. Member to House of Commons Defence Committee's Fifth Report on "The Progress of the Trident Programme" (HC374), and in particular to memorandum No. 5 included therewith, giving full details of the reasons for replacement of the zone 1 ventilation ductwork in the A90 building.

Jordan

Mr. Rogers: To ask the Secretary of State for Defence whether his Department authorised the preferential interest rates accorded to Jordan in the financing of the purchase of arms and ammunition under the Jordan defence package.

Mr. Alan Clark: The financial arrangements governing defence sales are a matter of commercial confidence.

Firth of Clyde (Dumping)

Mr. Wilson: To ask the Secretary of State for Defence, pursuant to his answer of 14 May about dumping, whether any areas of the firth of Clyde have been used by his Department for dumping in the last 10 years.

Mr. Neubert: No.

SOCIAL SECURITY

Lone Parents

Mr. Butler: To ask the Secretary of State for Social Security what changes he is planning for the collection of maintenance for lone parents; and if he will make a statement.

Mrs. Gillian Shephard: The Government are very concerned about the number of lone-parent families who receive little or no maintenance. We believe that absent parents should do more to meet their responsibilities. We are currently reviewing the maintenance system to see what changes need to be made and we aim to bring forward proposals later this year.

We have already taken action to improve the current system. We have strengthened the basis on which local social security offices assess absent parents' ability to pay maintenance and have improved our instructions on interviewing lone parents about the identity of the absent father. We have also introduced a new clause to the present Social Security Bill to expand our ability to take action and address some of the problems lone parents have experienced. In addition, my hon. Friend the Financial Secretary to the Treasury has just announced that the Inland Revenue will help the Department in tracing absent parents.

As a result of the action taken we aim to increase maintenance recovered from absent parents of lone-parent families on benefit from £180 million last year to £260 million in 1990-91.

Sir Ian Gilmour: To ask the Secretary of State for Social Security if he will publish figures showing the number of lone parents receiving supplementary benefit/income support by length of time on benefit, distinguishing between those who have been receiving it for less than one year, one to two years, two to three years, four to five years, over five years and over 10 years.

Mrs. Gillian Shephard: I regret that not all the information requested is available. The information we do have on duration of claims by lone-parent families to supplementary benefit/income support is contained in table 20.21 of the 1988 edition of the income support annual statistical inquiry and a copy of this is in the Library.

Self-defence Courses

Mr. Dalyell: To ask the Secretary of State for Social Security what advice he is giving to social security office managers in Lothian region about the proposals of Lothian regional council that courses in self-defence should be offered to public service employees in jobs, where they may have to serve potential assailants; and if he will make a statement.

Mrs. Gillian Shephard: The Department does not provide training in self-defence for staff who deal with members of the public, and has no plans to do so. Interviewing and visiting staff receive training to help them cope with potentially aggressive situations, and to minimise risks to their safety.

Mobility Allowance

Mr. Lewis: To ask the Secretary of State for Social Security what was the total number of recipients of mobility allowance who have failed to have the allowance continued, on re-application, following the expiry of the original period of qualification giving the figures for each year from 1983 to 1989.

Mr. Scott: The information is in the table:

Year	*Renewal Claims Decided*	*Renewal Claims Disallowed*
1983	19,500	3,050
1984	23,950	4,050
1985	27,520	5,020
1986	29,530	5,110
1987	31,790	5,570
1988	34,060	4,840
1989	40,120	8,970

Therapeutic Earnings

Mr. Hannam: To ask the Secretary of State for Social Security (1) how many people currently benefit from his Department's therapeutic earnings allowance;

(2) what figures he has on (i) the average number of hours worked per week and (ii) the average level of payment received per week by those people receiving therapeutic earnings.

Mrs. Gillian Shephard: Information on the number of people claiming an incapacity benefit and receiving earnings for therapeutic work is not collected centrally and could be obtained only at disproportionate cost. Similarly, information on the number of hours worked and level of payment received is not collected centrally and is not held locally in all cases.

Students (Rents)

Mrs. Dunwoody: To ask the Secretary of State for Social Security if he will direct local authorities to determine the claim for rent from students on the basis of information received from rent officers prior to a tenancy agreement being signed.

Mrs. Gillian Shephard: No. Rent officers' determinations are made for the purposes of calculating housing benefit subsidy, and do not form the basis on which local authorities are required to determine benefit entitlement.

Mrs. Dunwoody: To ask the Secretary of State for Social Security if he will reconsider the procedures for the referral of rents by the relevant officer for students in rented accommodation.

Mrs. Gillian Shephard: We have no plans for doing so, although we are keeping the rent officer arrangements under review.

Savings

Mr. Stern: To ask the Secretary of State for Social Security if he will make a statement on the basis on which income from savings is calculated for the purpose of benefit withdrawal.

Mrs. Gillian Shephard: No income is calculated from the first £3,000 of any savings in the income-related

benefits. An assumed (tariff) income of £1 a week for every £250, or part of £250, is calculated for savings above £3,000, up to £8,000 in income support and family credit and up to £16,000 in housing benefit and community charge benefit. The actual income generated from savings is ignored.

In income support, tariff income is taken into account in full against entitlement. However, the effect of tariff income on family credit, housing benefit or community charge benefit depends on the amount of other income available and the circumstances of the individual case, including the amount of eligible rent or community charge and the effect of the tapers. The tapers are applied to any income above the appropriate applicable amount and the resulting figure is offset against the maximum benefit payable. In family credit the taper is 70 per cent., in housing benefit it is 65 per cent. and in community charge benefit it is 15 per cent.

Means-tested Benefits

Sir Ian Gilmour: To ask the Secretary of State for Social Security what is his latest estimate of the effects of rent rises and the switch to community charge on the number of *(a)* families and *(b)* persons in families entitled to means-tested benefits during the current financial year; and if he will give the figures for before and immediately after the April 1988 benefit changes.

Mrs. Gillian Shephard: Estimates of the number of people eligible for particular benefits can be made only retrospectively from survey data. The latest available information on take-up of income-related benefits is contained in the technical notes on take-up of benefits, copies of which are available in the Library.

Students

Mr. Win Griffiths: To ask the Secretary of State for Social Security what consultations he has had with organisations of and for deaf people regarding the proposed definition of disability contained in his proposals for the Social Security Benefits (Student Loans) Amendment Regulations: and if he will make a statement.

Mr. Scott: The Social Security Benefits (Student Loans) Amendment Regulations were referred to the Social Security Advisory Committee, which consulted a variety of organisations including those representing the interests of deaf people. The committee's report is now being given careful consideration and will be published, together with the Government's formal response, when the draft regulations are laid before Parliament.

Mrs. Mahon: To ask the Secretary of State for Social Security if he will introduce changes to remedy the situation whereby young people undergoing a full-time course of study are not entitled to any benefit in their own right, but whose parents cannot claim for them as dependants when they become 19 years old nor receive child benefit.

Mrs. Gillian Shephard: In such a situation, as in others where a young person is not in the labour market by reason of undertaking studies, local education authorities have power to provide financial assistance. We do, however, keep the benefit rules under review.

Mr. Win Griffiths: To ask the Secretary of State for Social Security what representations he has received regarding the proposed definition of disability contained in his proposals for the Social Security Benefits (Student Loans) Amendment Regulations; and if he will make a statement.

Mr. Scott: Representations have been received from a number of individuals and organisations, including the All Party Disablement Group, the Royal National Institute for the Deaf, and the British Dyslexia Association.

Mr. Win Griffiths: To ask the Secretary of State for Social Security what plans he has to ensure that deaf students and those with dsylexia retain entitlement to social security benefits while pursuing a course of higher education.

Mr. Scott: We propose that those deaf students and those with dyslexia who meet the criteria for the disability premium will continue to be eligible for income support and housing benefit. This will include any such student in receipt of attendance allowance, mobility allowance, invalidity pension or severe disablement allowance, and those who are also registered blind. Deaf students and those with dyslexia who face additional costs in connection with their course of study will continue to be eligible for the disabled students' allowance under the mandatory award arrangements.

Family Credit

Mrs. Mahon: To ask the Secretary of State for Social Security if he will give the reasons on which he based the decision to withdraw family credit from those whose weekly hours spread over 52 weeks fall below 24 hours, but who have previously been awarded both family income supplement and family credit on the basis of working more than 24 hours a week during school terms.

Mrs. Gillian Shephard: Decisions on individual claims for family credit are the responsibility of the independent adjudicating authorities who are required to make their decisions in accordance with the legislation. One of the conditions for the award of family credit detailed in the legislation is that the claimant or her partner must be working, on average, not less than 24 hours a week. The legislation provides that, where the number of hours for which a person works fluctuates according to a recognisable cycle, the average number of hours shall be determined by reference to the average worked over the period of one complete cycle. Some adjudicating authorities have interpreted the legislation as providing that, in certain claims from school workers, the number of hours worked should be determined according to the average over 52 weeks. Where the adjudicating authorities determine that neither the claimant nor her partner works on average for 24 hours or more, the family would not therefore qualify for family credit but would not be debarred by the number of hours worked from receiving income support.

Pensioners

Mr. Flynn: To ask the Secretary of State for Social Security whether he will amend the poll tax benefit regulations so that the capital element of an annuity received by an elderly person under a home income plan is not treated as income and therefore does not affect benefit entitlement.

Mrs. Gillian Shephard: We have no such plans.

Social Fund

Mr. Redmond: To ask the Secretary of State for Social Security what action his Department is taking in respect of the application of Samuel Stitt of Wallsend, Tyne and Wear, for a social fund cash payment; and if he will make a statement.

Mr. Scott: Mr. Stitt was originally refused a community care grant for domestic assistance on 11 April 1989. His subsequent application for judicial review was discussed by the High Court on 21 February 1990 and is now before the Court of Appeal. Mr. Stitt made another application for a community care grant for domestic assistance on 2 March 1990. This application was considered by the social fund officer on 8 March and he decided not to make an award. Mr. Stitt has not applied for a review of this decision.

Grants and Loans

Mr. Patchett: To ask the Secretary of State for Social Security how many people have been refused *(a)* community care grants, *(b)* budgeting loans, and *(c)* crisis loans, on the grounds that there were insufficient funds/priority too low, by his offices within the Barnsley, East constituency during the period April 1988 to March 1989, and April 1989 to December 1989.

Mr. Scott *[holding answer 8 May 1990]:* The information in the table represents the number of processed applications for the periods April 1988 to March 1989 and April 1989 to December 1989 where one of the reasons for refusal given by the social fund officer was that of insufficient priority. The number of people refused or awarded payments from the social fund is not collected. Individuals can make more than one application during each accounting period and a social fund officer can give up to six reasons for not allowing an application.

Social Fund Refusals of Applications on Grounds of Insufficient Priority

April 1988-March 1989	*Community Care Grants*	*Budgeting Loans*	*Crisis Loans*
Barnsley East	9	229	0
Wath On Dearne	1	182	0
April 1989-December 1990			
Barnsley East	74	255	0
Wath On Dearne	203	375	0

WALES

Agricultural Developments

Mr. Wigley: To ask the Secretary of State for Wales if he will state what his policy is with regard to development control over agricultural developments in areas of outstanding natural beauty and areas designated as heritage coasts.

Mr. Roberts: Most agricultural development is permitted under the Town and Country Planning General Development Order 1988 and does not require specific planning consent. Where planning consent is required and the development proposed—whether it be agricultural or not—is in an area of outstanding natural beauty, it is important that its design and appearance, as well as its location, are subject to special scrutiny to ensure that the development fits properly into its surroundings. Attention should be paid not only to the natural scenery but to the traditional character of buildings in the area and the use of local materials. Similar considerations apply to those stretches of coast of particular scenic quality which have been designated as heritage coasts. Here, too, special care is needed to ensure that the beauty of these areas is protected.

Welsh Language

Mr. Wigley: To ask the Secretary of State for Wales what is his policy as to the language in which he answers letters which are written to him in the Welsh language; and whether this is also the policy of *(a)* his ministerial team and *(b)* officials of his Department.

Mr. Roberts: Our policy is to reply in Welsh to letters which are written in Welsh.

Gwynedd Health Authority

Mr. Wigley: To ask the Secretary of State for Wales how many people were employed by Gwynedd health authority on the most recent convenient date; and what was the corresponding figure five and 10 years previously.

Mr. David Hunt: The available information, which relates to whole-time equivalent staff in post as at 30 September, is given in the table:

	Number
1979	3,588
1984	4,138
1989	4,269

These figures have not been adjusted to take account of the change in nurses' hours from 40 to 37·5 in 1980.

Mr. Wigley: To ask the Secretary of State for Wales what was the cost of the Deloittes consultant's report on the financial position of Gwynedd health authority undertaken in 1987; how much of this was paid for by *(a)* his Department and *(b)* Gwynedd health authority; what are the estimates of the corresponding figures for the new report currently being undertaken by consultants into Gwynedd health authority finances; whether this new report will be published; and if he will make a statement.

Mr. David Hunt: The final cost of the financial review and related work undertaken for Gwynedd health authority by Deloitte, Haskins and Sells in 1987 and 1988 was £173,650 inclusive of VAT. All of this was met by the Welsh Office.

The cost of the current review of the authority's financial strategy, which is being undertaken by Coopers and Lybrand Deloitte, is estimated at £7,000 plus VAT. This will be met by the authority, along with the further cost of an evaluation of its estate by the consultants at an estimated cost of £10,000 plus VAT. The consultants have also been commissioned to assist the authority to study the strategic options open to it and to produce pathfinder procurement and unit business plans for the contractual provision of services from 1 April 1991. The cost of this

particular element in the consultant's brief is estimated at £53,000 plus VAT. The Welsh Office and the authority will each meet half this cost.

The decision on whether to publish the studies is one for Gwynedd health authority.

Drugs Education

Mr. Wigley: To ask the Secretary of State for Wales if he will make a statement on the progress of drugs education in Welsh schools.

Mr. Roberts: All maintained schools in Wales are required to provide education about drugs as part of the national curriculum.

Since 1986 education support grant has been available to fund the employment of drugs education co-ordinators, whose role was to stimulate and support the development of drugs education by schools, colleges and the youth service. From 1989-90 the co-ordinators' remit was extended to health education generally, with particular emphasis on drugs, alcohol and AIDS.

To support the work of the co-ordinators, the Department has provided grant support since 1986 for in-service training for education professionals in drug misuse. From 1990-91, this programme has also been broadened to cover health education generally.

House Repossessions

Mr. Wigley: To ask the Secretary of State for Wales what was the total number of house repossessions in Wales in 1979, 1988 and 1989, respectively.

Mr. David Hunt: The information requested is not collected centrally.

Friendly Societies

Mr. Wigley: To ask the Secretary of State for Wales if he will take steps to establish for Wales its own registrar for friendly societies.

Mr. Ryder: I have been asked to reply.

There are very few friendly societies with headquarters in Wales and we consider that these matters are best handled centrally on an England and Wales basis.

Computerisation

Mr. Morgan: To ask the Secretary of State for Wales whether the computerised personnel information contract awarded to McDonnell-Douglas on 9 May is compatible with the IBM UK financial management information systems contract awarded in August 1986.

Mr. David Hunt: The two contracts referred to are for separate, unrelated systems. The question of compatibility does not, therefore, arise.

Mr. Morgan: To ask the Secretary of State for Wales what is the duration of the contract for computerising the personnel information systems awarded to McDonnell-Douglas on 9 May.

Mr. David Hunt: Four months from the date of delivery (4 May).

Mr. Morgan: To ask the Secretary of State for Wales what are the penalties for late completion of the contract for computerising the personnel information systems awarded to McDonnell-Douglas on 9 May; and whether these provisons are based on the delay of the completion of the IBM contract awarded in August 1986.

Mr. David Hunt: The contract concerned contains no specific penalty clauses for late completion, but adequate remedies to deal with such an event, should it occur, are available under common law.

Mr. Morgan: To ask the Secretary of State for Wales whether the contract for computerising the personnel information systems awarded to McDonnell-Douglas on 9 May duplicates any part of the contract awarded to IBM UK in August 1986.

Mr. David Hunt: No.

Teachers

Mr. Barry Jones: To ask the Secretary of State for Wales (1) what steps he is taking to ensure there will be sufficient numbers of mathematics and science teachers in the primary and secondary schools in Wales;

(2) what efforts he is making to ensure that there will be sufficient teachers of *(a)* German, *(b)* French, *(c)* Italian and *(d)* Spanish.

Mr. Roberts: The teacher training bursary scheme provides an incentive to graduates of mathematics, chemistry, physics, technology and CDT to train as teachers. From September the scheme is to be extended to include modern foreign languages and Welsh and the level of the bursary increased to £1,500 with £2,000 for physics.

A number of other measures have been introduced to increase the supply of teachers. The Welsh Office is providing financial support to enable initial teacher training institutions to run "taster" courses in shortage subjects for mature people to encourage entry or return to teaching. £116,000 is being made available through education support grant for four LEAs in Wales to support the development of measures to increase the recruitment of teachers in the shortage subjects. TASC (teaching as a career) has been established to promote teaching as a career and help local education authorities and initial teacher training institutions to mount more effective recruitment campaigns.

Mr. Barry Jones: To ask the Secretary of State for Wales what initiatives he proposes to take to ensure that there will be sufficient numbers of teachers of Welsh in the primary and secondary schools of Wales.

Mr. Roberts: To help meet the increased demand for Welsh teachers Welsh is being added to the list of secondary shortage subjects for which a bursary of £1,500 will be available in initial teacher training (ITT). An incentive supplement of £1,200 will be available from September this year to increase the number of students training as primary teachers through the medium of Welsh. The revised criteria for the approval of ITT courses requires that institutions in Wales should provide students on primary courses with an opportunity to learn or increase their competence in Welsh to a point where they can teach the language.

We are not relying solely on new entrants to the profession however to meet this demand. Nearly £1 million is being made available this year to local education

authorities to help teachers, currently teaching other subjects, develop their skills and competence in the Welsh language and to prepare them to teach the language.

These initiatives have been welcomed and the response so far is very promising.

Cardiff Bay Development Corporation

Mr. Morgan: To ask the Secretary of State for Wales what representations he has received concerning the future employment of the chief executive of the Cardiff Bay development corporation; and if he will make a statement.

Mr. David Hunt: None.

Hospitals

Mr. Wigley: To ask the Secretary of State for Wales if he will publish, on the basis of the most recent available figures, the average number of nursing staff hours per standardised unit of work at each of the district general hospitals in Wales and the all-Wales average; and if he will make a statement on the implications of these figures.

Mr David Hunt: The information requested is not readily available; however, information on nurses per 1,000 units of work for each district health authority in Wales is shown in table 5.1 of the publication "Key Statistical Indicators for National Health Service Management in Wales, No 7, 1988", a copy of which is in the Library of the House.

Mr. Wigley: To ask the Secretary of State for Wales if he will publish a table showing for each district general hospital in Wales the number of outpatient attendances for ear, nose and throat treatment during the most recent 12-month period available; and what was the notional period of time in days to clear the waiting list for each such hospital at the end of that 12-month period.

Mr. David Hunt: The most recently readily available information is published in "Welsh Hospital List Bulletin 1990: No 1", a copy of which is in the Library of the House.

Mr. Wigley: To ask the Secretary of State for Wales if he will publish, for each of the district general hospitals in Wales, figures showing for the most recent available date the cost per standardised unit of work; if he will rank these on an indexed basis, taking the all-Wales average as 100; and if he will make a statement on the implications of these figures.

Mr. David Hunt: Information on costs per standardised unit of work are shown in section 2 of the publication "Key Statistics Indicators for National Health Service Management in Wales, No. 7, 1988", a copy of which is in the Library of the House. The tables also show indexed costs, taking the average for hospitals of a similar classification as 100.

Mr. Wigley: To ask the Secretary of State for Wales if he will publish an analysis for each of the district general hospitals in Wales, showing the total number of deaths and discharges, indexed as 100 for each hospital; and what proportion is accounted for by virtue of *(a)* discharge to their own houses, *(b)* discharge to other National Health Service hospitals, *(c)* discharge to private nursing homes, *(d)* discharge to other locations and *(e)* deaths.

Mr. David Hunt: Figures on the destination of patients, based on the available information for 1988, are as follows:

Per cent[1]

	Patient's Home	*Other Hospitals*	*Other Locations*[2]	*Deaths*	*Not Known*
Ysbyty Glan Clwyd	91	5	2	3	0
Wrexham Maelor	94	1	1	3	0
Bronglais General	91	6	1	2	0
West Wales General	93	3	1	3	0
Withybush	93	2	1	3	0
Nevill Hall	91	4	1	4	0
Royal Gwent	92	4	2	2	0
St. Woolos	84	5	4	7	0
Ysbyty Gwynedd	89	6	2	3	0
Princess of Wales	93	3	2	2	0
East Glamorgan	90	5	2	2	0
Prince Charles	91	6	1	2	0
University Hospital of Wales	94	3	1	2	1
Cardiff Royal Infirmary	84	9	1	4	3
Llandough	91	5	1	4	0
Morriston	88	6	2	4	0
Singleton	91	6	1	2	0
Neath General	94	1	4	2	0

[1] Figures may not sum to 100 per cent. owing to rounding.
[2] Discharges to private nursing homes cannot be separately identified, but are included within 'other locations'.

Mr. Wigley: To ask the Secretary of State for Wales if he will list changes in the definitions of units of work used by his Department for the measurement of managerial performance in National Health Service hospitals in Wales since the concept was first introduced; and whether he has any plans for further changes.

Mr. David Hunt: I refer the hon. Gentleman to the introduction to chapter 1 in the publication "Key Statistical Indicators for National Health Service Management in Wales, No. 7, 1988", a copy of which is in the Library of the House. The methodology is constantly under review.

Mr. Wigley: To ask the Secretary of State for Wales if he will publish a table showing in each district health authority in Wales the number of new hospitals costing

over £1 million which are all currently at various stages of planning, design and construction; and of these how many in each district are currently under construction.

Mr. David Hunt: The information requested is shown in the table:

District health authority and proposed new hospital

1. *Under construction*
   Clwyd—Deeside community hospital
   Mid Glamorgan—North Rhondda community hospital
2. *In planning/design*
   Gwent—Ebbw Vale community hospital
   Gwynedd—West Monmouth community hospital
   Mid Glamorgan—District general hospital for Taff Ely/Rhondda
   West Glamorgan—District general hospital for Neath/Port Talbot

Mr. Wigley: To ask the Secretary of State for Wales what was the total number of general practitioner beds available in National Health Service hospitals in each district health area in Wales at the most recent available date; and what is his policy towards the maintenance and extension of the availability of general practitioner beds.

Mr. David Hunt: The latest available information is published in "Hospital Bed Use Statistics, 1988-89", a copy of which is in the Library of the House.

The provision of general practitioner beds is a matter for district health authorities, in consultation with family practitioner committees, in the light of their assessments of local need and resources available.

Mr. Wigley: To ask the Secretary of State for Wales (1) if he will publish a table showing the number of beds in community hospitals in each of the nine district health authorities in Wales;

(2) what was the total number of hospital beds available in 1978-79 and at the most recent available date *(a)* for Wales as a whole and *(b)* for each district health authority in Wales.

Mr. David Hunt: The information requested is published annually in "Hospital Bed Use Statistics", copies of which are in the Library of the House.

Separate publications are available for each calendar year 1973 to 1987, and for each financial year 1982-83 to 1988-89.

Ysbyty Gwynedd

Mr. Wigley: To ask the Secretary of State for Wales (1) how many outpatients were on the waiting list for ear, nose and throat treatment at Ysbyty Gwynedd in September 1987, September 1988, September 1989 and at the latest available date;

(2) how many persons were on the outpatient waiting list for ophthalmology at Ysbyty Gwynedd in September 1987, September 1988; September 1989 and at the latest available date;

(3) how many people were on the waiting list for outpatient treatment for oral surgery at Ysbyty Gwynedd in September 1987, September 1988, September 1989 and at the most recent available date.

Mr. David Hunt: The information is given in the following table:

Outpatient waiting list at Ysbyty Gwynedd

	Ear, nose and throat	*Ophthalmology*	*Oral surgery*
September 1987	482	401	263
September 1988	582	477	244
September 1989	757	612	389
[1] 1989	546	549	488

[1] Latest available date.

Health Service Finance

Mr. Wigley: To ask the Secretary of State for Wales what is the interest rate which will be used for capital provided for the National Health Service in Wales with the new captital accountancy system; and if he will estimate what will be the impact of these changes on each of the nine district health authorities in Wales in their first year of operation.

Mr. David Hunt: The interest rate to be used for the purpose of calculating capital charges has been set at the current Treasury discount rate of 6 per cent. It is intended that the effect of capital charges will be neutral in the first year of operation with each authority being funded precisely in line with the estimated capital charges it will meet in that year. In due course the receipts from capital charges will be passed on to authorities according to their share of revenue resources. However, before then, there will be a transitional period to enable authorities and hospitals to adjust to the effects of charges on the costs of providing services. Until capital charges (which will include an element of depreciation as well as interest) have been calculated, it is not possible to estimate the effects on individual authorities.

Mr. Wigley: To ask the Secretary of State for Wales if he will publish a table in the *Official Report* showing for each of the nine district health authorities in Wales for 1989-90 and 1990-91 *(a)* the total revenue grant per head of population and *(b)* the cash increase over the previous baseline for their districts allocated per head of population.

Mr. David Hunt: The information requested is as follows:

District health authority	*Revenue provision per capita of resident population*		*Increase in revenue provision per capita of resident population over previous financial year*	
	1989-90 £	*1990-91* £	*1989-90* £	*1990-91* £
Clwyd	263·22	286·45	16·02	19·10
East Dyfed	287·83	317·63	23·04	21·08
Gwent	285·95	309·69	15·52	19·29
Gwynedd	267·79	289·39	14·57	16·28
Mid Glamorgan	279·35	301·26	15·91	16·94
Pembrokeshire	225·86	251·81	14·37	21·19
Powys	265·68	290·63	20·95	21·38

District health authority	Revenue provision per capita of resident population		Increase in revenue provision per capita of resident population over previous financial year	
	1989-90 £	1990-91 £	1989-90 £	1990-91 £
South Glamorgan	428·17	468·41	23·03	26·12
West Glamorgan	303·70	328·64	16·50	18·49

Source: Initial revenue allocations to health authorities 1989-90 and 1990-91.

Note: The population figures used are based on latest available (1988) mid-year estimates of resident population of district health authorities. However, it should be noted that district health authorities are currently funded to serve catchment populations rather than resident populations and the provision to South Glamorgan health authority also reflects the revenue costs associated with the medical and dental teaching functions of that authority.

Mr. Wigley: To ask the Secretary of State for Wales, if he will publish in the *Official Report* in tables for *(a)* the whole of Wales and *(b)* Gwynedd, showing for each year since and including 1979-80 (i) the average hospital cost per in-patient case, (ii) the average hospital cost per out-patient case and (iii) the average hospital cost per day case attendance, showing figures both in cash terms and adjusted by the HCHS pay and price index.

Mr. David Hunt: The information requested can be provided for 1987-88 and 1988-89 only since figures for the years prior to 1987-88 are not readily available on a comparable basis and those for 1989-90 are not yet available.

	Patients using a bed[1]		Out patients		Day cases	
	Cash £	Adjusted £	Cash £	Adjusted £	Cash £	Adjusted £
1987-88						
Gwynedd	54·18	59·87	26·84	29·66	19·24	21·26
Wales	55·10	60·89	24·91	27·53	15·84	17·50
1988-89						
Gwynedd	62·67	—	27·41	—	24·94	—
Wales	66·41	—	25·57	—	19·55	—

[1] In-patients and day cases.

Notes:

1. These costs exclude general services (for example catering, laundry cleaning and administration).
2. The H & CHS pay and price index used to adjust 1987-88 cash figures to 1988-89 pay and price levels is produced by the Department of Health and reflects the impact of pay and price movements on the mix of pay and non-pay expenditure in English authorities. It may not therefore be wholly representative of the effects of pay and price movements on the mix of pay and non-pay expenditure in health authorities in Wales.

EMPLOYMENT

Training

Mr. Blair: To ask the Secretary of State for Employment if he will state for each of the periods 1 April 1989 to 31 March 1990 and 1 April 1990 to 31 March 1991 *(a)* the funds available for (i) employment training and (ii) YTS, *(b)* the number of (i) ET and (ii) YT trainee weeks achieved or forecast on those resources, *(c)* the number of (i) ET and (ii) YT trainee places provided or forecast on those resources and *(d)* the amounts to cover (i) training allowances, (ij) trainee travel, and (iii) child care for single parents.

Mr. Nicholls: The requested information is shown in the table:

	Employment Training		Youth Training	
	1989-90 Provisional Outturn	1990-91 Plans	1989-90 Provisional Outturn	1990-91 Plans
Total Expenditure	£1,097 million	£1,156 million	£1,002 million	£903 million
trainee weeks	10·5 million	11·2 million	19·4 million	[1]—
average in training	202,000	215,000	373,000	[1]—
entrants	430,600	450,000	288,500	260,000
Expenditure on:				
Allowances	£527 million	£505 million	[2]—	[2]—
Trainee travel	£30 million	[3]—	£48 million	[3]—
Childcare	£15 million	[3]—	[4]—	[4]—

[1] During 1990-91 youth training targets have been set for vocational qualifications achieved, but not for training weeks of numbers in training.

[2] TECs and training providers are required to ensure that trainees on youth training receive at least the minimum levels of trainee allowance. The public contribution towards trainee allowances cannot be separately identified because employers also contribute and a proportion of trainees are employed and receiving wages.

[3] TECs and training providers are required to ensure that travel costs above specified levels are paid to YT and ET trainees and child care costs to lone parents are also reimbursed. Expenditure on trainee allowances and child care will not be separately identified in 1990-91.

[4] Child care costs are not available on youth training.

TECs

Mr. Eastham: To ask the Secretary of State for Employment what mechanisms he intends to introduce to monitor the spending of public money by training and enterprise councils.

Mr. Eggar: Training and enterprise councils (TECs) will operate under a performance-based contract with my Department. They will be required to submit regular management and financial information on their performance. Additionally TECs will publish audited annual accounts and will be subject to independent audits by my Department and the National Audit Office.

Mrs. Dunwoody: To ask the Secretary of State for Employment what directions he has given to the training and enterprise councils about the provision of child care facilities for women returning to training courses.

Mr. Eggar: Under the terms of their operating agreements with the Training Agency, training and enterprise councils are required to ensure that lone parents training on ET receive the cost of caring for children under 16.

Mrs. Dunwoody: To ask the Secretary of State for Employment if he will arrange for a special needs representative to be included in each of the training and enterprise councils.

Mr. Eggar: It is for each training and enterprise council to determine the membership of its board within the broad parameters set by my Department.

Mr. Ashley: To ask the Secretary of State for Employment (1) what steps he is taking to ensure that TECs are taking sufficient measures to meet the training needs of disabled people; and if he will make a statement;

(2) what steps he is taking to ensure that minimum national standards for the training of disabled people are introduced when TECs are fully operational;

(3) what plans he has to monitor and evaluate the provision of training for disabled people and those with mental handicap in TECs.

Mr. Eggar: Each TEC will set out how it intends to provide for the needs of people with disabilities, including those with mental handicaps, in its corporate and business plans. These plans will be subject to my approval.

Specific contractual requirements common to all operating TECs include providing appropriate training to people with disabilities, and special access and communication arrangements where necessary.

TECs' performance against their plans will be regularly monitored by Training Agency operational offices. In addition, the training standards advisory service will be appraising the quality of training offered by TECs to people with disabilities.

Mr. Ashley: To ask the Secretary of State for Employment if he will take steps to ensure that TECs submit an annual report to Parliament on how they are meeting the training needs of disabled people.

Mr. Eggar: Training and enterprise councils (TECs) will produce and publish an annual report within three months of the end of the financial year describing all the activities the TEC has undertaken during the year.

Small Firms

Mr. Jacques Arnold: To ask the Secretary of State for Employment whether he will list the principal measures taken by his Department since June 1987 to assist small firms.

Mr. Eggar: Since June 1987 my Department has introduced several new measures to assist small firms and improve on the existing range of fiscal, financial, training and advisory measures.

The principal departmental measures include:

The first of the new network of training and enterprise councils (TECs) came into being this April. TECs are responsible both for encouraging more businesses to invest in training and for enterprise activities designed to strengthen local economic growth.

The Department is giving high priority to its campaign to open up Government procurement to small firms. In the past year the guide for small businesses, "Tendering for Government Contracts" has been updated, and a booklet "Think Big, Buy Small" has been published and widely distributed to Government purchasing officers. My Department is also supporting a purchasing specialist in the Treasury's Central Unit on Purchasing to help Government Departments improve their purchasing procedures and to provide greater access for small firms to Government business.

April 1989 saw the introduction of business growth training (BGT) offering small firms help for better business and training plans. In its first year of operation BGT provided assistance to 83,000 clients.

This January the Training Agency sponsored the launch of the small business programme, an open learning initiative backed by the Open university and Cranfield school of management.

Two years ago the booklet, "Prompt Payment Please", was published in conjunction with an initiative to encourage good payment practice in both large and small firms. This has been welcomed by both the public and private sectors as a valuable guide to avoiding late payment of bills, which can particularly effect small firms.

The local enterprise agency project scheme (LEAPS) was introduced in April 1988 as part of the action for cities initiative. Financial support is available to enterprise projects run by approved enterprise agencies in any of the 57 urban programme authority areas. to date over £900,000 has been given in support of 136 projects. This complements the local enterprise agency grant scheme (LEAGS) which continues to contribute to enterprise agency core funding costs. Between them, both schemes have encouraged private sector sponsors to donate nearly £15 million over the past three years to support LEA work in advising small firms.

The loan guarantee scheme was improved in 1988 by simplifying the application procedure for loans up to £15,000, and in April 1989 by increasing the upper limit on loans to £100,000. As a result applications now average over 270 per month, compared to 100 a month two years ago.

Additionally, clients in the 16 inner-city task force areas have had a greater proportion of their loan guaranteed since 1988, and from April 1990 their premium has been reduced. Both changes are in recognition of the particular difficulties faced by inner-city residents trying to raise seed capital. In the three years to the end of this March over 6,800 loans were guaranteed to a value of £215 million.

These and other existing measures, such as the enterprise allowance scheme and the small firms service, have been successful in creating and maintaining a framework for enterprise and growth of the small business sector. During the last year alone my Department dealt with over 625,000 inquiries, counselling sessions and training activities for small firms at a cost of £237 million. In addition the 500,000th person has been helped to set up in business by the enterprise allowance scheme.

Inspection Visits

Mr. Andrew F. Bennett: To ask the Secretary of State for Employment if he will list by area office of the Health and Safety Executive the number of factories which should have received a basic inspection visit in the financial year 1989-90 and the number which did receive such a visit; and when he expects the shortfall and the accumulated backlog from previous years' shortfalls to be made good.

Mr. Nicholls: The information requested is not available in respect of factories only. The table relates to all premises inspected by the factory inspectorate and the plans for their inspection in 1989-90.

Area	*Basic inspections planned*	*Basic inspections completed*
South West	2,027	1,987
South	2,450	2,091
South East	2,448	2,055
London North	3,934	2,943
London South	2,013	2,194
East Anglia	1,639	2,266
Northern Home Counties	2,412	2,094
East Midlands	1,923	1,813
West Midlands	3,170	2,946
Wales	2,541	2,584
Marches	3,001	3,376
North Midlands	1,972	2,317
South Yorkshire and Humberside	3,094	2,395
West and North Yorkshire	2,579	2,400
Greater Manchester	2,499	2,504
Merseyside	2,240	2,313
North West	2,350	1,768
North East	2,050	2,624
Scotland East	2,724	1,993
Scotland West	2,405	1,616

The plan is to recover the shortfall and accumlated backlog over five years.

Clothing Industry

Mr. Canavan: To ask the Secretary of State for Employment how many redundancies have been announced in the current year in the clothing industry.

Mr. Nicholls: It is provisionally estimated that there have been 4,029 confirmed redundancies in the footwear and clothing industries (SIC(80) 45) in Great Britain during the 12 months to March 1990.

Low Pay

Mr. Wigley: To ask the Secretary of State for Employment if he will publish the latest available data on the number and percentage of jobs that are paid *(a)* less than £2·50 an hour *(b)* less than £3·50 an hour and *(c)* less than £5 an hour.

Mr. Nicholls: The latest available information on the distribution of hourly earnings of employees is published in the 1989 new earnings survey report, a copy of which is in the Library. Numbers of all employees in the sample with gross hourly earnings in specified ranges are given in table 20 of part A. Percentages of full-time employees on adult rates with hourly earnings below stated amounts are given in table 26 of part A and similar information for part-time female employees is given in table 175 of part F.

Female Employment

Mrs. Dunwoody: To ask the Secretary of State for Employment what steps he is taking to encourage employers to provide places for older women who wish to return to work.

Mr. Nicholls: While it is for employers to make arrangements to recruit the employees they need for the jobs they want doing, my right hon. and learned Friend and his colleagues will continue to take every opportunity to encourage them to make their recruitment and retention policies attractive to women and to older workers. My hon. Friend the Minister of State, Department of Employment recently launched a campaign aimed at raising employers' awareness of the likely impact of demographic change and to help them develop and implement action plans to meet it. The Department of Employment group also has a number of employment and training programmes which can help people wishing to return to work to take advantage of job vacancies provided by employers.

Minority Groups

Mrs. Dunwoody: To ask the Secretary of State for Employment if he will set up a research project into the impact of the 1992 legislation on minority groups.

Mr. Eggar: My Department has no plans for such research. Minority groups should benefit from the opportunities offered by the completion of the single European market along with all other groups in society.

Labour Statistics

Mr. Thurnham: To ask the Secretary of State for Employment what is the latest figure for the rate of unemployment; what the figure was for each of the last five years in *(a)* the Bolton and Bury travel-to-work area and *(b)* the rest of the north-west area; and if he will make a statement.

Mr. Nicholls: The requested information is provided in the table.

Direct comparisons over the period cannot be made because of the various changes to the count over the period, in particular the change in benefit regulations for under 18-year-olds in September 1988 and because of seasonal influences.

Unadjusted unemployment rate (work force base)
April 1985 to April 1990

Bolton and Bury travel-to-work area

April	*Rate*
1985	14·7
1986	14·4
1987	13·1
1988	10·7
1989	8·2
1990	6·8

Rest of north-west region

April	*Rate*
1985	14·7
1986	14·8
1987	13·7
1988	11·5

April	Rate
1989	8·9
1990	7·6

United Kingdom

April	Rate
1985	11·8
1986	12·0
1987	11·1
1988	9·0
1989	6·6
1990	5·7

Work force rate is unemployed claimants expressed as a percentage of the work force (ie unemployed, employees in employment, self-employed, Her Majesty's forces and participants on work-related Government training programmes).

Unemployed Claimants

Mr. Nellist: To ask the Secretary of State for Employment if he will estimate for 1989 *(a)* the number of claimants without paid jobs who wanted full-time jobs, *(b)* the number who wanted part-time jobs, *(c)* the number who had no preference and *(d)* the number who did not want a job who (i) had not looked for a job in the last week, (ii) had not looked for a job in the last four weeks, (iii) were not available for work within the next two weeks, (iv) (i) and (iii), (v) (ii) and (iii), breaking the estimates down by sex and according to whether the main reason for not seeking work was (1) looking after family/home, (2) long-term sick/disabled, (3) believed no jobs available, (4) retired, (5) temporarily sick, on holiday, awaiting results of job application or waiting to start a job already obtained, (6) did not want/need work, (7) studying, (8) not yet started looking, (9) other reason/no reply/not applicable and (10) all reasons.

Mr. Nicholls: I refer the hon. Member to the answer I gave to him on 10 May 1990 at column *220*.

European Social Fund

Mr. McLeish: To ask the Secretary of State for Employment if he will make a statement on the impact of the delays in the administration of European social fund funding for voluntary sector organisations.

Mr. Eggar: The reform of the structural funds, including the European social fund, involves major changes to the administrative procedures. This will necessarily take time to effect and will have an impact on applicant organisations.

Mr. McLeish: To ask the Secretary of State for Employment if he will give the total number of voluntary sector organisations currently in receipt of grant aid from the European social fund to finance training programmes for Great Britain and each of the standard regions.

Mr. Eggar: During 1989 165 voluntary organisations received assistance from the European social fund for vocational training programmes in Great Britain. The regional breakdown is as follows:

Region	Voluntary organisations
Northern	17
Yorkshire and Humberside	9
East Midlands	2
East Anglia	2
South East	57
South West	5
West Midlands	7
North West	17
Wales	8
Scotland	36
National	5

No decisions have yet been announced on the amount of European social fund support for 1990.

Mr. McLeish: To ask the Secretary of State for Employment what information he has on whether some voluntary sector organisations may withdraw their interest in the European social fund programme as a result of his Department's failure to administer European social fund funding within the timetable.

Mr. Eggar: I have no information at this stage about any voluntary sector organisations withdrawing from the European social fund in 1990.

Mr. McLeish: To ask the Secretary of State for Employment if he will give the amount of financial assistance currently being made available to voluntary sector organisations by the European social fund.

Mr. Eggar: Arrangements are currently being made to pay those outstanding voluntary organisation final claims for 1988, cleared by the Commission. A total of £1·826 million has been received to date this financial year for this purpose. Final claims for 1989 projects are in the process of being received and checked, before being forwarded to the Commission for clearance and payment authority. No decisions have yet been announced on the amount of European social fund (ESF) money to be allocated to any organisation in 1990.

Mr. McLeish: To ask the Secretary of State for Employment if he will make a statement on the failure of his Department to provide application forms to voluntary sector organisations for European social fund funding for 1990 by the end of April.

Mr. Eggar: No projects can be considered until the finalised operational programmes have been approved by the Commission.

Mr. McLeish: To ask the Secretary of State for Employment if he will give the total number of training places currently being supported in the voluntary sector, by grant aid from the European social fund.

Mr. Eggar: There have been no decisions announced regarding individual organisations' ESF support for 1990. Therefore, I canot say how many training places are currently being supported in the voluntary sector by the ESF.

National Council for Vocational Qualifications

Mr. Andrew Mitchell: To ask the Secretary of State for Employment if he will make a statement about the work of the National Council for Vocational Qualifications.

Mr. Eggar: The Government established the council to spearhead the drive to create a coherent and comprehensive system of vocational qualifications. Such a system is a key component of the training framework Britain needs to meet the employment demands of the 1990s.

In the three years the council has been operating it has many achievements to its credit. Work is now under way in many organisations, including over 150 groups of employers, to develop new vocational qualifications. It is now time to take stock of progress and to consider how relationships between all the various partners are developing.

With the agreement of the Secretaries of State for Education and Science, for Wales and for Northern Ireland, the Department of Employment will undertake a review of the council's progress and make a full report of its findings.

Safety Offences

Mr. Nellist: To ask the Secretary of State for Employment if he will publish in the *Official Report* the text of his recent letter to the Magistrates Association on the need for higher fines for safety offences, as referred to in the May issue of the *Employment Gazette*, page 236; and if he will make a statement.

Mr. Nicholls [*holding answer 14 May 1990*]: I will arrange for a copy of the letter and press release to be placed in the Library.

TRANSPORT

Air Traffic Control

Mr. Fearn: To ask the Secretary of State for Transport what measures his Department has undertaken towards the introduction of a single air traffic control system for Europe; and if he will make a statement.

Mr. McLoughlin: My right hon. Friend has recently agreed, with 22 other European Transport Ministers, an action programme to increase capacity in Europe by integrating air traffic control systems and optimising the air traffic route network. This can be achieved more quickly and commits European states to intensify work on measures to handle safely the forecast growth in traffic to the end of the century. A copy of the report which sets out the programme unanimously agreed by European Transport Ministers has been placed in the Library.

Severn Bridge

Mr. Roy Hughes: To ask the Secretary of State for Transport what is the cost of the repair and maintenance work on the Severn bridge up to the latest available date; and what is likely to be the total cost after it has been completed.

Mr. Atkins: The total cost of repair and maintenance work on the bridge up to the end of the last financial year is £60 million. The final cost of the repair and maintenance work is estimated at £74 million.

Mr. Roy Hughes: To ask the Secretary of State for Transport when is the expected date for the completion of the repair and maintenance work on the Severn bridge.

Mr. Atkins: Repair work on the Severn bridge is now substantially complete. The resurfacing work is due to be completed by spring 1991. Routine maintenance work on the bridge will continue as normal.

Radioactive Substances

Mr. Simon Hughes: To ask the Secretary of State for Transport how many shipments and what quantity of plutonium nitrate were shipped from Dounreay to Barrow in 1989; and if he will make a statement.

Mr. McLoughlin: The Department does not collect detailed information of the kind requested. However, I understand that there were no shipments from Dounreay to Barrow in 1989 but two shipments took place from Dounreay to Workington.

Mr. Simon Hughes: To ask the Secretary of State for Transport how many trains carrying radioactive material arrived for off-loading at Dounreay in *(a)* 1987, *(b)* 1988 and *(c)* 1989; how many trains carrying radioactive material left Dounreay in (i) 1987, (ii) 1988 and (iii) 1989; and what were the origins or destination points of the journeys.

Mr. Freeman: The Department does not collect data of the kind requested. However, I understand that a number of minor shipments took place from Dounreay and consisted of minute quantities of radioactive materials of low activity.

Mr. Simon Hughes: To ask the Secretary of State for Transport what is his policy in respect of methods of transport for returning plutonium to Japan after it has been processed at the THORP reprocessing plant; and if he will make a statement.

Mr. Freeman: Plutonium will be returned to Japan in containers certified by my Department as fully complying with stringent international safety regulations which do not depend for their effectiveness on the mode of transport used.

The decision on the mode of transport, whether by air or by sea, will be for BNFL, whose arrangements will have to comply with the international regulations.

Crash Barriers

Mr. Fearn: To ask the Secretary of State for Transport what research has been carried out by his Department to establish whether the erection of crash barriers on the edges of central reservations can increase the dangers of collisions between motor vehicles.

Mr. Atkins: In researching, testing and developing the various designs of safety fences currently deployed, particular attention was given to ensuring that errant vehicles are redirected in such a manner as to minimise any hazard to other vehicles.

Three research studies in the past 20 years by the Department's transport and road research laboratory have confirmed that, where such fencing is provided, the general reduction in the number and severity of casualties, particularly in crossover accidents, is substantial. A copy of the most recent report, entitled "Safety Fence Criteria for All-Purpose Dual Carriageway Roads", is in the Library.

Mr. Fearn: To ask the Secretary of State for Transport what percentage of accidents on trunk roads where the

central reservation is equipped with a crash barrier on the edge of such reservation can be ascribed to vehicles rebounding off such barriers into other vehicles.

Mr. Atkins: The information is not available in the precise form requested. The presence or absence of a central reserve safety fence at the site of an injury accident is not collected routinely but is specifically reported when a vehicle hits the fence.

The Secretary of State for Transport is highway authority for trunk roads in England and Wales. On these roads in 1988, there were 1,072 injury accidents in which a vehicle was reported to have collided with the central reserve safety fence. In 302 of these accidents the vehicle was further reported to have rebounded into the carriageway. In 155 of these 302, at least one other vehicle was involved in the accident but it is not possible to determine if any collision between vehicles took place before or after the collision with the central fence. The 155 accidents represent slightly more than half of 1 per cent. of injury accidents on trunk roads in England and Wales in 1988, and roughly 15 per cent. of accidents in which at least one vehicle hit a central reserve safety fence.

London City Airport

Mr. Fearn: To ask the Secretary of State for Transport if he has any plans to license London City airport to receive BAe 146s.

Mr. McLoughlin: The owners of London City airport have made two planning applications which would provide for the use of the airport by the BAe 146 and certain other aircraft which cannot use it at present. The applications have been called in by my right hon. Friend the Secretary of State for the Environment for his decision. A public inquiry into the applications, which will be held jointly with a public inquiry into proposed changes to the design of the east London river crossing, will commence on 3 July.

French Railways

Mr. Speed: To ask the Secretary of State for Transport if he will make an official visit to France to assess the TGV Atlantique train and the environmental protection measures undertaken by SNCF to protect local residents alongside the route.

Mr. Freeman: Other Ministers from my Department have already looked at French TGV services and the environmental protection measures on the TGV Atlantique route.

Traffic Area Offices

Mr. Redmond: To ask the Secretary of State for Transport if he will list the local traffic area offices that he is proposing to close; and if any relocation of staff is planned.

Mr. Atkins: I expect to reach conclusions shortly on the future number and pattern of traffic area offices.

Oil Spillages

Mr. Simon Hughes: To ask the Secretary of State for Transport if he will give details of the clean-up cost for the oil slick in the English Channel from the Rosebay; and how this cost will be apportioned between *(a)* his Department, *(b)* the oil producer, *(c)* the oil transporter and *(d)* local community charge payers.

Mr. McLoughlin: The Rosebay is registered in a state which is a signatory to the international convention on civil liability for oil pollution damage. The owners of the vessel are thus strictly liable for any pollution damage including prevention and clean-up costs. Whilst the owner of a tanker is entitled to limit liability based on the ship's tonnage, in this instance that liability is about £8 million and insurance or other financial security has to be maintained in that sum. This should be more than sufficient to meet all the clean-up costs likely to be incurred by Her Majesty's Government and local authorities in dealing with the oil slick. These cannot be assessed at such an early stage of an on-going operation, but they could well be in excess of £1 million.

Mr. Simon Hughes: To ask the Secretary of State for Transport if he will give details of the location of all oil tanker spillages off the British coast in the last 30 years, the tankers involved and the amount of oil spilled.

Mr. McLoughlin: Details of incidents between 1970 and 1979 involving the Department's clean-up organisation are listed in table 9.2 of the eighth report of the Royal Commission on Environmental Pollution (Cmnd. 8358). The information from 1980 onwards is not readily available in the form requested. I will therefore write to the hon. Member giving details as soon as I can.

Flags of Convenience

Mr. Matthew Taylor: To ask the Secretary of State for Transport if he will list those countries where ships are registered which are deemed by his Department to operate flags of convenience.

Mr. McLoughlin: The Department does not categorise the registers of other countries. The Government are however concerned that flag states live up to their international obligations. As one of the parties to the Paris memorandum on port state control, we more than meet our obligations to inspect foreign ships in British ports.

Mr. Matthew Taylor: To ask the Secretary of State for Transport how many accidents at sea occurring in *(a)* British waters and *(b)* the English channel during the last 10 years have involved either (i) oil tankers or (ii) any other ship flying a flag of convenience; and if he will express this as a percentage of all accidents in both cases.

Mr. McLoughlin: The information is available for United Kingdom vessels only on a worldwide basis. The numbers of accidents involving United Kingdom tankers, expressed as a percentage of the total number of accidents involving United Kingdom vessels, in each of the last 10 years is:

Year	*Number*	*Per cent.*
1979	82	14
1980	74	14
1981	65	12
1982	67	11
1983	54	11
1984	56	11
1985	36	7
1986	39	10

Year	Number	Per cent.
1987	19	4
1988	18	3

Rail Accident Inquiry

Mr. Page: To ask the Secretary of State for Transport whether he proposes to order an inquiry into the rail accident between Chorleywood and Rickmansworth in the early hours of 16 May; and if he will make a statement.

Mr. Freeman: This tragic accident caused the death of four men who were struck by a wagon while undertaking track maintenance work on the Metropolitan line of the London underground. My right hon. Friend has ordered an inquiry into the accident by the railway inspectorate under the Regulation of Railways Act 1871. The inspector's report on the inquiry will be published.

PCB Spillage

Mr. David Shaw: To ask the Secretary of State for Transport what changes of his Department's procedures he has made following his investigation into the PCB spillage at the 1974 channel tunnel workings at Shakespeare cliff.

Mr. Parkinson: My Department arranged for a full internal investigation into the preparation and supervision of the contract made in 1978 for removing a boring machine from the 1974 channel tunnel workings at Shakespeare cliff and into how officers of the Department and other Departments learnt about and dealt with the spillage of polychlorinated biphenyls from the machine. The investigation revealed shortcomings in the contractual arrangements and in the action taken by the Department between 1979 and 1985 to deal with the spillage.

Although it is exceptional for the Department to be involved in the disposal of specialised machinery of this kind, steps are being taken to strengthen the Department's procedures to remove the risk of such shortcomings being repeated. Officers concerned with contracts involving purchase or disposals involving hazardous chemicals are being cautioned on the need to vet the suitability of contractors from that standpoint and to ensure that terms of contracts provide safeguards against accidents or mishandling. The Department has tightened relevant aspects of its internal personnel supervision, reporting and training procedures.

A19

Mr. Devlin: To ask the Secretary of State for Transport if he will make a statement about the further lane closures on the A19 viaducts at Portrack and Leven valley which commenced on 10 May.

Mr. Atkins: The works on the A19 Tees viaduct involve operations which could not be completed during the winter period as part of the main refurbishment scheme. Primarily the work involved is in painting the outer faces of steel plate girders and repaired sections of the bridge parapets, which requires warmer weather conditions. The nearside lane closures will continue until the end of June. They are not expected to cause significant delays to traffic.

The works to Leven valley viaduct are similar and are expected to be completed shortly.

Whaley Bridge Bypass

Mr. Tony Lloyd: To ask the Secretary of State for Transport if he will make a statement on the reports by Allol and Lomax, consulting engineers, into the performance of the consulting engineers employed on the Chapel-en-le-Frith/Whaley Bridge bypass; and if he will place a copy in the Library.

Mr. Atkins: The report is not yet completed. Phase (iii) of the geotechnical investigation is in hand and phase (iv) may be necessary, depending on the outcome of phase (iii). When the full report is available, consideration will be given to placing a copy in the Library.

Level Crossings

Mr. Austin Mitchell: To ask the Secretary of State for Transport what is the number of gated railway crossings with *(a)* automatic barriers and *(b)* controlled barriers and the number of (i) reported accidents and (ii) fatal accidents for each year from 1981 to the latest available date.

Mr. Freeman: Level crossings may be provided with gates, which are manually operated, or with barriers which are either manually operated, or operated automatically by an approaching train. There are no gated crossings with automatic barriers. The table shows the number of level crossings with *(a)* manned gates (MG), *(b)* manually operated barriers (MCB), *(c)* manually operated barriers with CCTV surveillance (MCB/CCTV), *(d)* automatic half barriers (AHB) and *(e)* automatic half barriers with local monitoring (ABCL), in operation in the period 1981 to 1988. The table also shows total numbers of accidents and numbers of fatalities included in those totals, during the same period.

Type	1981	1982	1983	1984	1985	1986	1987	1988
MG	871	802	735	657	576	468	452	473
Number of accidents	19	23	27	27	23	17	12	10
Number of fatalities	—	—	—	—	3	—	—	1
MCB	432	423	403	394	363	338	326	321
Number of accidents	—	—	1	2	1	1	—	—
Number of fatalities	—	—	1	—	—	—	—	—
MCB/CCTV	168	184	194	201	220	228	251	258
Number of accidents	1	1	—	—	—	1	2	3
Number of fatalities	—	—	—	—	—	—	—	—
AHB	250	255	267	280	291	315	323	357
Number of accidents	10	4	6	6	9	9	3	4
Number of fatalities	2	2	2	3	3	5	2	2

Type	*1981*	*1982*	*1983*	*1984*	*1985*	*1986*	*1987*	*1988*
ABCL	—	—	—	—	—	—	—	1
Number of accidents	—	—	—	—	—	—	—	—
Number of fatalities	—	—	—	—	—	—	—	—

AGRICULTURE, FISHERIES AND FOOD

Battery Egg Production

13. **Mr. McAvoy:** To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the welfare implications of battery egg production systems.

Mr. Maclean: The Government have commissioned extensive research into the welfare implications of battery production and other egg production systems. The EC battery hens directive is to be reviewed by the European Commission by the end of 1992 and I shall be seeking a number of welfare improvements including an increase in the minimum space allowance for caged birds.

26. **Mr. Dunnachie:** To ask the Minister of Agriculture, Fisheries and Food when he expects to announce modifications to the regulations regarding battery egg production to improve the welfare of the laying hens.

Mr. Maclean: I plan to introduce amendments to the Welfare of Battery Hens Regulations 1987 later this year which will include improvements to the design of cage openings. The EC Commission is required by the battery hens directive to review current systems for the keeping of laying hens and to bring forward any appropriate proposals for change by the end of 1992.

Green Pound

15. **Mr. David Shaw:** To ask the Minister of Agriculture, Fisheries and Food what effect the announcement of the green pound devaluation will have on farm incomes in 1990-91.

Mr. Gummer: As I have indicated, the decisions on farm prices for 1990-91 should add at least £500 million to farmers' returns in the United Kingdom in a full year. Most of this increase is due to the devaluations agreed for the green pound.

16. **Mr. David Davis:** To ask the Minister of Agriculture, Fisheries and Food by how much the gross income of a farmer growing 200 acres of wheat at 3 tonnes per acre will increase as a result of the green pound devaluation.

41. **Mr. Moss:** To ask the Minister of Agriculture, Fisheries and Food what effect he estimates will arise from the green pound devaluation for cereals.

Mr. Gummer: The recently agreed green pound devaluation, taken in isolation, will increase cereal support prices in the United Kingdom by 10·7 per cent. at the start of the next marketing year. What this means for the income of the individual farmer will, of course, depend upon a number of factors. Prices received by producers are dependent, for example, on local supply and demand and the size and quality of the harvest, as well as the level of support prices.

28. **Mr. Robert G. Hughes:** To ask the Minister of Agriculture, Fisheries and Food what effect the green pound devaluation will have on beef producers.

Mr Gummer: The Agriculture Council agreed a devaluation of the green pound for beef to take effect on 14 May. It will benefit beef producers in a number of ways. It will raise the beef special premium from £29·32 to £31·81; it will increase support from intervention; and, by reducing monetary compensatory amounts by over £40 for an average beast, it will reduce the payment on beef imports and help to stimulate exports. These measures should contribute to producers' returns, and improve price in the beef market.

20. **Mr. David Nicholson:** To ask the Minister of Agriculture, Fisheries and Food by what date green pound monetary gaps will be eliminated.

Mr. Gummer: I refer my hon. Friend to the reply which I gave earlier today to my hon. Friend the Member for Devon, North (Mr. Speller).

Bass Nursery Areas

17. **Mr. Adley:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about proposed bass nursery areas.

Mr. Curry: Our plans to establish 34 nursery areas in coastal waters to protect stocks of juvenile bass were announced on 19 April at column *980*. In these areas fishing for bass from any vessel will be prohibited for all or part of the year. Regulations, to be made under section 5 of the Sea Fish Conservation Act 1967, will be laid before the House shortly.

Intervention Board

18. **Mr. Clelland:** To ask the Minister of Agriculture, Fisheries and Food what time scale he envisages for the transfer of posts from the intervention board in Reading to Newcastle upon Tyne.

Mr. Curry: The transfer of the 350 posts will be spread over the coming two years. The recruitment process will begin shortly when advertisements for clerical staff appear in local papers.

Scottish Fishing Industry

19. **Mr. Foulkes:** To ask the Minister of Agriculture, Fisheries and Food what representations he has received from Scottish west coast fishermen concerning catch limits; and what action he proposes to take.

Mr. Curry: Fisheries departments issued a consultation paper on 26 March seeking an industry-wide view on additional conservation measures off the west coast of Scotland. Comments have been received from Scottish west coast fishermen and we are considering their views together with those of other interested parties.

24. **Mr. Robert Hughes:** To ask the Minister of Agriculture, Fisheries and Food when he last met representatives of the Scottish Fishermen's Association to discuss quotas.

Mr. Curry: I last discussed quotas with representatives of the Scottish fishing industry at the December Fisheries Council. My right hon. and learned Friend the Secretary of State for Scotland and my noble Friend the Minister of State, Scottish Office, with whom I am in close touch, are in frequent contact with Scottish fishing industry organisations.

National Consumer Council

21. **Mr. Jim Marshall:** To ask the Minister of Agriculture, Fisheries and Food when he last met the National Consumer Council to discuss consumer matters.

Mr. Maclean: On 3 April 1990, representatives of the National Consumer Council attended the first of the periodic meetings set up by my right hon. Friend with representatives of consumer organisations.

Cereal Set-aside Schemes

22. **Mr. Strang:** To ask the Minister of Agriculture, Fisheries and Food what was the total sum of money payable to farmers with cereal set-aside schemes in the United Kingdom in 1989; and what estimate he has made of the amount likely to be paid in the current year.

Mr. Curry: A total of £9·8 million was paid in the financial year 1989-90 to participants in the first year of the set-aside scheme and a further £22 million has been allocated in the 1990-91 financial year in respect of participants in the second year of the scheme.

Northumberland Fishing Industry

23. **Mr. Beith:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the present state of the Northumberland fishing industry.

Mr. Curry: The Northumberland industry involves a wide range of stocks including shellfish, salmon and white fish such as cod, haddock and whiting. Catch levels are down this year because of bad weather and because of some variations in stock levels. But prices are holding up well.

Organic Farmers

25. **Mr. Rogers:** To ask the Minister of Agriculture, Fisheries and Food what representations he has received about assistance for organic farmers.

Mr. Maclean: I have received a number of representations. In response I have pointed out that my Department is grant-aiding the United Kingdom register of organic food standards with £60,000 per annum. Last year it supported research directly related to organic farming amounting to £198,000 and other research of assistance to organic farmers amounting to £892,000. In addition last year it commissioned a study of the economics of the production and marketing of organically grown farm produce in Great Britain. Further support is available in the form of advice from the Agricultural Development and Advisory Service. Assistance is given to the formation of co-operatives for organically grown produce under the agricultural and horticultural co-operation schemes. Payments under the fallow options of the set-aside scheme can help farmers with the cost of converting to organic production. Grants under the farm and conservation grant scheme can go towards investment in organic production, and I intend shortly to issue a consultation document on a pilot whole farm organic extensification scheme under the EC extensification scheme.

Food Labelling

27. **Mr. Martyn Jones:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about the labelling of food for welfare criteria.

Mr. Maclean: I have specifically asked the Food Advisory Committee, as part of its current comprehensive review of food labelling, to address the question of whether particular methods of rearing or slaughtering animals should be indicated on food labels. The views of all interested parties have been sought and the committee hopes to report to Ministers with recommendations by the end of the year.

National Farmers Union

29. **Dr. Marek:** To ask the Minister of Agriculture, Fisheries and Food when he last met the National Farmers Union to discuss farming.

Mr. Gummer: I meet representatives of the National Farmers Union frequently to discuss agricultural matters. At the most recent such meeting, on 27 April, discussion centred on the outcome of the price-fixing negotiations.

State Veterinary Service

30. **Mr. Gareth Wardell:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about the future of the state veterinary service.

Mr. Maclean: I believe that the state veterinary service will continue to play a vital role in the fields of animal and public health.

EC Rural Policy

31. **Mr. Andy Stewart:** To ask the Minister of Agriculture, Fisheries and Food how much the European Community Commission is putting into its rural world policy; and what share his Department will have to bear.

Mr. Gummer: The "Rural World" document published in 1988 was an analysis of rural problems and a series of ideas for overcoming them. It made no specific proposals and no expenditure was budgeted for at that time. The EC Commission has recently announced that 400 mecu (about £280 million) has been earmarked to deal with problems of rural development but has not yet made any proposals on how this money will be spent.

Following the reform of the structural funds in 1988, 38 becu (£27 billion) was allocated over the period 1989 to 1993 for expenditure in objective 1 areas (which are the least developed areas in the Community and include substantial rural areas). In addition, 2·6 becu (£1·8 billion) has been allocated to objective 5(b) areas (which are other rural areas in need of development). My Department does not contribute to the funding of investments under these programmes.

British Veterinary Association

32. **Mr. John P. Smith:** To ask the Minister of Agriculture, Fisheries and Food when he last met the British Veterinary Association to discuss matters within its responsibilities.

Mr. Maclean: I attended a working lunch with the BVA on 28 February; another is being arranged. My officials have regular discussions with the association on many issues and my right hon. Friend the Minister was pleased to be able to speak on 5 April 1990 to the annual general meeting of the Pig Veterinary Society, which is a constituent body of the BVA.

Farm Animal Welfare

33. **Mr. Bellingham:** To ask the Minister of Agriculture, Fisheries and Food what progress he is making in gaining Europe-wide support for his proposals on farm animal welfare.

Mr. Maclean: Discussions are continuing on Commission proposals for the protection of calves and pigs. The Commission has also tabled proposals on protection of animals in transport and is preparing proposals in other areas of animal welfare. We will continue to take every opportunity to press for high standards of animal husbandry throughout the Community.

43. **Mr. Flynn:** To ask the Minister of Agriculture, Fisheries and Food when he expects to lay the parliamentary orders necessary to implement recent recommendations of the Farm Animal Welfare Council.

Mr. Maclean: The Farm Animal Welfare Council has recently published reports on the handling and transport of poultry and on the enforcement of animal welfare legislation. My Department is currently seeking views from interested organisations on these recommendations and the Government's response to them will be published when all comments have been carefully considered.

Beef Industry

34. **Mr. Matthew Taylor:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the present state of the beef industry.

Mr. Curry: The beef breeding herd is at its highest level for a decade. Last year there was a rise of 9 per cent. over 1988. The devaluation of the green pound agreed in the price fixing will further assist the industry by increasing the value of the beef special premium and the support provided by intervention; and, through lower monetary compensatory amounts, beef exports should be stimulated and the impact of imports on the market reduced.

Farm Investment

35. **Mr. Nicholas Bennett:** To ask the Minister of Agriculture, Fisheries and Food what information he has as to farm investment in 1989.

Mr. Gummer: The value of new investment in the United Kingdom agricultural industry is estimated to have been about £1,000 million in 1989.

Food From Britain

36. **Mr. Favell:** To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to improve the performance of Food From Britain.

Mr. Gummer: Earlier this year I announced an extension, by two years to March 1993, of the Government contribution to the funding of Food From Britain. On 30 April I announced the appointment of Paul Judge as the new chairman of Food From Britain. I am confident that he will continue the good work done by his predecessor, Walter Goldsmith. It is now for the industry to work together with Food From Britain to continue to improve the marketing of British food and drink and, in particular, to gear itself up to meet the challenges and opportunities of the single European market.

Inshore Fishing Industry

37. **Mr. Campbell-Savours:** To ask the Minister of Agriculture, Fisheries and Food what recent discussions he has had on aids to the inshore fishing industry.

Mr. Curry: The Minister and I are in regular contact with fisheries organisations about a wide range of issues affecting the inshore fleet.

British Sausages

38. **Mr. Cox:** To ask the Minister of Agriculture, Fisheries and Food if he will oppose any action that would lead to the banning of the British sausage by the EEC.

Mr. Maclean: I refer the hon. Member to the reply I gave to my hon. Friend the Member for Bury, North (Mr. Burt) on 15 May 1990 at column *394*.

Atrazine

39. **Mr. Colvin:** To ask the Minister of Agriculture, Fisheries and Food if he will introduce controls over the use of the herbicide atrazine; and if he will make a statement.

Mr. Maclean: The herbicide atrazine is subject to the strict controls on all pesticides introduced in the Food and Environment Protection Act 1985. It is on the Government's red list of substances whose inputs to the aquatic environment must be reduced substantially.

The Advisory Committee on Pesticides is conducting a review of all pesticides registered before 1981, and intends to give atrazine a high priority.

Butter

40. **Mr. Simon Coombs:** To ask the Minister of Agriculture, Fisheries and Food what percentage of butter consumed in the United Kingdom originates in *(a)* the United Kingdom, *(b)* other European Community countries, *(c)* New Zealand and *(d)* elsewhere in the world.

Mr. Curry: The following are provisional estimates for 1989:

Origin of butter consumed in the United Kingdom

	Per cent.
(a) United Kingdom	55·6
(b) New Zealand	24·2
(c) Elsewhere in the world	20·2

Sheep Industry

42. **Mr. Livsey:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the current state of the sheep industry.

Mr. Curry: Prices for finished lamb have been strong so far this year, although they are now falling back in line with the normal seasonal pattern. Exports remain well up on the corresponding period in 1989 as our industry continues to take advantage of the export opportunities offered by the reformed EC sheepmeat regime.

Meat Products

44. **Mr. Gill:** To ask the Minister of Agriculture, Fisheries and Food what representations he has received regarding European Community draft regulations for fresh meat and meat products.

Mr. Maclean: We are consulting all interests concerned about the EC proposals for fresh meat and meat products in the single market. The views we have received indicate a wide degree of support for the principle of a single standard for all meat plants after 1992. However, the Commission's proposals contain some unnecessary restrictions on the composition of some products such as minced meat, which the Government will continue to resist firmly.

Hill Farmers

45. **Mr. Amos:** To ask the Minister of Agriculture, Fisheries and Food if he will list the measures which he has taken in the last year to assist hill farmers in the less-favoured areas; and if he will make a statement.

Mr. Gummer: My response to my hon. Friend's question on 19 April listed the ongoing schemes to assist farmers in the less-favoured areas. In July 1989 the Government submitted an application to the EC Commission for an extension of those areas. We await a formal response.

Soil Association

46. **Mr. Alan W. Williams:** To ask the Minister of Agriculture, Fisheries and Food when he last met representatives of the Soil Association to discuss matters within its responsibilities.

Mr. Maclean: On 30 April 1990.

Crustaceans, Devon

47. **Mr. Steen:** To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to protect the crustacean stocks off the south Devon coast.

Mr. Curry: Crab and lobster stocks are already subject to minimum landing size regulations. The Undersized Crabs (Variation) Order 1989 prescribes a minimum size of 160 mm for male, and 140 mm for female crabs landed in south Devon, and Council regulation (EEC) No. 3094/86 prescribes a minimum carapace length of 85 mm for lobsters landed throughout our waters.

Milk Marketing Boards

Mr. John D. Taylor: To ask the Minister of Agriculture, Fisheries and Food whether he has any proposals for changes in the role and responsibilities of the five milk marketing boards in the context of the European Community.

Mr. Curry: I have repeatedly made clear my views that our milk marketing arrangements need to be more flexible and market-oriented.

The current pricing and allocation arrangements do not serve our industry well in meeting the increasing competition within the Community, but it is for the industry, not Government, to identify the changes needed. Therefore, I am not making proposals but am encouraging the Milk Marketing Board and the Dairy Trade Federation to come forward with their own proposals. I will do all I can to assist them.

Fishing Industry

Mr. Austin Mitchell: To ask the Minister of Agriculture, Fisheries and Food when he last met members of the National Federation of Fishermen's Organisations to discuss quotas.

Mr. Curry: I last met representatives of the National Federation of Fishermen's Organisations during my visit to Hastings on 14 May. A number of issues were discussed of importance to fishermen locally and nationally including United Kingdom quotas and their management.

Poultry Industry

Mr. Geraint Howells: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the present state of the poultry industry.

Mr. Curry: The market for poultrymeat remains firm and stable. Packer to producer prices for eggs are well above the levels for this time last year.

Agricultural Research and Development

51. **Mr. Sean Hughes:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about the future of agricultural research and development.

Mr. Gummer: I believe agricultural research and development will continue to make a strong and important contribution in the future. My Department is committed to R and D as a means of stimulating technological development in the agricultural industry, and I have encouraged the industry to invest more in its own future. In addition we support work which is aimed at issues of public interest such as food safety, animal welfare and environmental protection.

Irradiated Food

52. **Mr. O'Brien:** To ask the Minister of Agriculture, Fisheries and Food what arrangements are being made to ensure customers have a choice in relation to the purchase of irradiated food; and if he will make a statement.

Mr. Gummer: I have already stated several times that we intend that consumers will be given clear information

indicating whether foodstuffs have been irradiated. The EC food labelling directive has been amended to provide for the appropriate labelling of prepacked foodstuffs. I propose to introduce requirements extending the provisions to non-prepacked foodstuffs and food sold through catering outlets. I shall be consulting interested parties on my proposals in due course.

Fish Licensing

Mr. Harris: To ask the Minister of Agriculture, Fisheries and Food when he intends to issue a consultation paper about further changes to the fish licensing arrangements.

Mr. Curry: We will be circulating within the next few days to fishing industry organisations a consultation document on Government proposals for further changes to the United Kingdom's licensing system for fishing vessels, which would allow fishermen to acquire increased fishing opportunities without necessarily increasing their fishing capacity. Comments are required by 31 July. Subject to the views expressed, it is hoped to introduce the new arrangements in 1991. Copies of the consultation document have been placed in the Library of the House.

Bovine Somatotropin

Mr. Matthew Taylor: To ask the Minister of Agriculture, Fisheries and Food whether milk collected from cows injected with bovine somatotropin is still on sale to the public; and if he will make a statement.

Mr. Maclean: Yes. The Veterinary Products Committee has confirmed its advice that there is no risk to consumers.

Mr. Matthew Taylor: To ask the Minister of Agriculture, Fisheries and Food if he will make a further statement on the animal welfare implications of bovine somatotropin.

Mr. Maclean: We attach great importance to animal safety and welfare and I know that the Veterinary Products Committee is examining in detail the short and long-term welfare implications of BST with the help of data from the current field trials.

Mr. Matthew Taylor: To ask the Minister of Agriculture, Fisheries and Food what research has been undertaken to establish differences in molecular structure between naturally occurring and genetically engineered bovine somatotropin; and if he will make a statement.

Mr. Maclean: Among the data required from companies in support of their applications for ATCs and PLs are the results of their research to establish the molecular structure of their BST material and an account of any differences from natural versions of BST.

Mr. Matthew Taylor: To ask the Minister of Agriculture, Fisheries and Food if he will outline the Department's policy in respect of bovine somatotropin.

Mr. Maclean: The Department's policy has not changed: no licence for any BST product shall be issued until an applicant company satisfies independent experts that it meets stringent criteria of safety, quality and efficacy as required by the Medicines Act.

Mr. Matthew Taylor: To ask the Minister of Agriculture, Fisheries and Food if he will make a further statement on the residue levels in milk from cows injected with bovine somatotropin.

Mr. Maclean: The Veterinary Products Committee has concluded that BST levels in milk from cows injected with BST fall within the normal range of variability.

Bovine Spongiform Encephalopathy

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food (1) whether he will now carry out random tests for bovine spongiform encephalopathy on slaughtered cattle heads; and if he will make a statement;

(2) whether he will now stop feeding pigs and other animals cattle offal to prevent the spread of bovine spongiform encephalopathy; and if he will make a statement;

(3) whether he will now impose a statutory ban on the use of sheep and cattle offal in pet food; and if he will make a statement.

Mr. Gummer: I refer the hon. Member to the reply given to the hon. Member for Caerphilly (Mr. Davies) on 16 May.

Spongiform Encephalopathy

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will make available to Dr. Natrang of the public health laboratory at Newcastle brain tissues from the cat recently found to have spongiform encephalopathy for further diagnostic analysis.

Mr. Gummer: No. Samples from this cat were referred to the central veterinary laboratory by Bristol veterinary school for a definitive diagnosis.

Waste Disposal

Mr. Simon Hughes: To ask the Minister of Agriculture, Fisheries and Food why the 1987 licence to dump explosives from ICI's Nobel division in the Clyde estuary was excluded from the 1989 disposal of waste at sea report; what other licences granted in respect of dumping at sea have been excluded from the report; and if he will make a statement.

Mr. Curry: Disposal at sea in Scottish waters is a matter for my right hon. and learned Friend the Secretary of State for Scotland. The report published in 1989 covered dumping of wastes at sea throughout Great Britain in 1986 and 1987 and includes all licences issued for that purpose for England and Wales under part II of the Food and Environment Protection Act 1985. In covering licensed dumping at sea it did not extend to operations exempt from licensing under the Deposits in the Sea (Exemptions) Order 1985 (SI 1985 No. 1699), nor to materials dumped by the Ministry of Defence which have Crown exemption from licensing.

The report was not intended to deal with other activities controlled by licensing under part II of the Act, including construction works below mean high water, use of tracers in research, application of biocides and burial at sea.

Written Answers to Questions

Friday 18 May 1990

EDUCATION AND SCIENCE

Inner London Education Authority

Mr. Cartwright: To ask the Secretary of State for Education and Science who has responsibility for paying arrears of pay to former employees of ILEA whose contracts of employment were not taken over by the successor boroughs.

Mrs. Rumbold: The London residuary body has that responsibility for all ex-ILEA employees who were not transferred by statutory order to the employment of the inner London councils.

Special Needs Education (Training Grants)

Mr. Flynn: To ask the Secretary of State for Education and Science whether he will extend the in-service support from the local education authority training grants scheme for special support assistants, nursery nurses and other carers involved in providing special needs education.

Mr. Alan Howarth: The Government have no plans to extend the scheme specifically to cover these or other groups.

Zidovudine

Mr. Alfred Morris: To ask the Secretary of State for Education and Science if, pursuant to the reply to the right hon. Member for Manchester, Wythenshawe, 15 December 1989, *Official Report*, column *832*, he will make a further statement on the progress of the Medical Research Council/INSERM trial of zidovudine.

Mr. Jackson: I understand from the Medical Research Council that the trial is continuing satisfactorily and that there is no significant information to add to that provided in my previous reply of 15 December 1989.

Mr. Alfred Morris: To ask the Secretary of State for Education and Science if he will update the figures of participants in the Medical Research Council/INSERM trial of zidovudine given in reply to the right hon. Member for Manchester, Wythenshawe, on 15 December 1989, *Official Report*, column *832*.

Mr. Jackson: The number of participants enrolled in the Medical Research Council/INSERM trial of zidovudine up to 15 May was 772 in the United Kingdom and 727 in France.

Grant-maintained Schools

Mr. Oppenheim: To ask the Secretary of State for Education and Science what is the total of the capital allocations to grant-maintained schools in 1990-91.

Mrs. Rumbold: On 26 January I announced allocations of capital grant to grant-maintained schools totalling £6·6 million for the financial year 1990-91, at columns *900-2*. I said that a further sum of up to £1·9 million was available for grant-maintained schools to meet commitments and contingencies. A total of about £8 million has now been allocated.

HOME DEPARTMENT

Electoral Rights

Mr. David Nicholson: To ask the Secretary of State for the Home Department which Commonwealth countries and colonies enjoy reciprocal arrangements by which their citizens resident in the United Kingdom enjoy the right to vote in United Kingdom elections; and what is his estimate of the number of such people who had that right at the time of the 1987 general election.

Mr. Peter Lloyd: Commonwealth citizens resident in the United Kingdom, who are not otherwise disqualified, are eligible to register as electors and vote at elections here. The table lists those Commonwealth countries and dependent territories which allow British citizens, subject to residency qualifications, to register as electors. Approximately half a million Commonwealth citizens living in the United Kingdom were eligible to vote at the 1987 general election. Of these, about 150,000 were from countries which allow reciprocal voting rights to British citizens.

Commonwealth Countries and United Kingdom Dependent Territories which allow voting rights to British citizens

Anguilla	Montserrat
Antigua and Barbuda	Mauritius
Barbados	New Zealand
Belize	Pitcairn
Dominica	St. Helene
Falkland Islands	St. Kitts and Nevis
Gibraltar	St. Lucia
Grenada	St. Vincent
Guyana	Sierre Leone
Hong Kong	Trinidad and Tobago
Jamaica	Tristan da Cunha

Passports

Mr. Higgins: To ask the Secretary of State for the Home Department why it was decided that British passports should no longer specify residence, height and distinguishing marks.

Mr. Peter Lloyd: These details, which are no longer considered to be essential for identification of the passport holder, were deleted in the interests of efficiency, and to meet the requirements of the international standard for machine-readable passports.

New Hall Prison

Mrs. Ann Taylor: To ask the Secretary of State for the Home Department if he will make a statement on the categories of prisoners to be accepted by New Hall prison when the present extension is complete.

Mr. Mellor: It is planned that Her Majesty's prison and young offender institution New Hall should continue to hold both remand and sentenced female prisoners who are required to be kept in closed conditions, with the exception of those classified as category A (prisoners requiring the highest level of security).

Immigration

Mr. Marlow: To ask the Secretary of State for the Home Department how many arriving persons at United Kingdom points of entry have been allowed to go to temporary addresses while their cases have been considered in each of the last five years and the current year to date; and, in each year, how many have absconded.

Mr. Peter Lloyd: The available information is given in the table:

Number of passengers (a) granted temporary admission and (b) who absconded

Year	*Number of passengers granted temporary admission*			*Total number of passengers who absconded*[1]
	Pending further examination	*After being refused entry*	*Total*	
1985	[2]6,746	[2]6,595	[3]—	388
1986	12,414	10,757	[3]—	1,161
1987	[3]—	[3]—	7,517	821
1988	[3]—	[3]—	8,692	401
1989	[3]—	[3]—	13,744	475
Year ending 31 March 1990	[3]—	[3]—	14,870	488

[1] Includes passengers who absconded from the control, temporary admission and detention.
[2] For April to December. Comprehensive data are not available for the first three months of 1985.
[3] Not available.

The temporary admission figures for 1985 and 1986 were on a different basis from those for later years. Figures for 1985 and 1986 separately identified those granted temporary admission pending further examination, from those granted temporary admission after being refused entry, with the result that those granted temporary admission under both circumstances were counted twice. In subsequent years those granted temporary admission under both circumstances have been counted once only.

Prison Population

Mr. Lawrence: To ask the Secretary of State for the Home Department what are his most recent figures for the movement in the overall prison population over the last 12 month period.

Mr. Mellor: On Friday 11 May the total prisoner population including those in police cells was 45,671. This compares with 49,147 at the same time last year.

Suicide

Mr. Terry Davies To ask the Secretary of State for the Home Department (1) how many attempted suicides have taken place in Birmingham prison in each of the last five years;

(2) if he will provide a month by month breakdown of the number of attempted suicides by inmates in Birmingham prison in 1989.

Mr. Mellor: The number of inmates who were recorded as having attempted suicide at Birmingham prison in 1987 was 25; in 1988, 13; and in 1989, 24. No information is available for earlier years. A month-by-month breakdown of the figure for 1989 is given in the table:

Number of inmates recorded as having attempted suicide at HM Prison Birmingham in 1989

	Numbers
January	2
February	2
March	4
April	3
May	—
June	2
July	2
August	—
September	4
October	1
November	—
December	4
Total	24

Magistrates

Mr. Sheerman: To ask the Secretary of State for the Home Department to what extent race-awareness training is a part of the current training procedure for magistrates.

The Attorney-General: I have been asked to reply.

The Judicial Studies Board is responsible for supervising the training of the lay magistracy, which is carried out locally. The revised syllabus set out in the "Handbook For The Training of Magistrates", published by the board earlier this year and approved by the Lord Chancellor, requires newly appointed magistrates to be given instruction in

"awareness of the different ethnic, cultural and religious backgrounds of those with whom they may have to deal as defendants or witnesses".

In addition, "Ethnic Minority Cultures" is an approved subject for inclusion in further training for magistrates.

Mr. Kemel Karaca

Mrs. Dunwoody: To ask the Secretary of State for the Home Department if he will expedite the date for the appeal of Mr. Kemel Karaca, formerly of Crewe, to enter the United Kingdom.

Mr. Sainsbury: I have been asked to reply. In accordance with the guidelines on the handling of representations by Members of Parliament in immigration cases, issued to Members on 14 December 1988, I have referred the question to the correspondence unit of the migration and visa department of the Foreign and Commonwealth Office. The hon. Member will receive a reply from the unit as soon as possible.

TRANSPORT

Channel Tunnel

Mr. French: To ask the Secretary of State for Transport whether he has agreed British Rail's recent proposals for further investment connected with channel tunnel passenger rail services.

Mr. Parkinson: I am pleased to announce my approval of British Rail's proposals for investment of £174·2 million to build an international passenger terminal at Waterloo and a train depot at Willesden for maintaining international trains. These are major items in British Rail's plans to spend over £1 billion so that a full international passenger and freight service can begin on the day that the channel tunnel opens.

Sir John Stanley: To ask the Secretary of State for Transport whether it remains his policy that British Rail's commuter services in peak hours should not be cut back to accommodate channel tunnel international passenger and freight trains when the channel tunnel opens in 1993.

Mr. Freeman: I understand that British Rail stands by its assurance given to Parliament during the passage of the Channel Tunnel Act that existing services would not be curtailed by the introduction of channel tunnel rail services.

Search and Rescue Service

Mr. Speller: To ask the Secretary of State for Transport whether any hoax telephone call or message was received on Wednesday 16 August 1989 which interfered with the search and rescue service in the Bristol channel area.

Mr. McLoughlin: Nationally some 30 per cent. of calls received by the coastguard are false alarms and a further 3 per cent. are "hoaxes", so officers must be alert to this possibility. However, there were no hoax calls or messages which interfered with search and rescue operation in the Swansea coastguard district on 16 August 1989.

London Taxi Fares

Mr. Bendall: To ask the Secretary of State for Transport whether he will make a statement about London taxi fares.

Mr. Freeman: The Secretary of State has made an order increasing London taxi fares by about 9·2 per cent. on average with effect from Friday 8 June 1990. The new tariff will incorporate a minimum fare of £1·00 (including an unchanged hire charge of 40p) for the first 1,021·5 yd or 3 minutes 36 seconds. The rate will then be 20p for every 340·5 yd or 1 minute 12 seconds up to 6 miles and 20p for each 227 yd or 48 seconds thereafter.

British Rail Freight

Mr. Key: To ask the Secretary of State for Transport if he will make a statement about investment in British Rail's deepsea container freight business.

Mr. Freeman: I am pleased to announce that I have given approval to the Board's proposal to invest in 700 new container-carrying wagons for BR's deepsea container business at a cost of some £40 million. This will enable British Rail to offer its customers a more reliable service and to improve the financial performance of this part of its freight business.

HEALTH

Nurses (Training)

Mr. Robin Cook: To ask the Secretary of State for Health how many trainees have entered nursing for a state registered nurse or registered general nurse course in England for each of the last five years.

Mrs. Virginia Bottomley: The information is given in the table:

Numbers of entrants to registered general nurse training in England—years ended 31 March 1985 to 1989

	Number
1985	14,903
1986	14,208
1987	14,002
1988	13,581
1989	14,473

Source: Statistics provided by the English National Board for Nursing, Midwifery and Health Visiting.

Sight Tests

Mr. Kirkwood: To ask the Secretary of State for Health what information he has on the average cost of private sight tests.

Mrs. Virginia Bottomley: The price of a private sight test is a matter for individual opticians. It is up to them to use their best commercial judgment and set their prices accordingly.

Mr. Kirkwood: To ask the Secretary of State for Health how many people annually he expects to qualify for help with the cost of a private sight test on the grounds of low income.

Mrs. Virginia Bottomley: This information is not available.

Community Care

Mr. Hannam: To ask the Secretary of State for Health what steps he is taking to ensure that local authorities are required to allow disabled people to give their views about their community care needs during the assessment procedure and are required to produce a written statement of the outcome of the assessment procedure if requested by the disabled person.

Mrs. Virginia Bottomley: Our White Paper "Caring for People" said that assessments should take account of the wishes of the individual. This includes disabled people. In our guidance to local authorities on assessment procedures we intend to emphasise the importance of involving the individual user in the assessment. We also intend to make it clear that decisions should be conveyed in writing when requested by the person concerned.

Hormone Replacement Therapy

Mrs. Gorman: To ask the Secretary of State for Health what recent representations he has received regarding the effects of hormone replacement therapy in connection with osteoporosis.

Mrs. Virginia Bottomley: I refer my hon. Friend to the reply I gave her on 19 March at column *460*. Since then we have received representations about osteoporosis and hormone replacement therapy from the all-party parliamentary group for pensioners on behalf of the National Federation of Women's Institutes and from hon. Members on behalf of the National Osteoporosis Society. I shall also be meeting the National Osteoporosis Society shortly to discuss these matters.

Alcohol Services

Mr. Tom Clarke: To ask the Secretary of State for Health whether the allocation of £3·83 million for the development of alcohol services, announced by Baroness Hooper, includes an amount for Scotland; and if he will make a statement.

Mr. Dorrell: No. The sum to which the hon. Member refers has been allocated to Alcohol Concern for the development of alcohol services in England.

Health Benefit Scheme

Mr. Flynn: To ask the Secretary of State for Health (1) how many people claimed health benefits in 1989-90 through their automatic entitlement as claimants of income support or family credit; how many claimed help as a result of the low income scheme: and if he will estimate how many people would be able to claim in 1990-91 if the passport was extended to cover housing benefit and community charge benefit;

(2) what is the rate of take-up of health benefits for *(a)* claimants with automatic entitlement and *(b)* claimants entitled to help under the low income scheme.

Mr. Dorrell: Information concerning help with NHS charges and hospital travel costs for people receiving income support or family credit or who qualify for help on low income grounds is derived from the number of occasions help is provided which does not always identify the numbers of individual patients who have benefited. Nor is it possible to estimate how many people would be able to claim health benefits if the passport was extended to cover housing benefit and community charge benefit because some of them will already qualify for health benefits on other grounds.

Mr. Flynn: To ask the Secretary of State for Health for every £ sterling of expenditure on the agency benefits low income scheme for help with costs of glasses, wigs and fabric supports, prescriptions, dental charge and hospital travel costs, how much is spent on administering the scheme.

Mr. Dorrell: Information in the form requested is not available.

Mr. Flynn: To ask the Secretary of State for Health what is the average time taken to process a claim for help under the low income scheme for health benefits; how it differs between the different benefits; and what is the average time taken to process a claim from a claimant with automatic entitlement to health benefits.

Mr. Dorrell: The Department of Social Security administers the low income scheme for health benefits and help with hospital travel costs on behalf of the Department of Health. It has advised that in the year ending 30 April 1990 around 86 per cent. of all claims received were cleared within 10 working days.

Persons who have automatic entitlement to help with those benefits and those who have established their entitlement under the low income scheme obtain that help simply by declaring that entitlement when requiring those benefits.

Cancer

Mr. O'Brien: To ask the Secretary of State for Health what form of report he receives from the Yorkshire regional cancer registry.

Mr. Dorrell: The Yorkshire regional cancer registry submits records of newly diagnosed cases of cancer for its region to the Office of Population Censuses and Surveys (OPCS) in the form of a magnetic tape once the data for a particular year are judged to be complete. The records contain information which enables OPCS to maintain its cancer surveillance system and to produce the national annual reference volumes on cancer incidence.

General Practitioner Beds

Mr. Wigley: To ask the Secretary of State for Health what is his Department's policy towards the provision of general practitioner beds as a move towards more comprehensive community care, respite care, and recuperation in the community.

Mrs. Virginia Bottomley: Health authorities are required to draw up plans for the provision of health care services to the population for whom they are responsible. The provision of general practitioner beds is an option we would expect them to consider as part of this process.

Resource Management Programme

Mr. O'Brien: To ask the Secretary of State for Health what proportion of the money made available by his Department for the resource management programme has been allocated to *(a)* St. James hospital, Leeds, *(b)* Pontefract general infirmary and *(c)* Pinderfields hospital, Wakefield.

Mr. Dorrell: Since March 1989 Yorkshire regional health authority has been allocated nearly £7 million for the resource management programme. In March 1989 nine hospitals in the Yorkshire region, including St. James' hospital, Leeds and Pontefract general infirmary, were selected to prepare and implement the resource management programme. In January 1990 a further five hospitals, including Pinderfields general hospital, were selected to prepare and implement the programme in 1990-91. Although the financial allocation made to Yorkshire regional health authority takes account of the number of its designated hospital sites it is for the regional health authority to decide how these additional funds are allocated to the sites.

Psychiatric Patients

Mr. Harry Greenway: To ask the Secretary of State for Health what information he has on the number of patients from psychiatric institutions who were released into the community who have been readmitted to psychiatric institutions; and if he will make a statement.

Mr. Dorrell: Most readmissions to mental illness hospitals are of short duration and are part of a planned

programme of care. No information is available centrally on emergency readmissions of long-stay patients released into the community.

The total number of readmissions to mental illness hospitals and units in England is set out in the table:

Year	Numbers
1979	120,073
1980	127,184
1981	132,893
1982	133,475
1983	138,080
1984	138,431
1985	146,895
1986	145,578

Source: Mental Health Inquiry.
Note: These figures represent in-patients readmitted to a psychiatric hospital subsequent to a previous admission to that, or another, psychiatric hospital, although not necessarily in the same year. The number of readmissions reported each year do not correspond to individual patients since the same patient can be readmitted more than once during the year.

Bellwin Scheme

Mr. Redmond: To ask the Secretary of State for the Environment if he will give the dates of, and the events which led to, the activation of the Bellwin scheme since 1 April 1989.

Mr. Portillo: The Bellwin scheme has been activated in England on the following occasions since 1 April 1989:

Activation	Scope	Event	Date
25 January 1990	England	Storms	25 January 1990
26 January 1990	England	Storms	16-17 December 1989
5 February 1990	Severn Valley	Flooding	late January 1990
1 May 1990	Maidenhead	Flooding	early February 1990
1 May 1990	England	Storms	26-28 February 1990

Earth Tremors

Dr. Marek: To ask the Secretary of State for the Environment what information he has on trends in the incidence of earth tremors and earthquakes in the United Kingdom; and whether any research has been done on a possible relationship with the abstraction of oil and gas in the North sea.

Mr. Moynihan: Earthquakes in the United Kingdom are monitored by the British geological survey (BGS) using a network of seismometers which is being upgraded at present under contracts placed by a number of organisations, including my Department. Historical events and recent monitoring records, which are published by the BGS, have not yet established any trends towards changes in patterns of seismic activity.

There is frequent seismic activity associated with natural geological structures beneath parts of the North sea. However, there is no evidence for any relationship between the abstraction of oil and gas in the North sea and earthquake activity although, for some small earthquakes, the possibility cannot be discounted.

Local Government Finance

Mr. Hayward: To ask the Secretary of State for the Environment if he will review the closing date for claims of entitlement to rebates and transitional relief as it relates to the community charge.

Mr. Leadbitter: To ask the Secretary of State for the Environment if he will bring forward proposals on claims for rebates and relief in respect of the community charge to allow a longer time scale for claims to be lodged.

Mr. Chope: The Government have no plans to review the relevant provisions. For community charge benefit, claims may be backdated by up to 56 days after the issue of a community charge bill or longer where there is good cause for a delayed application. Rates-related transitional relief is calculated automatically by authorities and no application is required. The special form of transitional relief for certain pensioners and disabled people requires application which can be made at any time up to 1 October 1990 or such later date as a charging authority allows and all adjustments are made with effect from 1 April 1990.

Mr. Leadbitter: To ask the Secretary of State for the Environment if he will consider in his forthcoming review of proposals for modification of the community charge that element which has been added to the charge for local government services to meet the losses on non-payment of the charge to be returned to community charge payers taking into account the actual non-payment before the end of the financial year, and after all legal steps have been taken to obtain payment.

Mr. Chope: No. Local authorities have always had to make an allowance for losses on collection and in this respect the community charge is no different from the old domestic rating system. The single change introduced is the design of the community charge demand notice which identifies this element so that local charge payers can consider whether their authority is being efficient in collecting the community charge.

Mr. Hardy: To ask the Secretary of State for the Environment what is the actual level of outstanding debt faced by Rotherham local authority; and what was the level recognised by his Department for the purposes of the standard spending assessment for 1990-91.

Mr. Chope *[holding answer 14 May 1990]:* The actual level of outstanding debt, as at 31 March 1990, is not yet known. The assumed level of outstanding debt as defined for the standard spending assessment is £66,657,656; this figure relates to 31 March 1990 and includes a share of the assumed outstanding debt for the South Yorkshire passenger transport authority.

Mr. Redmond: To ask the Secretary of State for the Environment whether, where the cost of community charge collection exceeds the amount outstanding from an individual, and the local authority should write off the charge, the local authority will be deemed responsible to have collected this amount, and be charged for it by central Government, when assessing the community charge payable for the following financial year.

Mr. Chope: The amount of grant payable to each charging authority is calculated on the basis of the number of people shown on the register as being liable to pay the charge. It does not vary according to the number of charges actually collected.

Gipsies

Mr. David Nicholson: To ask the Secretary of State for the Environment in how many appeals on applications on behalf of gipsies for residential development his Department's inspectors have reversed decisions taken by *(a)* Taunton Deane borough council and *(b)* the other four district councils in Somerset, since 1 January 1986.

Mr. Chope: The Department's records show that:

(a) two appeals have been allowed against decisions of the Taunton Deane borough council to refuse applications made by or on behalf of gipsies for planning permission for residential development;

(b) one further similar appeal has been allowed in the area covered by the other four district councils in Somerset.

Mr. David Nicholson: To ask the Secretary of State for the Environment when he proposes to announce his decision on the inquiry which ended in March 1989, into Somerset county council's proposal for a transit gipsy site; and if he will make a statement on the provision and distribution of gipsy caravan sites in each of the five districts of Somerset.

Mr. Chope: My right hon. Friend the Secretary of State hopes to issue his decision in this case as soon as possible.

Gipsy site provision is the statutory responsibility of the county council, but authorised sites can also be provided privately by gipsies themselves. Somerset county council has six sites (all residential) as listed in the table:

	Pitches
Mendip DC—Berk ley, near Frome	8
Sedgemoor DC—Westonzoyland	8
South Somerset DC—Chubbards Cross, Ilton	15
South Somerset DC—Marsh Lane, Tintinhull	11
Taunton Deane BC—Otterford	12
West Somerset DC—Farringdon Hill Lane, Stogursey	10
Total pitches	64

The Department does not collect information on private gipsy sites on the form requested but according to the latest available figures produced by the district councils there are 26 gipsy caravans accommodated on private authorised sites in Taunton and two in Mendip.

Crown Suppliers

Mr. Leigh: To ask the Secretary of State for the Environment if he will make a statement about the trading results of the Crown Suppliers.

Mr. Chope: The Comptroller and Auditor General has today laid before the House the annual accounts for the Crown Suppliers for 1989. TCS recorded a deficit on its ordinary activities of £2·5 million on a turnover of £165 million. I have placed in the Library a copy of the chief executive's report. He says that a surplus would have been made, as in previous years, but for the reduction in turnover of £57 million which resulted from the transfer to other Government Departments of activities which are not to be privatised, with insufficient time available in the period to make commensurate reductions in overheads. Sales for the first quarter of 1990 were above budget, and the business has been restructured to prepare it for privatisation.

SOCIAL SECURITY

Family Credit

Mr. Wigley: To ask the Secretary of State for Social Security how many families in Wales are in receipt of family credit.

Mrs. Gillian Shephard: At the end of December 1989, the latest date for which comprehensive information is available, the number of families receiving family credit who at the time of their award were living in Wales was 20,500.

Industrial Injuries

Mr. Spearing: To ask the Secretary of State for Social Security what plans he has for any adjustments to the reduced earnings allowance consequential on industrial injury.

Mr. Scott: Our plans for reduced earnings allowance are set out in paragraphs 6.12 to 6.14 of Cm 917, "The Way Ahead", copies of which are available in the Library.

Invalid Care Allowance

Mr. Alfred Morris: To ask the Secretary of State for Social Security what is his estimate of the cost of allowing people who have been in receipt of invalid care allowance the option of satisfying the first contribution condition for unemployment benefit on the basis of paid contributions in either of the two years before first claiming invalid care allowance; and if he will make a statement.

Mrs. Gillian Shephard: In relation to a claim for a short-term national insurance benefit, including unemployment benefit, the contribution conditions have to be satisfied during the last two complete tax years before the benefit year in which the relevant period of interruption of employment (PIE) starts. The estimated net benefit costs of treating the first day for which invalid care allowance was paid as the first day in the PIE for short-term benefit claims made immediately after payment of invalid care allowance ceases would be in the order of £1 million a year.

Social Fund

Mr. Madden: To ask the Secretary of State for Social Security if, pursuant to the reply of 7 December 1989, *Official Report*, column *343*, he will publish the proportion of social fund expenditure, on a month by month basis, which local offices are recommended to spend, for each month in the financial year 1990-91.

Mr. Scott: The national profile of anticipated expenditure for 1990-91 is set out in the table. It was devised from an analysis of previous levels of national expenditure, as a guide to assist managers of local offices in planning expenditure of their annual budgets. It is not intended to represent a recommended pattern of monthly expenditure, and managers are free to produce their own profiles to take account of local factors in the area.

National social fund anticipated expenditure profile 1990-91

Month	*Per cent. of annual gross budget profiled*
April	7·98
May	8·90
June	7·83
July	8·03
August	7·93
September	6·81
October	8·82
November	9·50
December	7·65
January	7·28
February	8·78
March	10·49

Housing Benefit

Mr. Flynn: To ask the Secretary of State for Social Security if he will publish a table itemising expenditure savings in housing benefit and the numbers of losers between 1982-83 and 1990-91.

Mrs. Gillian Shephard *[holding answer 3 May 1990]:* The housing benefit scheme has been subject to a number of changes since it was introduced in 1982-83, including a fundamental reform in April 1988 and the replacement of rate rebates by a separate community charge benefit in April of this year. Because there are no standard rules for uprating the benefit, calculations of the financial effect of these changes are at best hypothetical; with time, it also becomes increasingly unrealistic to try to separate the effect of changes themselves from those of other factors such as movements in housing costs, changes in unemployment, and movements in income levels.

PRIME MINISTER

South Africa

Mr. Redmond: To ask the Prime Minister what trade sanctions are currently operating between the United Kingdom and South Africa.

The Prime Minister: A list of internationally agreed trade measures which are currently operating between the United Kingdom and South Africa is as follows:

UN Measures

(i) The British Government comply fully with the mandatory UN arms embargo (United Kingdom Security Council resolution 418 of 1977) which forbids the provision to South Africa of arms, related material, equipment and technical knowledge needed for their manufacture. The United Kingdom also implements the voluntary United Kingdom Security Council resolution 519 of 1986 which clarifies, but does not extend, the embargo.

(ii) The United Kingdom also implements the voluntary United Kingdom Security Council resolution 558 of 1984 which covers the import from South Africa of arms, ammunition and military vehicles.

EC Measures (September 1985)

(i) A rigorously controlled embargo on export of arms and paramilitary equipment to South Africa.

(ii) A rigorously controlled embargo of import of arms and paramilitary equipment from South Africa.

(iii) Cessation of oil exports to South Africa.

(iv) Cessation of exports of sensitive equipment destined for the police and armed forces of South Africa.

(v) Prohibition of all new collaboration in the nuclear sector.

Commonwealth Measures (October 1985)

(i) Strict enforcement of the mandatory arms embargo against South Africa.

(ii) Agreed upon and commended to other Governments the adoption of the following economic measures against South Africa:

(A) A ban on all Government loans to the Government of South Africa and their agencies.

(B) A readiness to take unilaterally what action may be possible to preclude imports of krugerrands.

(C) No Government funding for trade missions to South Africa or for participation in exhibitions and trade fairs in South Africa.

(D) A ban on the sale and export of computer equipment capable of use by South African military forces, police or security forces.

(E) A ban on new contracts for the sale and export of nuclear goods, materials and technology to South Africa.

(F) A ban on the sale and export of oil to South Africa.

(G) A strict and rigorously controlled embargo on imports of arms, ammunition, military vehicles and paramilitary equipment from South Africa.

Commonwealth Measures (August 1986)

Agreement to implement any EC decision to ban the import of coal, iron and steel and of gold coins from South Africa.

EC Measures (September 1986)

(i) A ban on imports of certain South African iron and steel.

(ii) A ban on the import of certain South African gold coins.

Mr. Cohen: To ask the Prime Minister if she will make representations to President De Klerk calling for the reprieve of the Upington 14 and the abolition of the common purpose law: and if she will make a statement.

The Prime Minister: The verdict on the Upington 14 is subject to an appeal and there is, in any case, a moratorium on all executions in South Africa while the application of the death penalty is reviewed. The doctrine of common purpose in South Africa is a matter of common law, not statute legislation.

Local Authority Rent Arrears

Mr. Andrew Mitchell: To ask the Prime Minister if she will list *(a)* the 10 local authorities with the lowest rent arrears, *(b)* the 10 local authorities with the highest rent arrears and *(c)* the political party in control in the relevant authorities for the latest period for which she has figures.

The Prime Minister: The 10 local authorities with the lowest rent arrears as at the end of 1988-89, expressed as a percentage of the rent roll, and the then controlling political party were as follows:

	Per cent.	*£ thousand*	*Political party*
South Hams	0·5	21·0	Conservative
Wansdyke	0·6	26·0	Conservative
West Oxfordshire	0·8	36·0	Conservative
Rochford	0·8	[1]21·0	Conservative
South Northamptonshire	0·8	26·0	Conservative
East Cambridgeshire	0·8	36·0	[2]NOC
Rother	0·9	29·0	Conservative
Gedling	0·9	42·0	Conservative
Babergh	0·9	40·0	[2]NOC
Newbury	0·9	70·0	Conservative

[1] 1988-89 arrears not reported, 1987-88 figure shown.

[2] NOC = No overall control.

The 10 local authorities with the highest rent arrears, as at the end of 1988-89, expressed as a percentage of the rent roll and the then controlling political party were as follows:

	Per cent.	*£ thousand*	*Political party*
Brent	49·0	[1]13,713·0	Labour
Lambeth	35·7	17,492·0	Labour
Southwark	35·5	[1]26,820·0	Labour
Hackney	30·3	12,357·0	Labour
Islington	28·9	13,081·0	Labour
Ealing	26·2	5,651·0	Labour
Liverpool	26·2	15,292·0	Labour
Haringey	25·6	7,200·0	Labour
Waltham Forest	20·6	4,365·0	Labour
Newham	16·0	5,373·0	Labour

[1] DOE estimate of rent arrears.

ATTORNEY-GENERAL

Judges

Mr. Sheerman: To ask the Attorney-General (1) how many formal complaints about the behaviour of judges have been received in each of the last 10 years;

(2) how many complaints have been lodged against judges in the last five years; and how many were upheld.

The Attorney-General: Communications about judicial decisions and behaviour take many different forms and it would not be possible to give a precise figure relating to complaints except at disproportionate expense. The large majority of complaints concern decisions made by judges, or remarks made in the course of their official duties. In such cases, it is constitutionally improper for the Lord Chancellor to comment, or to seek to intervene. Of the remainder, which relate to the conduct of judges, two such complaints in the past five years have led to the Lord Chancellor publicly reprimanding the judge.

Mr. Sheerman: To ask the Attorney-General what plans his Department has to monitor sentences passed by judges.

The Attorney-General: Neither the Lord Chancellor nor I have any plans to monitor sentences passed by judges. Within the statutory limits laid down by Parliament, sentencing is a matter for judicial discretion. Guidance on sentencing in particular classes of case is given from time to time by the Court of Appeal, criminal division, and notably in cases brought before it in the exercise of my power under section 36 of the Criminal Justice Act 1988. Data on the sentences passed by the courts are maintained by the Home Office.

Race Awareness

Mr. Sheerman: To ask the Attorney-General to what extent race awareness is a component of the education and training of *(a)* judges, *(b)* barristers and *(c)* solicitors.

The Attorney-General: The Judicial Studies Board is responsible for training judges, recorders, registrars and stipendiary magistrates and for supervising the training of the lay magistracy. Since racial awareness is considered to be an important element in ensuring that all members of the judiciary act impartially, the Judicial Studies Board has commissioned an information pack on ethnic minorities. The revised syllabus set out in "Handbook For the Training of Magistrates", published by the board earlier this year and approved by the Lord Chancellor, requires newly appointed magistrates to be given instruction in

"awareness of the different ethnic, cultural and religious backgrounds of those with whom they may have to deal as defendants or witnesses".

Moreover, those who attend the board's courses are reminded to be alert for any example of racial discrimination in anyone who appears in court.

The education and training of barristers and solicitors is a matter for the professional bodies concerned. Race awareness is a component of the education and training of both barristers and solicitors. It is not covered as a separate topic but features in certain compulsory subject study areas.

NATIONAL FINANCE

Overseas Loans

Mr. Allen: To ask the Chancellor of the Exchequer if he will list the loans made by Her Majesty's Government and British financial institutions to *(a)* Poland and *(b)* Hungary which still need to be repaid, the terms of each of those loans and the date at which they will be cleared.

Mr. Ryder: The Government contributed $35 million to a bridging loan for Poland at the end of 1989 as part of an operation organised by the Bank of International Settlements. This loan has now been repaid. The United Kingdom Government's aid to Poland and Hungary has primarily taken the form of grants. A list of loans to specific countries by British financial institutions is not kept by the Bank of England or the Government. United Kingdom banks' claims on Poland and Hungary at the end of 1989 were $1,180 million and $518 million respectively. Repayments of 67·3 per cent. of Poland's debt to United Kingdom banks is due in five years and over, and 18·5 per cent. within the next year. Repayments of 11·6 per cent. of Hungary's debt to United Kingdom banks is due in five years and over, and 42·7 per cent. within the next year.

Mr. Allen: To ask the Chancellor of the Exchequer what lending by *(a)* Her Majesty's Government and *(b)* British financial institutions to the Third world is taking place currently; and what screening takes place to ensure that such lending is not used for questionable military purchase or white elephant public sector projects.

Mr. Ryder: In 1988—the latest date for which information is available—£134 million of United Kingdom bilateral aid was provided in the form of loans. No part of the official aid programme is used for military purposes. Detailed systems for project identification and appraisal ensure that all proposals for aid funding are very carefully scrutinised to ensure that they conform to the Government's objective of promoting sustainable economic and social progress and alleviating poverty. ECGD guaranteed loans of £1·4 billion in support of United Kingdom exports—both civil and military—in 1988.

A list of loans to the Third world by British financial institutions is not kept by the Bank of England or the Government. United Kingdom banks' claims on

developing countries at the end of 1989 were $53 billion. Lending by the British banks is for their own commercial judgment.

East European Debt

Mr. Allen: To ask the Chancellor of the Exchequer what debts are owed to the United Kingdom by each east European country; and when each will be paid off.

Mr. Ryder: Debts owed to the United Kingdom by the east European countries fall into two categories: debt owed to the Government and debt owed to banks registered in the United Kingdom. It has not been the past practice of the Government to reveal specific debt owed by individual countries. Eastern Europe as a whole owes £1·7 billion to the United Kingdom Government. Eastern Europe's debt to United Kingdom banks is as follows:

$ million

	Total contractual debt	*By maturity* *Less than one year*	*One to five years*	*More than five years*
Bulgaria	530	300	210	20
Czechoslovakia	320	200	100	10
German Democratic Republic	1,195	795	345	55
Hungary	520	220	210	60
Poland	1,180	220	170	795
Romania	Not available			

European Monetary System

Mr. Leighton: To ask the Chancellor of the Exchequer what has been the rate of gross domestic product growth since 1983 in *(a)* European monetary system countries and *(b)* the United Kingdom.

Mr. Ryder: Since 1983 United Kingdom gross domestic product at constant prices has grown at an average annual rate of 3·4 per cent. compared with an average of 2·8 per cent. for present members of the exchange rate mechanism of the European monetary system.

Mr. Leighton: To ask the Chancellor of the Exchequer what was the percentage level of unemployment in France at the inception of the European monetary system; and what is it now.

Mr. Ryder: On OECD standardised definitions French unemployment was 5·7 per cent. in March 1979 and 9·4 per cent. in March 1990.

Public Debt Interest

Mr. Allen: To ask the Chancellor of the Exchequer what was the interest paid on public debt in each of the last 10 financial years.

Mr. Ryder: Figures for gross debt interest payments of the public sector are given in the table for each of the last 10 financial years (1989-90 is an estimated outturn).

Public sector gross debt interest payments

	Cash £ billion	*Percentage of money GDP*
1980-81	12·0	5·1
1981-82	14·1	5·4
1982·83	14·7	5·2
1983-84	15·2	4·9
1984-85	16·8	5·1
1985-86	18·4	5·1
1986-87	18·2	4·7
1987-88	18·3	4·3
1988-89	18·6	3·9
1989-90	19·0	3·75

TESSAs

Mr. Butterfill: To ask the Chancellor of the Exchequer when savers will first be able to open TESSA accounts.

Mr. Lilley: The legislation will provide that a TESSA may be opened from 1 January 1991. The earliest practical date for most people will be 2 January in England and Wales and Northern Ireland or 3 January in Scotland.

Schedule D Tax

Mr. Tim Smith: To ask the Chancellor of the Exchequer what information he has about how many schedule D Tax assessments are incorrect.

Mr. Lilley *[holding answer 17 May 1990]:* The Inland Revenue conducts regular quality control checks. The most recent results show that 10 per cent. of schedule D assessments are incorrect when first issued.

DEFENCE

Radioactive Waste

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Defence what is the total volume of aggregate radioactive waste produced by his Department or arising from activities conducted on behalf of his Department by British Nuclear Fuels and the United Kingdom Atomic Energy Authority since the military nuclear programme began; and what provisions have been made for the disposal of these wastes.

Mr. Neubert: It would not be in the national interest to disclose figures in the form in which the hon. Member seeks them. I can, however, assure the hon. Member that:

(a) wastes were disposed of in the past under conditions no less stringent than those then prevailing for civil wastes;

(b) Ministry of Defence disposals to the Drigg site in Cumbria are now published by British Nuclear Fuels plc;

(c) United Kingdom Nirex Ltd. has stated (in the United Kingdom radioactive waste inventory) that wastes arising from military operations will add no more the 20 per cent. to its published total of civil arising to the year 2030; and

(d) military wastes which cannot be sent for disposal under current regulation will, in common with civil wastes, be consigned to the national radioactive waste centre once it commences operation.

Radiation Exposure

Mr. Andrew F. Bennett: To ask the Secretary of State for Defence what is the distribution of total radiation exposure for Clyde submarine base workers in the ranges *(a)* 0 to 5 mSv, *(b)* 5 to 10 mSv, *(c)* 10 to 15 mSv, *(d)* 15 to 20 mSv, *(e)* 20 to 25 mSv, *(f)* 25 to 30 mSv, *(g)* 30 to 35 mSv, *(h)* 35 to 40 mSv, *(i)* 40 to 45 mSv, *(j)* 45 to 50 mSv, *(k)* greater than 50 mSv, *(l)* greater than 100 mSv, *(m)* greater than 200 mSv, *(n)* greater than 300 mSv, *(o)* greater than 400 mSv, *(p)* greater than 500 mSv, *(q)* greater than 600 mSv, *(r)* greater than 700 mSv, and *(s)* greater than 750 mSv, in numbers and in terms of percentage of the overall work force.

Mr. Neubert: A breakdown of cumulative radiation exposures for workers currently registered in DRP's record-keeping system as employed at Clyde submarine base is as follows:

Cumulative radiation exposures—Clyde submarine base

Dose range (mSv)	*Number of persons*	*Percentage of overall workforce*
0 - 5	274	7·33
5 - 10	61	1·63
10 - 15	25	0·67
15 - 20	20	0·54
20 - 25	8	0·21
25 - 30	13	0·35
30 - 35	14	0·37
35 - 40	9	0·24
40 - 45	2	0·05
45 - 50	5	0·13
Greater than		
50 (50 - 100)	28	0·75
100 (100 - 200)	12	0·32
200 (200 - 300)	1	0·03
300 (300 - 400)	0	0·00
400 (400 - 500)	0	0·00
500 (500 - 600)	0	0·00
600 (600 - 700)	0	0·00
700 (700 - 750)	0	0·00
750	0	0·00

Mr. Andrew F. Bennett: To ask the Secretary of State for Defence what is the distribution of total radiation exposure for Aldermaston workers in the ranges *(a)* 0 to 5 mSv, *(b)* 5 to 10 mSv, *(c)* 10 to 15 mSv, *(d)* 15 to 20 mSv, *(e)* 20 to 25 mSv, *(f)* 25 to 30 mSv, *(g)* 30 to 35 mSv, *(h)* 35 to 40 mSv, *(i)* 40 to 45 mSv, *(j)* 45 to 50 mSv, *(k)* greater than 50 msv, *(l)* greater than 100 mSv, *(m)* greater than 200 mSv, *(n)* greater than 300 mSv, *(o)* greater than 400 mSv, *(p)* greater than 500 mSv, *(q)* greater than 600 mSv, *(r)* greater than 700 mSv, and *(s)* greater than 750 mSv in numbers and in terms of percentage of the overall work force.

Mr. Neubert: Data on the lifetime aggregate whole-body external radiation exposure of workers employed by AWE since it commenced operations are presented in the table. The data are for all AWE sites, including Aldermaston, and represent the situation as at the end of 1989. In the interests of national security, it is inappropriate to provide the figures in terms of percentage of the overall work force or to provide the number of workers in the 0-10 millisievert category. I can confirm, however, that the majority of workers are in this category. A more detailed breakdown could be provided only at disproportionate cost.

Millisieverts	*Number of Staff*
10-15	1,095
15-20	753
20-30	740
30-50	576
Greater than 50	528
Greater than 100	[1]166
Greater than 200	[1]49
Greater than 500	[1]1
Greater than 750	[1]1

[1]One case resulted from a single high result of 1600 mSv in 1979 from a film dosimeter which, after investigation, was shown to have been exposed while not being worn. Without this false exposure, the individual would have appeared only in the greater than 50 category.

Mr. Andrew F. Bennett: To ask the Secretary of State for Defence what is the distribution of total radiation exposure for Devonport dockyard workers in the ranges: *(a)* 0 to 5mSv, *(b)* 5 to 10mSv, *(c)* 10 to 15mSv, *(d)* 15 to 20mSv, *(e)* 20 to 25mSv, *(f)* 25 to 30mSv, *(g)* 30 to 35mSv, *(h)* 35 to 40mSv, *(i)* 40 to 45mSv, *(j)* 45 to 50mSv, *(k)* greater than 50mSv, *(l)* greater than 100mSv, *(m)* greater than 200mSv, *(n)* greater than 300mSv, *(o)* greater than 400mSv, *(p)* greater than 500mSv, *(q)* greater than 600mSv, *(r)* greater than 700mSv and *(s)* greater than 750mSv in numbers and in terms of percentage of the overall work force.

Mr. Neubert: The information requested is a matter for the contractor, Devonport Management Ltd, which assumed responsibility for the health and safety of persons employed within the nuclear licensed site at Devonport on 5 April 1987.

Falkland Islands

Dr. Woodcock: To ask the Secretary of State for Defence if he will estimate the marginal cost of the British military presence in the Falkland Islands.

Mr. Archie Hamilton: The estimated extra cost to the defence budget of the Falkland Islands commitment in 1989-90, as published in the Statement on the Defence Estimates 1990, is £63 million.

Dr. Woodcock: To ask the Secretary of State for Defence if he will estimate the cost to the Exchequer in each of the last five years of emergency assistance by British military forces to foreign fishing vessels in waters surrounding the Falkland Island.

Mr. Archie Hamilton: Where British military forces are available in the area of an incident emergency assistance is provided free of charge; therefore no comprehensive records are kept and no estimate of the costs involved can be made.

Detention Centres, Hong Kong

Mr. Wigley: To ask the Secretary of State for Defence if there is any intention to use British troops to prevent escapes from Vietnamese detention centres in Hong Kong.

Mr. Archie Hamilton: Camp security is the responsibility of the civil authorities in Hong Kong, and no request for military assistance has been received from the Hong Kong Government.

Regular Forces (Fatal Injuries)

Mr. Onslow: To ask the Secretary of State for Defence what proportion of the fatal road traffic accidents that resulted in the death of regular forces personnel in each of the years 1984 to 1989 occurred when the personnel concerned were on duty.

Mr. Archie Hamilton: The proportion of fatal road traffic accidents that resulted in the death of regular forces personnel in each of the years 1984 to 1989, which occurred when the personnel concerned were on and off duty are as follows:

Year	*On duty per cent.*	*Off duty per cent.*	*Not known per cent.*
1984	12	88	—
1985	29	71	—
1986	23	76	1
1987	17	83	—
1988	22	78	—
1989	20	80	—

Mr. Onslow: To ask the Secretary of State for Defence what proportion of the fatal injuries to regular forces personnel in each of the years 1984 to 1989, other than road traffic accident injuries, occurred when the personnel concerned were on duty.

Mr. Archie Hamilton: The proportions of fatal injuries, other than road traffic accidents, to regular forces personnel in each of the years 1984 to 1989, which occurred when the personnel concerned were on and off duty are as follows:

Year	*On duty per cent.*	*Off duty per cent.*	*Not known per cent.*
1984	36	25	38
1985	46	18	36
1986	42	14	43
1987	46	21	33
1988	32	19	49
1989	38	16	46

A90 Project, Aldermaston

Sir Michael McNair-Wilson: To ask the Secretary of State for Defence whether he has received the Property Services Agency report on the management of the A90 project at atomic weapons establishment, Aldermaston.

Mr. Neubert: Yes. The report has been submitted to both the Ministry of Defence and the Department of the Environment. Investigations by both the PSA's central inquiry unit and the MOD police found no evidence of wrongful substitution of materials, fraudulent activity or financial loss to the Government under the A90 mechanical and electrical contract at AWE Aldermaston. The outcome of these investigations was reported to the House of Commons Defence Committee in March 1990 in a memorandum submitted by the PSA.

Sir Michael McNair-Wilson: To ask the Secretary of State for Defence if progress with the construction and commissioning of the A90 plant at atomic weapons establishment, Aldermaston is within its scheduled programme; and whether any special difficulties are being experienced with the ducting to remove radioactive gases from the plutonium processor.

Mr. Neubert: The overall A90 programme remains within the scheduled time scale to achieve the Trident warhead production programme. The replacement of the zone 1 ductwork in A90 by a pipework system was completed in April 1990 and full leak testing has been carried out successfully. No special difficulties with the replacement pipework system have been encountered. Memorandum No. 5 in the House of Commons Defence Committee's fifth report on the progress of the Trident programme (HC374) gives full details of the reasons for the replacement of the zone 1 ventilation ductwork.

Templeton Airfield, Pembrokeshire

Mr. Nicholas Bennett: To ask the Secretary of State for Defence what is the purpose of the installation recently constructed on the site of the wartime Templeton airfield, Pembrokeshire; and if he will make a statement.

Mr. Archie Hamilton: The newly constructed building at Templeton airfield is intended to house an automatic telephone exchange which will form part of a country-wide system to provide modern communications for the Royal Air Force. Equipment installation will be undertaken by GEC Plessey Telecommunications Ltd. later this year. When operational, the facility will be unmanned except during periodic maintenance visits.

Manorbier Range, Pembrokeshire

Mr. Nicholas Bennett: To ask the Secretary of State for Defence whether he has any plans to close or reduce the use of the Manorbier range, Pembrokeshire; and if he will make a statement.

Mr. Archie Hamilton: There are no plans either to close or to reduce the use of the Manorbier range.

RAF Brawdy

Mr. Nicholas Bennett: To ask the Secretary of State for Defence what estimate he has as to the annual expenditure by RAF Brawdy on the purchase of goods and services from local suppliers.

Mr. Archie Hamilton: RAF Brawdy spends some £2·5 million a year locally on a range of goods and services, including some building work. In addition, I understand that the United States authorities have estimated the local expenditure of the United States navy oceanographic research centre at Brawdy was some £700,000 in 1989-90.

Defence Installations, Pembrokeshire

Mr. Nicholas Bennett: To ask the Secretary of State for Defence if he will list all the installations under his Department's control, situated in the former county of Pembroke together with the number of *(a)* civilian and *(b)* service personnel at each location, the annual cost of running each installation, the total wage bill for *(a)* civilian and *(b)* service personnel and any estimate he has of the benefits which each installation provides to the local economy.

Mr. Archie Hamilton: My noble Friend the Parliamentary Under-Secretary of State for the Armed Forces will write to my hon. Friend.

Penally Range, Pembrokeshire

Mr. Nicholas Bennett: To ask the Secretary of State for Defence whether he has any plans to close or reduce the use of the Penally range, Pembrokeshire; and if he will make a statement.

Mr. Archie Hamilton: There are no plans either to close or to reduce the use of the Penally range.

Land Force Districts

Mr. Nicholas Bennett: To ask the Secretary of State for Defence if he will make a statement on the review of United Kingdom land force districts.

Mr. Archie Hamilton: The structure of United Kingdom land force districts is currently the subject of an internal review by the Commander in Chief United Kingdom Land Forces. It is expected that recommendations will be made to the Ministry of Defence later this year.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence if he will make it his policy that should the Wales land force district be amalgamated with any English land force district the new land force district will include the name of Wales in the title.

Mr. Archie Hamilton: No proposals have yet been put forward concerning the reorganisation of the Army district structure in the United Kingdom. It would therefore be premature to discuss any retitling that may be recommended.

Castlemartin Range, Pembrokeshire

Mr. Nicholas Bennett: To ask the Secretary of State for Defence whether he has any plans to close or reduce the use of the Castlemartin range, Pembrokeshire; and if he will make a statement.

Mr. Archie Hamilton: There are no plans either to close or to reduce the use of the Castlemartin range.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence if he will make a statement on the use by the German armed forces of the Castlemartin range and any proposals to increase or reduce their usage of the range.

Mr. Archie Hamilton: The German army has shared the use of the Royal Armoured Corp range at Castlemartin with the British Army under a Government-to-Government arrangement since 1961. This sharing arrangement is considered by both sides to be highly satisfactory. I am not aware of any intention on the part of the German army to alter its level of activity at the range.

WALES

Health Service, Gwynedd

Mr. Wigley: To ask the Secretary of State for Wales what is regarded by the Welsh office as the appropriate number of dentists working as general dentistry practices to serve the needs of Gwynedd; and how many such dentists are in post on the latest available date.

Mr. David Hunt: As at 3 September 1989 there were 70 general dental practitioners operating within Gwynedd. This figure includes 67 principals and three assistants.

It is essentially for the Gwynedd family practitioner committee, in consultation with the district health authority, to assess the need for general dental services in Gwynedd, taking into account the demography and epidemiology of the population.

Mr. Wigley: To ask the Secretary of State for Wales how many general practitioner practices in Gwynedd have expressed an interest in becoming fund-holding practices; and how many doctors are involved in these practices.

Mr. David Hunt: To date, two practices in Gwynedd comprising six general practitioners have expressed an interest in becoming fund-holding practices.

Mr. Wigley: To ask the Secretary of State for Wales, pursuant to his reply of 14 May, *Official Report*, column *294*, what factors account for the rise in Gwynedd health authority's capital allocation from 1982-83 to 1990-91 by a lower proportion than any other district in Wales; and if he will make a statement.

Mr. David Hunt: I will write to the hon. Gentleman and place a copy of my letter in the Library of the House.

Computerisation

Mr. Campbell-Savours: To ask the Secretary of State for Wales whether he will list the value of orders given by the Welsh Office for computer equipment for each month from 1 August 1988 to 1 May 1990.

Mr. David Hunt: The value of orders placed by my Department for computer equipment was as follows:

	£
1988	
August	30,514
September	121,723
October	69,525
November	25,477
December	19,176
1989	
January	100,797
February	225,422
March	29,094
April	19,519
May	82,210
June	51,185
July	38,858
August	82,413
September	32,817
October	65,042
November	64,429
December	78,768
1990	
January	106,998
February	237,091
March	239,101
April	47,011

National Parks

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales how much money is currently granted by the Government to each national park authority in Wales to set up an effective wardening scheme; and what plans there are to increase these sums.

Mr. Roberts: The three Welsh national parks have allocated over £600,000 towards wardening in 1990-91 out

of an estimated accepted expenditure of £4,573,000 of which the Government will contribute £3,430,000 by way of the national park supplementary grant. The amount allocated to wardening each year is entirely a matter for each individual park.

Farms

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales how much money is currently allocated to the farming industry in Wales to counteract the problems caused by visitors' presence.

Mr. David Hunt: No money is paid directly to the farming industry by my Department in relation to visitors' presence on farmland.

However, I understand that the three national parks in Wales are likely to pay grants of the order of £50,000 in 1990-91 to farmers and landowners in this connection. In addition, the Brecon Beacons national park, in conjunction with the Countryside Commission, is establishing an experimental project on the black mountains to test new ways of improving and maintaining rights of way, including payments to farmers.

Chernobyl

Mr. Wigley: To ask the Secretary of State for Wales how long the restrictions on the sale and movement of sheep due to the Chernobyl nuclear disaster will continue in Wales.

Mr. David Hunt: It is not possible to predict how long restrictions on the sale and movement of sheep due to the Chernobyl nuclear accident will need to remain in force. Restrictions will be lifted as soon as I am satisfied it is possible to do so without compromising food safety.

Single-parent Families

Mr. Wigley: To ask the Secretary of State for Wales how many families and what percentage of families in Wales are single-parent families.

Mr. David Hunt: Preliminary results from the 1989 labour force survey estimate that there are 58,000 single-parent families with children under the age of 16 years living in private households in Wales, which represents 16·9 per cent. of all Welsh households with dependent children.

Labour Statistics

Mr. Wigley: To ask the Secretary of State for Wales what was the number of people in employment in *(a)* primary industry and *(b)* manufacturing in Wales in the first quarter of 1979 and the last quarter of 1989.

Mr. David Hunt: In March 1979 there were 85,000 employees in employment in primary industry (divisions 0 and 1 of standard industrial classification 1980) and 314,000 in manufacturing industry (divisions 2 to 4.)

The figures for December 1989 are 50,000 and 250,000 respectively.

Disabled Children

Mr. Wigley: To ask the Secretary of State for Wales how many children and what percentage of the children of Wales are disabled.

Mr. David Hunt: Surveys of disability in Great Britain carried out by the Office of Population Censuses and Surveys between 1985 and 1988 suggest that there are about 18,000 disabled children under the age of 16 years in Wales, which represents 3·1 per cent. of the child population of Wales.

Local Government Finance

Mr. Wigley: To ask the Secretary of State for Wales what definition of main residence is used by his Department for community charge purposes.

Mr. David Hunt: None. Decisions as to individuals' sole or main residences are matters for community charge registration officers, who will have regard to the provisions of subsections 2(3) to 2(6) of the 1988 Act. Further guidance for CCROs has been issued in community charge practice note No. 9, "Sole or Main Residence". A copy of the practice note is in the Library.

Mr. Morgan: To ask the Secretary of State for Wales (1) if he will introduce into Wales a transitional relief scheme for disabled community charge payers comparable to that applying in England;

(2) if he will bring forward proposals for Wales to have a community charge transitional relief scheme for elderly relatives who were not previously ratepayers.

Mr. David Hunt: The Government are reviewing the operation of the community charge system. It is too early to say what changes might be made.

British Coal

Mr. Barry Jones: To ask the Secretary of State for Wales what plans he has to meet the chairman of British Coal to discuss redundancies in the south Wales coalfield.

Mr. David Hunt: My predecessor met with the chairman of British Coal on 23 April and I hope to do so shortly.

Brymbo Steelworks

Mr. Barry Jones: To ask the Secretary of State for Wales what plans he has to meet the owners of Brymbo steelworks to discuss the future of Brymbo; and if he will make a statement.

Mr. David Hunt: I met with the owners of Brymbo steelworks at Gwydyr house on Wednesday 16 May. United Engineering Steel Ltd. has agreed to have immediate discussions with the Welsh Development Agency about the options open to the company for the future of the steelworks at Brymbo.

Hospital Closures

Mr. Wigley: To ask the Secretary of State for Wales whether a hospital can be deemed to be closed prior to all of the activities at that hospital being terminated.

Mr. David Hunt: Closure of a hospital may involve a staged reduction of services. However, I would not consider a hospital to be fully closed until all patient services there had ceased.

Mr. Wigley: To ask the Secretary of State for Wales if he will publish in the *Official Report* the exact conditions which he has stipulated prior to the closure of the cottage hospital, Caernarfon.

Mr. David Hunt: The exact conditions to be met before the full closure of the cottage hospital can be completed were set out at paragraph 42 of annex A to the letter of 20 April 1990 from the Welsh Office to the general manager of the health authority, a copy of which was sent to the hon. Gentleman.

War Memorial Institute

Mr. Michael: To ask the Secretary of State for Wales if he will announce his decision in respect of the urban aid grant sought for Llandough and Leckwith War Memorial Institute.

Mr. David Hunt: An application for grant aid has been made in respect of Llandough and Leckwith War Memorial Institute under the capital grants to voluntary youth services, village halls and community centres programme. South Glamorgan local education authority was notified on 11 May that this project was successful in attracting grant.

National Health Service

Mr. Wigley: To ask the Secretary of State for Wales how many members of his staff are involved in responsibilities relating to the National Health Service in Wales.

Mr. David Hunt: As at 1 April 1990—338·5 (full-time equivalents).

Health Authorities

Mr. Wigley: To ask the Secretary of State for Wales how each health authority in Wales responded to the requirement laid down by the Welsh Office in 1987 to transfer 0·5 per cent. per annum towards priority services; how much money was diverted by each authority in 1987-88 and 1988-89 for this purpose; and whether any such requirement is still operational for any specific purpose in any health authority in Wales.

Mr. David Hunt *[holding answer 14 May 1990]:* In 1983 the Department introduced a requirement for district health authorities to redeploy efficiency savings amounting to a minimum of 0·5 per cent. of recurring revenue expenditure to the continuing care services, specifically for people with a mental handicap, for people suffering from mental illness, and elderly people. From 1988-89 no minimum level of redeployment has been stipulated by the Department.

Expenditure on these services in 1987-88 and 1988-89, taken from health authority financial returns, is given by health authority in the table. In respect of services for the elderly, expenditure is shown for the geriatrics specialty only although elderly patients are also treated in other specialties such as general medicine, general surgery and orthopaedics. Care in the community is not separately identified, costs being generally subsumed within patient treatment services such as district nursing, health visiting, chiropody, and so on.

Directly comparable figures for earlier years are not available.

£

	Geriatrics[2]	*Mental Handicap*		*Mental Illness*	
1987-88	([1])	([1])	([3])	([1]) ([5])	([4])
Pembrokeshire	1,822,733	409,699	18,558	245,461	94,070
Clwyd	7,666,607	922,444	227,582	5,963,107	800,911
East Dyfed	4,549,917	462,485	121,369	6,512,926	552,505
Gwent	8,250,795	3,113,079	290,531	9,761,446	758,127
Gwynedd	5,938,671	2,595,592	90,836	1,330,158	367,714
Mid Glamorgan	8,409,299	5,743,148	72,520	12,280,112	467,639
Powys	2,650,704	2,423,604	72,437	2,753,664	337,373
South Glamorgan	8,235,709	3,653,904	112,945	7,977,621	325,431
West Glamorgan	6,299,904	744,581	113,318	5,098,206	439,720
TOTAL	53,824,339	20,068,536	1,120,096	51,922,701	4,143,490
1988-89					
Pembrokeshire	2,283,163	422,781	12,824	427,069	103,647
Clwyd	8,576,817	994,811	331,817	7,716,060	810,888
East Dyfed	5,056,018	690,450	144,498	7,739,875	575,426
Gwent	9,647,059	3,557,989	321,027	11,541,789	966,543
Gwynedd	6,808,664	3,057,594	109,038	1,744,850	567,413
Mid Glamorgan	9,856,418	6,256,565	179,490	14,386,295	635,331
Powys	3,085,714	2,704,192	95,571	3,401,677	466,258
South Glamorgan	10,387,908	4,475,559	134,778	9,642,005	388,812
West Glamorgan	7,627,215	1,030,093	181,811	5,535,776	552,567
TOTAL	63,328,976	23,190,034	1,510,854	62,135,396	5,066,885

[1] Net hospital expenditure on patient treatment services only (ie. excluding general services).
[2] Expenditure in geriatrics specialty only—note that elderly patients are also treated in other specialties (eg. general medicine, general surgery, orthopaedics etc.)
[3] Mental handicap nursing (sub code 106)—ie. only the nursing element can be separately identified.
[4] Psychiatric nursing (sub code 105)—ie. only the nursing element can be separately identified.
[5] Classed as 'other psychiatric' on the FR12 return.

Hospitals

Mr. Wigley: To ask the Secretary of State for Wales if he will list all the district general hospitals in Wales, indicating for each *(a)* the year of opening, *(b)* the number of staff employed on the most recent available date, *(c)* the original capital cost of constructing and equipping each hospital and the equivalent of each of those figures adjusted for inflation and *(d)* the gross revenue cost of running each hospital in 1989-90.

Mr. David Hunt *[holding answer 17 May 1990]:* Information on the capital cost of constructing and equipping all district general hospitals in Wales or the gross revenue cost of running each hospital in 1989-90 is not available. The information on the number of staff employed and the year of opening is given in the table:

Hospital	*Year of opening*	*Staff in post*[1]
Ysbyty Glan Clwyd	1980	989·7
Ysbyty Maelor	1986	1,697·1
Bronglais	1966	508·1
West Wales General	1958	621·2
Royal Gwent/St. Woolos	Pre 1948	2,407·0
Nevill Hall	1969	995·8
Ysbyty Gwynedd	1984	1,084·6
Princess of Wales/Bridgend General	1985	1,147·1
East Glamorgan	Pre 1948	1,078·2
Prince Charles	1977	784·8
Withybush	1978	876·9
University Hospital of Wales[2]	1971	2,306·1
Cardiff Royal Infirmary	Pre 1948	1,005·9
Llandough	Pre 1948	752·2
Singleton	1967	949·6
Morriston	1985	1,674·4
Neath	Pre 1948	808·2
Prince Philip	1990	[3]—

[1] Whole-time equivalents as at 30 September 1989. Excludes medical and dental staff and learner nurses as these cannot be easily allocated to individual hospitals. The figures are based on pay records for staff paid at the named hospitals and it is not possible to adjust for staff paid at one unit working partly at another.
[2] Includes the dental hospital.
[3] Information not yet available.

TRADE AND INDUSTRY

International Investments Ltd.

Mr. Beggs: To ask the Secretary of State for Trade and Industry whether he will urgently seek co-operation from the Government of the Irish Republic to jointly fund legal actions against those persons suspected of fraudently acquiring investors' monies from International Investments Ltd.

Mr. Redwood: No. As the Secretary of State for Trade and Industry understands the position, International Investments Ltd. is a company which was incorporated in Gibraltar and is now in liquidation. The Secretary of State is not aware of any activities of the company which would bring it within the jurisdiction of the statutes for which he is responsible.

Eastern Europe

Mr. Simon Coombs: To ask the Secretary of State for Trade and Industry how many of his Department's staff are actively engaged in promoting trade with the countries of eastern European *(a)* based in the United Kingdom and *(b)* based in those countries; and what are the comparable figures for 1979.

Mr. Redwood: The answers to the first two parts of the question are 28 and none. The answer to the third part is more complicated but as far as I can tell the equivalent figure in 1979 was 24. Staff have recently been increased by the appointment of a G5 officer and secretary and an HEO and EO to reflect the opportunites and larger workload in eastern Europe. Similarly the Foreign and Commonwealth Office is strengthening its staff numbers in this area. In addition, both now and in 1979, staff in other parts of my Department, including regional offices, spend part of their time in helping to promote trade with these countries.

Auditors

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether he will introduce legislation providing that auditors owe a duty of care to each shareholder.

Mr. Redwood: I refer the hon. Member to the answer I gave to his question on 26 February at column *15*.

Manufacturing

Mr. Oppenheim: To ask the Secretary of State for Trade and Industry what has been the real terms increase in productivity and manufacturing output in the periods 1960 to 1969, 1970 to 1979 and 1980 to 1989 for *(a)* Britain, *(b)* France, *(c)* Italy, *(d)* West Germany, *(e)* the Netherlands, *(f)* Sweden, *(g)* the United States of America and *(h)* Japan; and what was the average inflation rate for those countries in those decades.

Mr. Douglas Hogg *[holding answer 14 May 1990]:* The available information is in the tables:

Output per person in manufacturing
Changes in real terms

Per cent.

	1960-69	*1970-79*	*1980-89*
United Kingdom	17·4	13·3	50·5
France[2]	19·9	23·7	28·9
Italy[1 2]	25·1	15·4	23·9
Federal Republic of Germany	22·0	24·6	20·6
Sweden[2]	24·7	12·8	23·3
United States of America	17·5	20·2	33·8
Japan	29·5	28·4	28·3
Netherlands	19·1	31·2	17·0

[1] 1980 to 1988 change.
[2] 1961 to 1969 change.
Source: OECD Main Economic Indicators.

Manufacturing output
Changes in real terms

Per cent.

	1960-69	*1970-79*	*1980-89*
United Kingdom	25·2	4·2	23·3
France	29·0	26·7	9·0
Italy[1]	32·5	24·5	8·2
Federal Republic of Germany	29·5	15·5	15·1
Sweden	32·0	9·0	18·0
United States of America	25·9	27·3	31·6
Japan	33·8	24·2	36·1
Netherlands	28·0	21·0	22·0

[1] 1980 to 1988 change.
Source: OECD Main Economic Indicators.

Average annual inflation rates[1]

	1960 to 1969 per cent.	*1970 to 1979 per cent.*	*1980 to 1988*[2] *per cent.*
United Kingdom	3·8	12·7	7·4
France	3·9	8·9	7·8
Italy	3·8	12·3	11·7
Germany	2·6	4·9	2·9
Netherlands	4·1	7·0	3·1
Sweden[3]	3·6	7·9	7·4
United States of America	2·4	7·1	5·6
Japan	5·6	9·1	2·5

[1] These rates were calculated using the consumer price indices.
[2] Latest year figures available.
[3] IFS.

Sources: OECD Main Economic Indicators.

Iraq

Mr. Rogers: To ask the Secretary of State for Trade and Industry, further to the reply of the Minister for Defence Procurement of 2 May, *Official Report*, column *603*, what were the trade deals of protocols 1 and 2 with Iraq that required the credit facilities of £275 million and £300 million, respectively.

Mr. Redwood *[holding answer 17 May 1990]:* The credit facilities established under protocols 1 and 2 financed in excess of 500 contracts ranging from United Kingdom participation in major Iraqi projects to relatively small contracts for the supply of goods, equipment and pharmaceutical products.

Insurance Companies

Mr. Redmond: To ask the Secretary of State for Trade and Industry what action his Department is taking under section 44 of the Insurance Companies Act 1982 in respect of Debt Indemnity Service (UK) Division; and if he will make a statement.

Mr. Redwood *[holding answer 17 May 1990]:* It is not the practice to comment on the affairs of individual persons and I am unable to add to my Department's press notice of 30 April 1990 which made it clear that Debt Indemnity Service (UK) Division is not authorised to carry on any class of insurance business in the United Kingdom and that any business or person who has taken out a "policy" with this organisation should urgently take legal advice.

SCOTLAND

Local Government Finance

Mr. Foulkes: To ask the Secretary of State for Scotland what is the latest estimate for the cost of the collection of the community charge in each region of Scotland for 1989-90; what is the estimate for collection of business rates for 1989-90 for each region; and what is the equivalent cost of collection of all rates for each region in 1988-89.

Lord James Douglas-Hamilton *[holding answer 17 May 1990]:* It is not possible to produce satisfactory figures on this basis for these years because the local authority estimates leave out costs attributable to central administration and include income in respect of statutory additions for late payments. The table, which includes negative and low amounts for certain authorities, shows the results of processing the available figures in the manner requested:

Regional council	*1989-90* *Cost of collection of the community charge* £000	*Cost of collection of non-domestic rates* £000	*1988-89* *Cost of collection of all rates* £000
Borders	564	187	368
Central	861	−26	920
Dumfries and Galloway	355	2	225
Fife	2,191	31	681
Grampian	1,692	99	1,555
Highland	787	304	744
Lothian	3,227	1,169	2,656
Strathclyde	7,105	−531	5,346
Tayside	2,123	201	1,081

EMPLOYMENT

Technical and Vocational Education

Mr. Pawsey: To ask the Secretary of State for Employment what is the planned level of funding for the technical and vocational education initiative for 1991-92 and 1992-93.

Mr. Eggar: As laid out in the public expenditure White Paper the planned level of funding for the technical and vocational education initiative for 1991-92 and 1992-93 is £133 million and £141 million respectively.

Mr. Maclennan: To ask the Secretary of State for Employment what funds he is making available for the extension of the technical and vocational education initiative in Scotland; and if he will make a statement.

Mr. Eggar: *[holding answer 15 May 1990]:* As laid out in the public expenditure White Paper, the Department plans to make available £134 million in 1990-91, £133 million in 1991-92 and £141 million in 1992-93 for the extension of the technical and vocational education initiative in England, Scotland and Wales.

Female Employment

Mrs. Dunwoody: To ask the Secretary of State for Employment if he will initiate a series of local research projects into the barriers faced by older women wishing to return to work.

Mr. Nicholls: My Department has recently funded a number of studies which cast light on the problems of older people and women who wish to return to work but we have no plans for new research into the specific subject of the barriers faced by older women.

Training and Enterprise Councils

Mr. Ashley: To ask the Secretary of State for Employment what steps he is taking to ensure that TECs have sufficient flexibility to meet the training needs of disabled people.

Mr. Eggar: The national framework we have established within which training and enterprise councils (TECs) will operate ensures that TECs have the flexibility to adapt national programmes to meet individual needs, including the needs of people with disabilities. TECs will also have access to specialist residential training providers offering places for people with disabilities who need particular facilities and support, where appropriate local provision is not available.

Mr. Hannam: To ask the Secretary of State for Employment (1) whether he will issue guidance to training and enterprise councils on meeting the training of people with disabilities; and if he will make a statement;

(2) what plans he has to ensure that examples of good practice of training and enterprise council's provision for disabled people are disseminated to all training and enterprise councils;

(3) how he plans to ensure that training and enterprise councils are fully aware of the training and employment needs and abilities of people with disabilities.

Mr. Eggar: TECs must set out in their business plan how they intend to meet the training needs of people with disabilities. These plans will be subject to my approval.

Existing guidance issued by my Department on assessment, training and employment of people with disabilities is available to TECs, in the following publications:

"Building on Ability"—a guide for training people with disabilities (Training Agency publication December 1989).

Code of good practice on the employment of disabled people (employment service revised October 1988).

The Training Agency has begun to issue a series of good practice guidance written specifically for TECs which among other issues will cover special training needs, including people with disabilities. The agency will continue to review the need for further guidance in this area.

Mr. Hannam: To ask the Secretary of State for Employment what steps he is taking to ensure that all training and enterprise councils' boards have a member with explicit responsibility for the needs of people with disabilities; and if he will make a statement.

Mr. Eggar: It is for each training and enterprise council (TEC) to determine the membership of its board within the broad parameters set by my Department. The position on membership of TEC boards is set out in the TEC prospectus.

Mr. Hannam: To ask the Secretary of State for Employment what plans he has to develop alternative performance indicators in training and enterprise councils for disabled people and those with learning difficulties.

Mr. Eggar: There will be a system of performance-related funding for TECs which achieve specified levels of performance against particular output measures. One of these measures will relate to people with disabilities. All the performance measures used will be regularly evaluated to look for ways in which their effectiveness and reliability can be improved.

Mr. Hannam: To ask the Secretary of State for Employment what steps he is taking to ensure that training and enterprise councils do not suffer budget penalties for meeting the higher unit costs of training disabled people; and if he will make a statement.

Mr. Eggar: Training and enterprise councils (TECs) will operate under a performance-related contract with my Department. This is designed to give an incentive for good performance by TECs in achieving objectives. This will include meeting the training needs of people with disabilities.

Disabled People

Mr. Alfred Morris: To ask the Secretary of State for Employment what proposals he has to provide people with disabilities who need personal assistance in employment with equivalent help to that they have been receiving during their course of higher education; and if he will make a statement.

Mr. Eggar: My Department provides a range of special schemes designed to overcome barriers to employment encountered by people with disabilities. Included is a personal reader service for the visually handicapped.

These special schemes are currently being evaluated and proposals for their future development will be published soon.

Deaf People (Employment)

Sir Alan Glyn: To ask the Secretary of State for Employment what assessment he has made of whether a person is suffering from severe deafness should be permitted to work near dangerous machinery or water.

Mr. Nicholls: The fitness for work of people with disabilities such as severe deafness can be assessed only on an individual basis, taking into account all the circumstances of the proposed employment. This assessment is the responsibility of the employer, seeking appropriate advice as necessary. It is possible to devise systems of work that would enable deaf people to work safely near machinery or water.

Mr. Kenneth Harris

Sir Alan Glyn: To ask the Secretary of State for Employment if he will make a statement on the accident involving the death of Mr. Kenneth Harris which occurred at Teddington weir on 8 January.

Mr. Nicholls: Inspectors from the Health and Safety Executive are carrying out an investigation into the death of Mr. Kenneth Harris on 8 January. The investigation commenced on 9 January and is continuing.

Action Credit

Ms. Primarolo: To ask the Secretary of State for Employment if he will make a statement on the progress of research into the viability of extending action credit to five employment service areas; and if he is considering alterations to the current pilot scheme.

Mr. Eggar: A draft report on the reactions of long-term unemployed people to the action credit concept is due in June 1990.

I have no plan to alter the current pilot scheme.

Ms. Primarolo: To ask the Secretary of State for Employment whether refusal of a place on action credit could constitute a failure to avail oneself of an employment opportunity.

Mr. Eggar: Participation in employment with action credit, which is for less than 24 hours a week, is entirely voluntary. Refusal of a place, therefore, could not be regarded as neglecting to avail oneself of a reasonable opportunity of employment.

Employment Training

Mr. McAvoy: To ask the Secretary of State for Employment what plans he has to encourage voluntary organisations to participate in employment training.

Mr. Nicholls: Voluntary organisations already play a significant and welcome part in ET. The new flexibilities available to ET provide further encouragement to voluntary organisations and other providers to participate in training.

Restart

Ms. Short: To ask the Secretary of State for Employment what provision is being made to include suitable courses of study under the 21-hour rule on the restart menu; and what guidance has been given to restart counsellors to interpret the meaning of "suitable" when judging a course to be a positive outcome from a restart interview.

Mr. Eggar *[holding answer 17 May 1990]:* The employment service, which is responsible for the restart programme, became an executive agency on 2 April 1990. The employment service chief executive, Mr. Mike Fogden, will be replying in writing to the hon. Lady.

AGRICULTURE, FISHERIES AND FOOD

Rural Funds

Mr. Kirkwood: To ask the Minister of Agriculture, Fisheries and Food what steps he proposes to make the application of rural funds under EC objective 5(b) available over wider areas of the United Kingdom.

Mr. Douglas Hogg: I have been asked to reply.

Areas eligible for grants under objective 5(b) of the European Community's structural funds are determined by the European Commission under the terms of article 4 of Council regulation (EEC) No. 4253/88. I understand that the Commission has no present intention of designating further areas. The money available for objective 5(b) grants up to the end of 1993 has already largely been allocated to the areas already designated.

Agricultural and Food Research Council

Mr. Dalyell: To ask the Minister of Agriculture, Fisheries and Food what assessment has been made of the effects of *(a)* the amounts of time spent by scientists writing grant proposals and *(b)* training the staff for short-term contracts, on the overall scientific effectiveness of core staff at Agricultural and Food Research Council institutes.

Mr. Jackson *[holding answer 16 May 1990]:* I have been asked to reply.

I understand that no such assessments have been made. The writing of grant proposals is part of the work of research scientists whether in Agricultural and Food Research Council or elsewhere. Permanent scientific staff at Agricultural and Food Research Council institutes have an on-the-job training role for new staff whether on permanent or period appointment.

NORTHERN IRELAND

Stamp Office for Deeds

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what consultation there was within Northern Ireland other than with relevant staff and the legal profession before the decision to close the Belfast stamp office for the registration of title deeds.

Mr. Major: I have been asked to reply.

None. Any prior consultation would have been incompatible with Budget confidentiality for my decision to abolish stamp duty on shares.

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PARLIAMENTARY DEBATES

OFFICIAL REPORT

SIXTH SERIES **VOLUME 172**

SESSION 1989–90

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Scope and arrangement of the Index

Oral and Written Parliamentary Questions are indexed under subject headings and the names of Members asking and Ministers replying to them. Questions are not listed under the names of Departments replying. Departmental listings can be arrived at indirectly by looking under the names of the Minister(s) of that Department. There are, however, the headings 'Northern Ireland', 'Scotland', and 'Wales' under which one can find not only most Questions answered by the Northern Ireland Office, Scottish Office, Welsh Office but also Questions about these areas of the United Kingdom which are answered by other Departments. Ministerial statements are indexed under subject headings, under 'Ministerial statements' and the names of Ministers making them and Members speaking on them. General debates are indexed under broad subject headings and under the names of all Members and Ministers taking part. Debates on legislation (Bills, Orders, Regulations etc.) are indexed under the name of the Bill, Statutory Instrument etc, under subject headings and under the names of those taking part.

Rulings and Statements by Mr. Speaker and his deputies are brought together under the heading Speaker's rulings and statements.

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Members' names are given in the form by which they prefer to be known and are printed in bold italics. Under their names, entries are arranged under one of the two headings *Debates etc* (to include interventions on statements, points of order and so on) or *Questions*.

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